

AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON JANUARY 10,
2006, THE FOLLOWING PROCEEDINGS WERE
HAD, VIZ.

PRESENT: EDWARD J. DIXON, CHAIR
BRENDA HOLT, VICE CHAIR
EUGENE LAMB
STERLING WATSON
DERRICK PRICE
THORNTON WILLIAMS, COUNTY ATTORNEY
MARLON BROWN, COUNTY MANAGER
MURIEL STRAUGHN, DEPUTY CLERK

CALL TO ORDER

Chair Dixon called the meeting to order.

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Watson opened the meeting with a prayer of comfort for the family of former Commissioner E. Hentz Fletcher who died January 10, 2005.

Commissioner Price then led in pledging allegiance to the US flag.

In remembering Commissioner Fletcher, Chair Dixon stated, "This County finds itself certainly at a loss in that one who has walked these halls and sat in these chairs has passed on. That is the Honorable E. Hentz Fletcher. He was a straight up good guy. We are going to miss him . . . That is the important thing around this table - no matter what you do around it, be remembered as a good guy... Of course, he always wanted to hurry up and end the meeting, but he was one of the better commissioners that I have had the pleasure to serve with. You could always make your argument and he was always looking for a compromise because he wanted everybody to be happy around the table. Especially, if Commissioner Watson and I were at odds. Most times, he would find a happy median. I was certainly always grateful to him for that. He will be missed."

Commissioner Watson remembered the following, "The most important thing that I would say about him is that I was impressed by how well connected he was, who he knew, and what he could get done with a phone call. Two examples of that is in

1994, when all the roads blew out, Highway 90 was one of the roads that blew out. He called the guy that owned the property (one of these tomato guys, Gargiulo, I think) and got permission for the county to put in that by-pass. He was able to do that. Another more recent example - there was a church in Hardaway that had a county road running right beside it. He called the guy who owned the property next door and moved the road for the church. They couldn't expand the church. They couldn't have a parking lot because our road ran about 20 ft. from their wall. Well, they approached him about it. The guy that owns the property lives up in Georgia somewhere and he knew him. He called him one day and he said that if the county would build the road, they could use the property. That is what he was able to get done. He just got it done....He wanted things to be well with everybody and he worked hard to make that happen."

AMENDMENTS AND APPROVAL OF AGENDA

The following items were added to the agenda:

Consent Agenda - Approval for the Purchase of Electronic Voting Systems

General Business - Approval of EMS Rate Increases per the Medicare and Medicaid increases

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

AWARDS, PRESENTATIONS AND APPEARANCES

1 Presentation by Tallahassee Community College (TCC) and Workforce Plus Regarding the Gadsden County Youth Program

Mr. Rick Frazier, TCC director of special services and Kim Moore, chief executive officer for Workforce Plus addressed the Board.

Mr. Frazier said that TCC has administered the county's youth summer program for several years. He said they served approximately 40-45 young people. It entailed after school work experience. He went on to say that while in attendance at a county commission meeting last summer, he was challenged to be more creative in developing programs that could address some of the juvenile problems in the County. He then began to look at ways to beef up the program and sought assistance from

Workforce Plus - another program that has been involved in youth programs. Reducing the juvenile delinquency acts within the county became the primary goal.

Ms. Moore said that she had talked to both Chair Dixon and County Manager Marlon Brown and determined that the focus of the program should be solution driven. She said that they have looked at ways to engage the entire community and specifically the business community in the approach to addressing issues with regard to youth. She then explained how the program is expected to operate.

She said there would be a work radius component that will begin to prepare youth at a very early age to enter the work force. It will include resume writing, labor market information, interview preparation, engagement from the business community (communication to the youth as to their expectation from them), and citizenship (what the role and the obligation of the student is as a resident is in the community.)

She said that the program is expected to also offer job shadowing experiences and unsubsidized employment opportunities for students exiting high school.

She then explained the "capacity building piece." She described how they will work with existing groups - groups that are already providing youth services in the County.

She went on to say that, they expect to have 75 students (middle school and high school students) in the program and they will expect 100% completion rate. Of that number, she expects 85% of those students to come out of the program with a work rate and credentials, which state that they are prepared for the work force. 61 % of the students will be exposed to an actual work site and earn dollars.

Mr. Frazier then told the Board that the process is a holistic project. In addition to the middle school and high school students, they will also look at 50 elementary students to see what they can do in terms of academic tutoring to bring them along into the job market. It will entail basic skill assessment in reading and writing. Other pieces that come into play are components that deal with career expiration, entrepreneurial training, and skill training.

He said, "We want work experience for these young folks to

mean more than just needing a work experience. We really want them to walk out the door with something that they can utilize beyond just the program, but possibly lead them to opportunities beyond high school. So, we targeted certain skill occupations that we would like to do in a short period of time with young folks.

For example, we are going to do web design, PC repair, cabling - these are all occupations right now that are in demand. So, the part that we (TCC) play is the training part. The part that Kim (Workforce Plus) will play is actually placing the students in an environment where they can utilize the skills that they've learned.

Now, one of the areas that we know we need to work on in terms of a gap is working on the business community. One of the things that we recognize is that in order for this to work, it is more than just county government and your project, but also bringing the business community into this project and getting them involved, getting them engaged and ultimately committing dollars down the road."

Mr. Frazier and Ms. Moore then entertained questions from the Board.

No action was requested.

2 Introduction of Covenant Hospice

Ms. Marina Brown addressed the Board. She gave a brief presentation about how Covenant Hospice came to be in Gadsden County and the services they provide. (See attachment) She then entertained questions from the Board.

3 Request for Funding to Continue Operation of the Gretna Clinic

Dr. Jaibun K. Earp, Professor and Director of the FAMU Wellness Center, addressed the Board. She told the Board that the FAMU School of Nursing has operated a clinic in Gretna two days a week for the last seven years. She referenced the numbers of clients they have served in that span of time. She then explained that the clinic received \$375,000 in a legislative appropriation, but they have not received the funding because somehow, Florida State University has blocked the distribution to them. She went on to say that they face having to close the clinic because of it. She asked for

financial assistance from the Board.

See attachment for further information and statistics of the clinic.

Commissioner Holt asked the staff to make some inquiries to determine why the funds were being held up and see if there is anything that could be done for the clinic.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO REMAND THIS MATTER TO THE COUNTY MANAGER TO ASCERTAIN WHAT THE COUNTY CAN DO TO ENSURE THAT THE CLINIC REMAINS OPEN.

Ms. Elnora Evans (? inaudible), Gretna resident, addressed the Board and encouraged them to keep the clinic open. She said that so many people who live in Gretna and use the clinic have no transportation to go to another neither medical facility nor income to utilize the paid transportation modes.

Commissioner Lamb asked Mr. Brown to contact the City of Gretna to see what they can do to keep the clinic open.

CONSENT AGENDA

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT:

- 4 Approval of Minutes - November 15, 2005 Regular Meeting
- 5 Approval of EMS Grant Application to purchase a Polaris Ranger Utility Vehicle
- 6 Authorization for the County Manager to Attend the National Forum for Black Public Administrators Annual Conference to Fort Worth, Texas on April 8 - 13, 2006
- 7 Approval of Satisfactions of Special Assessment Liens
 - Minnie Bridges OR Book 515 Page 1409-1412
 - Samantha Starks OR Book 481 Pages 24-26
 - Mary Thomas OR 520 Pages 1427-1429
- 8 Resolution 2005-029 Supporting the Gadsden County Rural Economic Development (REDI) Program
- 9a Approval of Lease Agreement on Simon Scott Senior Citizens Building for 24 Months to Gadsden County Senior Services,

Inc. at \$1.00 per year

- 9b Approval of the Contract with for Supervisor of Elections to Purchase Electronic Voting Systems

PUBLIC HEARINGS

10. **Owens Comprehensive Plan Amendment - CPA-2005-023 Small Scale Land Use Amendment Changing 9.47 acres from AG3 to RR**

First Reading of Ordinance to Adopt

Owner: George W. Owens, Russell D. Owens and Ralph Rish

Applicant/Representative: Florida Environmental and Land Services, Inc.

Location: East and west sides of Pat Thomas Parkway (SR 267) adjacent to Mossy Oak Acres Subdivision and Sadberry Road in Little River Survey Lot 49 Tax ID 5-0L-OR-OS-0000-49300-0100 AND 5-0L-OR-OS-0000-49300-0400 AND 5-0L-OR-OS-0000-49300-0500

Type of Hearing: Quasi-legislative action in conjunction with the advertised public hearing as a small scale amendment per Subsection 7401 **Type IV Review** under Subsection 7204

Description: The applicants desire to develop the two properties to the east of SR 267 into six lot single family residential subdivision. Two of the lots already contain the residences of George Owens and Russell Owens. No wetlands are present. Properties to the north, south and east are all within the AG3 land uses. Property to the west is within the RR category.

P & Z Commission Recommendation: Approval based on findings listed in the attached Memo.

Staff Recommendation: Approval based on findings as stated in the agenda report.

Ms. Elva Peppers addressed the Board on behalf of the owner. She stated that the property does not have any environmental issues and is good for development. She explained the project as proposed in the attachment.

Chair Dixon called for public comments. There was no response.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO

APPROVE THE OWENS SMALL SCALE LAND USE AMENDMENT.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE ORDINANCE TO ADOPT THE OWENS SMALL SCALE LAND USE AMENDMENT.

11. Preliminary Plat for Hillandale Subdivision - a Replat of Hillandale Minor Subdivision - SD-2005-10

PUBLIC HEARING

Owner: Yvonne E. Sheline

Applicant: Thomas Skipper

Type of Hearing: Quasi-judicial Type II plan per Subsection 7202 per Subsection 7405

Location: North side of Selman Road, East of US 90, 1/3 mile east of the Quincy City Limits

Parcel ID: 2-16-2N-3W-7921-00000-0011

Description: Preliminary Plat for the Re-Plat of Hillandale Minor Subdivision on a 8.01 acre parcel within the Rural Residential land use category

Mr. McCord was administered an oath by Muriel Straughn, deputy clerk. He then told the Board that the 8.01-acre parcel was approved and recorded as a minor subdivision in December 2003. The property was part of a 380-acre parcel owned by Raymond K. Sheline. The property has been developed as a series of minor subdivisions over the years including Pine Manor, Roads End, Kozy Corner, Piney Place, and Hillandale Minor Subdivision in 2003.

The Code requires that when a subdivision is re-platted, the applicant must go through the major subdivision process.

Mr. McCord explained that over the years, the property along Selman Road was owned by one parcel owner and the entire parcel should have gone through the major subdivision process, but for whatever reason, they were permitted to go through the minor process.

He called attention to a number of issues in dealing with the plat as listed on page 2-3 of the agenda report. (attached)

Chair Dixon called for the applicant. He was not present.

Planning Commission Recommendation: Approval based on findings listed in the agenda report, but subject to special conditions also listed in the agenda report (page 8 of the agenda report.)

Staff Recommendations: Approval based on the findings listed in the agenda report, but subject to the special conditions listed in the agenda report.

Chair Dixon asked if the applicant also owns the property surrounding the property described in this application.

Mr. McCord answered that the Shelines do own the surrounding property except for the mining property.

Chair Dixon voiced some concern about the fact that it was a minor subdivision, which has now been subdivided yet another time.

Mr. McCord replied that this particular application actually converts the minor subdivision into a major subdivision.

Chair Dixon then called for public comments and questions. There was no response.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE PRELIMINARY PLAT FOR HILLANDALE SUBDIVISION (RE-PLAT) BASED ON THE FINDINGS LISTED IN THE AGENDA REPORT, BUT SUBJECT TO THE SPECIAL CONDITIONS AS LISTED IN THE AGENDA REPORT (ATTACHED.)

12. Preliminary Plat for the Ridge at Little River Subdivision (F.K.A. Pine Ridge Subdivision) (SD-2005-10)

Mr. Brown announced the opening of a public hearing to hear the above stated application.

Owner: CCC Development, LLC Owner

Applicant/Representative: Charles Hargraves of Hargraves Engineering, LLC

Tax ID Parcel No: 3-27-2N-3W-0000-00213-0000

Location and Description: Preliminary subdivision plat for the Ridge at Little River Subdivision on a 61.35-acre parcel within the RR land use Category. The proposed subdivision will be located on the west side of Phoebe Road south of US

90 east, approximately four miles southeast of Downtown Quincy.

Size of Subdivision Proposed: 50 lot subdivision

Type and Purpose of Hearing: Quasi-judicial hearing as a Type II plan per Subsection 7202 of the Gadsden County Land Development Code to give guidance to the BCC in making a decision on the proposed preliminary plat per Subsection 7505.

Mr. McCord was administered an oath by Muriel Straughn, deputy clerk. He made the following facts known.

When the Planning Commission reviewed the project at the conceptual stage, they had concerns about the location of some of the lots in such close proximity to the wetlands. They continued that hearing until December. In the interim, the developer reconfigured some of the lots to insure that there would be no conflict between the wetlands and location of septic tanks to them. The Commission voted at their December 7, 2005 meeting to recommend approval of the conceptual plat.

There are a number of issues, which need to be addressed at the preliminary plat stage, which do not require review at the conceptual plat stage. He called attention to pages 2 - 3 of the attached agenda report. (attached)

The applicant has proposed a 50-lot subdivision coming off Phoebe Road with a circular street that will wrap around wetlands. All of the construction will take place outside of the sensitive areas - all lots will be constructed on the high and dry areas of the parcel.

Central water will be provided to and from the site by the City of Quincy.

All of the surrounding property is designated rural residential and there is a wide range of lot sizes. The roadway network that will be constructed will be publicly maintained after construction and will allow for street extension to other vacant parcels adjacent to it. It will not land lock any other parcels.

There will be open space tracts surrounding the wetland areas as well as upland areas that can be used for preservation and on site recreation.

The plat is being developed at .81 units per acre, which is less dense than what could be developed.

The access to and from Phoebe Road will be provided from the new street and as the street network develops, there will be other access connections.

One of the bigger issues to be addressed is the intersection Armstead Road and US 90. There is no median cut on US 90 at the present. However, there is a median cut on either side, but neither of them aligns with any street or driveway. As a condition of approval, the staff asked that the applicant coordinate with DOT to close one or both of the median openings and open a new one at Armstead Road.

There is no central sewer available. The applicant has proposed to provide an easement in one of the common areas to allow for a lift station so if and when future sewer becomes available, there will already be an easement to accommodate a lift station to serve the subdivision and perhaps others as well. Otherwise, sewage treatment will be provided by on-site septic systems.

Planning Commission Recommendation: Based on the findings as listed in the agenda report, they approved with conditions as listed in the agenda report. A - G on page 8 - 10.

Staff Recommendation: Based on the findings as listed in the agenda report, Mr. McCord recommended approval with conditions as listed in the agenda report. A - G on page 8 - 10.

Chair Dixon called for the applicant or representative to address the Board. There was no response.

Commissioner Holt stated that if a lift station should become a reality at some future time, it would be necessary to cross private property in order to provide central hook up to it later. She had questions regarding private property rights in that regard, but no one was present to respond. She then stated that just because they set aside property, they could not be made to do anything with it.

Chair Dixon asked Mr. McCord to relay to the applicants that need to be present when their projects are being reviewed.

Mr. McCord stated that the applicants were all aware of the meeting.

A MOTION WAS MADE BY COMMISSIONER WATSON AND SECONDED BY COMMISSIONER LAMB TO APPROVE THE PRELIMINARY PLAT AS DESCRIBED ABOVE BASED ON THE FINDINGS AS LISTED IN THE AGENDA REPORT AND SUBJECT TO THE SPECIAL CONDITIONS ALSO LISTED IN THE AGENDA REPORT.

Chair Dixon called for public comments. There was no response.

THE BOARD VOTED 4 - 1 IN FAVOR OF THE MOTION. COMMISSIONER HOLT CAST THE LONE DISSENTING VOTE.

GENERAL BUSINESS

13. Request for Code Interpretation for Fire Station Parking Standards

Mr. Brown stated that there are plans to build a fire station in the St. John/Robertsville area. The proposed site plan has been submitted to the Growth Management Department for review. The Land Development Code (LDC) for Public Land Use category includes parking requirements for a variety of uses. However, for public and utility uses, the Code calls for the Board of County Commissioners to review and make a determination as to the parking requirements.

He said that the staff has conducted some research in other counties to see what they have done with regard to parking for this type of facility. He recommended that Gadsden County adopt a code interpretation similar to those in Leon County - one space for each 300 sq. ft of gross area. The cost for paved parking will range from \$2,000 - \$5,000 per space.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE A PARKING RATIO OF ONE SPACE PER 300 FT. OF GROSS FLOOR AREA OR ONE SPACE PER EMPLOYEE ON THE LARGEST WORKING SHIFT WHICHEVER IS GREATER.

14. Request of Key Farm Park Acquisition Using Florida

Community Trust Funding

Mr. Brown reminded the commissioners that in an attempt to provide more recreation area for the County, the Board had approached B & B Properties with an offer to purchase the Weavex property (49.5 acres known as Beulah Land) with grant funds from the Florida Communities Trust (FCT) (\$149,000.) He reported that B & B Properties has declined the offer and the project is no longer feasible.

He then turned his attention to the Key Farms property, which is owned by Ms. Penelope Dehler. In preliminary discussions with the staff, Ms. Dehler agreed to discuss the possible sale of the 31.9 acres that lies just north of the Weavex property previously considered.

Mr. Brown asked for authority to pursue the purchase of the Key Farm.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO AUTHORIZE THE STAFF TO MOVE FORWARD WITH PURSUING THE PURCHASE OF KEY FARMS TO BE DEVELOPED AS REGIONAL PARK AND RECREATION AREA USING THE FCT GRANT THROUGH THE FLORIDA FOREVER PROGRAM AND DCA.

Commissioner Holt and Chair Dixon asked that the staff keep the Board informed as the process proceeds and reiterated how important it will be to be aggressive and assertive in the pursuit.

15a. Approval of the Gadsden County 2006 Legislative Priorities and the Joint Legislative Priorities

Mr. Chris Doolin reported that Phase I (identifying the issues to take to the Legislature) of the process for establishing legislative priorities has been completed and the County is now ready to move into Phase II - influencing and moving the agenda.

He introduced the attached document which reflects the work which his staff put together based on the Board's initial document from August 30, 2005 special meeting. His said the total package for everything on that document amounted to \$52 million.

He then said that the attached document addresses in a

collaborative way the issues in a manner that reflects potential, reality and will put Gadsden County in a posture of really moving an agenda on a multi-year basis.

He referred to the executive summary, page 2. He pointed out three items in particular. One was a community budget request for the water and sewer infrastructure engineering and design study for \$350,000. He said the study would take the County from the 2003 infrastructure study to a realistic plan for enhancing and expanding the existing systems into a countywide collaborative water and sewer program. Once the study is complete and the plan developed, the County can then move toward requesting infrastructure construction funds.

The second item he pointed out was \$750,000.00 in courthouse renovation funds.

The third item was for \$3 million for repair and renovation of the hospital.

He then said, "There are a couple of issues within the community that we are still trying to get our heads around to figure out. All the meetings have helped, but there is still one or two of them that we are still trying to get our head around. One of them is an overwhelming need to provide the region and the rural areas with emergency shelter assistance.

There is no question that there is a major interest in that with our coastal communities. What we found when we first got involved in this was a request for a \$15 million regional emergency management shelter -with the coastal communities fleeing the coast. As you recall, on November 8 when I came and my team came and we talked about assessing your initial requests. We felt that the State could respond through agency programs. What was an appropriate request where we could get some traction? That whole area is asking the State for major dollars for a new facility. We felt that it needed continued dialogue on a regional basis. I remember asking who sits on the Regional Planning Council. I think we need to move on a regional basis in that regard.

Subsequent to that, we began to talk about an emergency shelter and trying to get our head around it and to figure out the best approach for us to be successful with you. It

came to my attention that there is an effort regarding an effort for rehab at the state hospital in Chattahoochee. That there was a group of people meeting, a variety of people, and I began to wonder in my own mind, what the nature of the duplication was there between the request for the \$15 million and this effort at the Chattahoochee State Hospital to have a regional special needs shelter. There are some vacant facilities there. There have been a number of entities working together to request funds to renovate the facility.

When I talked to a couple of representatives and legislative offices and the congressman, there was a question - Is the regional facility the Chattahoochee facility? I said "I don't know, but I don't think so." And it isn't, but in discussion with the cities and the representatives of Chattahoochee, that was one central issue that we made very clear to them. This Commission has expressed to us, at least in memorandum, that they want a regional general use access for the public - not just a special needs center - that they wanted this facility to be a public access during emergencies. And they said, "Well, there is certainly sufficient space for that and that can be envisioned and accommodated."

We went back again and they said, "No problem." So, in discussion in as late as last week, we made a determination that since Chattahoochee is already proceeding with this, and they have had a lot of dialogue with member offices and congressional offices and Regional Planning Council and North Florida Regional Task Force on Emergency Management. There have been talks going on. We said, "If this can be for the general public, we can put it in our document." And we did put in the document request for funding to provide Gadsden County and adjacent counties with a regional multipurpose emergency shelter."

He then called attention to page 10, the last paragraph. He said that he felt that regardless of what position the Board would take about the Chattahoochee project, he would encourage them to continue dialogue with the neighboring counties and the Apalachee Regional Planning Council regarding emergency shelter and emergency management needs. He said the document could be amended to whatever the Board directs.

Commissioner Holt said that she supports the Chattahoochee

project, but it is not what they had discussed. She said they (the surrounding counties) were looking for a general shelter. She quickly said that she was happy that Chattahoochee wanted a special needs shelter and could not see a problem with leaving it in the legislative priorities document, but she also wanted to go for the regional general population shelter as well even if it means doing it during another cycle.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE 2006 LEGISLATIVE ISSUES DOCUMENT TO BE SUBMITTED TO THE GADSDEN COUNTY LEGISLATIVE DELEGATION. (ATTACHED)

15b. Approval of New EMS Rates (increases)

Basic Life Support non-emergency \$350.00
Advanced Life Support non-emergency \$375.00
Basic Life Support emergency \$400.00
Advanced Life Support - Level 1 \$450.00
Advanced Life Support - Level 2 \$500.00
Mileage \$10.00 per mile
Standby \$75.00 per hour

UPON MOTION BY HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE NEW EMS RATES BASED ON THE MEDICARE SCHELUDE AND TO DIRECT THE STAFF TO ANNUALLY EVALUATE AND ADJUST THE RATES BASED ON THE MEDICARE GUIDELINES.

16. COUNTY MANAGER

Mr. Brown reminded the Board of the closed-door session on January 12 at 6:00 p.m. on the hospital and Ashford Healthcare.

He then announced that renowned Gadsden County artist Dean Mitchell will be in town on January 28, 2006 at the Sawano Club for a gala. He asked for permission to purchase a plaque with which to present to Mr. Mitchell on behalf of the Board.

He then told the Board that TCC is having a calendar unveiling on Monday, January 23, 2006 at 5:30 p.m. at TCC Turner Auditorium with a program following at 7:00 p.m. to commemorate the 50th anniversary of the college. He said that Chair Dixon's picture would appear on the calendar as a former graduate student. He said that the Board received an invitation

to attend the ceremony. He asked them to notify the staff if they plan to attend.

He then told them that Ms. Phyllis Moore from the Gadsden County Community Development Department is being recognized by the National Black Public Administrators for outstanding contributions. He said it would be held at the Ramada Inn North on January 19 at 6:30 p.m. He asked them to let him know if they would like to attend.

He then reminded them of the workshop to be held on Tuesday, January 17, 2006 at 6:00 p.m.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE PURCHASE OF THE PLAQUE FOR DEAN MITCHELL.

17. COUNTY ATTORNEY

Mr. Williams had nothing to report.

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

Ms. Teresa Harrison addressed the Board. She said that she and her husband own property on Armstead Road and are ready to build a home on the lot. The mortgage has been secured and the contractor is ready to begin. However, she learned only within the last couple of days that the property is designated incorrectly as industrial land on the Land Use Map. She asked if the County could help her get the land use classification corrected and expedited so that she can proceed with building her home while the interest rate is still at the current rate. She said that the home must be finished by March 28 in order for her to take advantage of the good interest rate. She asked for an exception in land use so that she can proceed.

Mr. McCord acknowledged that the land use is incorrect and that it is a part of the land use amendment, which has been approved and transmitted to DCA for their approval. He said that he had a lot of concern about it, but there is a process, which one must go through to get the land use changed. He said that his big concern is, "Why did a mortgage company or a bank approve a loan to build a structure in a land use classification that did not permit that use? If this is a situation that we are going to be facing, even though this is a pending one, then I - Is our Land Development Code dependent on what a bank wants to loan money for? - that type of thing. I feel for the folks... This

is just part of the process and she is caught in the middle of it. ..The best thing you can do is just wait until the land use is actually changed - until DCA gets back with us and says that everything is fine."

Mr. Williams voiced concern about allowing an exception to a land use that would be inconsistent with the Code and possibly setting a precedent. He asked that he be allowed to meet with Ms. Harrison to see if there is something else that can be worked out.

Mr. Edward Rush said that he purchased a mobile home in October of 2005 and it was inspected and determined to be acceptable to be brought into the County. However, when he went to have to home re-located to his property, he learned that the property is not large enough. He said the home is for his father in law who is 100 years old and needs to reside near them so that they can provide care for him.

Mr. McCord explained that the lot in question was $\frac{3}{4}$ acre last year designated as rural residential land use. The parcel next to it was created and divided up before the adoption of the land development code - they are previously existing non-conforming lots of record. They are allowed to continue there because they were there before the adoption of the Code.

He went on to explain that the other adjacent lots were just recently created and both are less than $\frac{1}{2}$ acre each. Even under the family exemption, the lots would have to be at least $\frac{1}{2}$ acre in area in order to place a dwelling on them. He then said that the Board could not grant a variance from the Comp Plan.

Mr. McCord then said, "What could or should happen here in order to get a permit is either to amend the Comp Plan to change the density standards for rural residential or they could deed the two lots back together in one single parcel and build one house and it could include a father in law suite. It would be one structure for one family as opposed to two structures that could end up being sold to someone else....That is the dilemma I face everyday. I spend a lot of time trying to put out fires that were created because ya'll have a policy. And I think it is my job to enforce your policy whether it is popular or not."

Commissioner Dixon asked if there is anything that can be done to keep the Clerk from recording deeds for lots that are too small.

Mr. McCord replied that, "They could record deeds as small as a cemetery lot. The only way to stop it is by not issuing a building permit. That is the only way to catch it."

Commissioner Holt said that it is the buyer's responsibility to be aware of the laws.

Chair Dixon told Mr. Rush that the Board could not help him. He advised him to get an attorney.

Mr. Arthur Cyr asked the Board for a recap of the situation at Deer Ridge Estates. He said that he met with the Department of Environmental Protection (DEP) Representative Michael Hogan last week. He also talked with Bill McCord. He said he still has serious problems and concerns. He asked the Board for their continued support.

Chair Dixon assured Mr. Cyr that the Board could not commit to do anymore than they have already committed to do. He reiterated that the Deer Ridge residents have the support of the Board of County Commissioners.

Mr. Williams stated that DEP has apparently signed off on the improvements, which have been done, but that he still has not seen anything officially.

He continued, "As you recall, we issued a notice of violations through Mr. McCord's office. In that notice, we had a number of issues some of which were DEP areas of concern. The reason that we delayed the hearing earlier was that we did not know if DEP was going to sign off on those areas that we had listed or not, then, what impact that would have on the county's concerns. From the receipt of the proof that DEP has signed off, at that time it will be appropriate for Mr. McCord to look at what we listed as concerns then decide if the subdivision has met the county code. If it has not, we will reduce the things that were included from DEP and then anything else that we had listed would be the basis for a hearing. If he feels that the subdivision is in compliance, then we will not have a need for a hearing and we will release the CO's. So, the next step is to get proof from the DEP as to where they stand. Once we get that proof, then we can then decide what is left to be done, if anything. This just happened, but this is why we had to wait."

Mr. Cyr stated that as of Wednesday, DEP has not signed off on anything. He then asked if the County was going to take

responsibility for the road system or if the homeowners association will be responsible for the maintenance.

Chair Dixon answered that if it is in the development order and the County approved the subdivision, and if the roads were built to the county standards and all deficiencies are corrected, then the road system will become public and the County will maintain them.

Mr. Cyr said that DEP is not concerned about the water flowing across the road, which is eroding the road system. The cuts in the road that have been patched together are falling apart and DEP is not concerned about those. He continued by saying that the part and parcel of the drainage failure out there is something that the County should be looking into now. He said he was afraid that the road system will not be maintained and the homeowners will inherit the problem. He then asked when there would be more action.

Chair Dixon called for other public comments. There was no response.

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Lamb

Commissioner Lamb had nothing to report.

Commissioner Watson

Commissioner Watson had nothing to report.

Commissioner Price

Commissioner Price had nothing to report.

Commissioner Holt

Commissioner Holt said that when the Board appoints other boards, commissions and subcommittees, those boards are held to the same standards as the Board of County Commissioners by law. She then asked each commissioner to bring back at the next meeting their suggestions for how they would like to see the monies spent by the Tourism Council. (Monies generated by the Bed Tax)

Mr. Brown announced that Jerry Wynn has resigned from the Gadsden Hospital Inc. Board of Directors. He asked each commissioner to provide a name to be brought forward at the January 24th meeting for a new appointment.

Chairman Dixon

Chair Dixon had nothing to report.

He did announce the funeral services for Rev. Maxwell at 11:00 a.m. on Friday, January 13, but the place was still not determined.

He also asked that the Board be informed of Hentz Fletcher's funeral arrangements also.

18. Receipt and File

Congratulations to Yolanda Goode on Appointment as President of the Florida Association of Extension 4-H Agents

Expression of Appreciation by WorkForce Plus for Gadsden County's Support

Town of Havana - Voluntary Annexation Ordinance

ADJOURNMENT

**THERE BEING NOTHING ELSE BEFORE THE BOARD, THE CHAIR DECLARED
THE MEETING ADJOURNED.**

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A SPECIAL MEETING OF THE BOARD
OF COUNTY COMMISSIONERS HELD IN
AND FOR GADSDEN COUNTY, FLORIDA ON
JANUARY 17, 2006, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

PRESENT: EDWARD J. DIXON, CHAIR
BRENDA HOLT, VICE-CHAIR
EUGENE LAMB
STERLING WATSON
DERRICK PRICE
PAUL SEXTON, COUNTY ATTORNEY
MARLON BROWN, COUNTY MANAGER
MURIEL STRAUGHN, DEPUTY CLERK

CALL TO ORDER

Vice-chair Holt called the meeting to order at 6:00 p.m. She then turned the meeting over to County Manager Marlon Brown.

The agenda was amended to include approval of two change orders to a contract with Southern Concrete for emergency repairs to a bridge on Kemp Road.

SOUTHERN CONCRETE CHANGE ORDER FOR KEMP ROAD BRIDGE

UPON MOTION BY COMMISSINER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE TWO EMERGENCY CHANGE ORDERS TO THE SOUTHERN CONCRETE CONTRACT FOR THE KEMP ROAD BRIDGE REPAIR TOTALING \$57,500.00 BRINGING THE TOTAL CONTRACT PRICE TO \$129,555.00. CHAIR DIXON WAS NOT PRESENT FOR THIS VOTE.

Chair Dixon arrived at this juncture.

CONTRACT WITH DR. LARRY K. GROSS TO CONDUCT BOARD GOVERANCE PROGRAM

Mr. Brown said that he would like to have the Board engage in a retreat to discuss working protocols that the Board and management can understand and use in professional governance of the County. He called attention to a contract with Dr. Gross, which would facilitate that program.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE CONTRACT WITH DR. GROSS FOR \$150.00 PER HOUR FOR A TOTAL OF \$3,000.

**RURAL AREA OF CRITICAL ECONOMIC CONCERN MEMORANDUM OF AGREEMENT
REDI**

Gadsden County was re-designated as a rural area of critical economic concern on December 4, 2004 as part of the Northwest Florida Rural Area of Critical Economic Concern by Executive Order Number 04-250, which expires December 6, 2009.

The purpose of the Memorandum of Agreement (MOA) is to document the terms and conditions of partnership between the Office of Tourism, Trade and Economic Development (OTTED) and Gadsden County for the completion of the Rural Area of Critical Economic Concern Re-designation.

Mr. Brown asked that the Board designate Chair Dixon and Chamber of Commerce Executive Director David Gardner as points of contact for Gadsden County.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE TO EXECUTE THE MOA DESCRIBED ABOVE. (ATTACHED) THE MOTION FURTHER MOVED TO DESIGNATE DAVID GARDNER AND EDWARD J. DIXON AS POINTS OF CONTACT FOR GADSDEN COUNTY.

FIRE SERVICES

EMS Director Brian Beasley addressed the Board. He gave a brief overview of the current fire services provided in the County and an overview of the future five year plan.

See the attached report for details.

Direction to the staff:

- Get all fire service agreements to end on the same date simultaneously.
- Revisit the Code to require 6" water lines and require installation of fire hydrants with new development.
- Begin dialogue with Talquin Electric to attempt to convince them to re-invest in their own water lines.

- Contact City of Midway to determine if they would agree to locate the proposed training facility/substation at a more westerly location so as to facilitate the county's interest as well as their own.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO CONTINUE THE TANKER TRUCK PROGRAM FOR SUPPLYING WATER TO FIRE FIGHTERS. THIS APPROVAL WAS TEMPORARY UNTIL DISCUSSIONS CAN BE HELD WITH THE CITIES AND TALQUIN ELECTRIC REGARDING INSTALLATION OF FIRE HYDRANTS.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, TO AUTHORIZE A LETTER OF SUPPORT FOR THE MIDWAY TRAINING FACILITY/SUBSTATION BUT TO ALSO AUTHORIZE THE STAFF TO NEGOTIATE ANOTHER LOCATION FOR THE FACILITY.

Second Fire Station at Wetumpka

Mr. Brown stated that he is aware that the Board has taken the position that they are not in favor of putting a second substation in the Wetumpka area. However, he said the fire department is undertaking it on their own. He then said that he was not certain whether the Board can have any say as to what Wetumpka is doing in that regard.

Chair Dixon:

I understand when fire service was a community prospect. Those folks who were smart enough to get together, get a fire department together, and try to protect their own neighborhoods. I understand that. That is not a problem. But, that was before the County got into fire service and the delivery of fire service.

It would seem to me that we would look at some kind of minimal delivery of service to all parts of the County before we give (and this is my district that I am talking about), but, before we give another fire station to a district that already has one. In five minutes, I can be in Liberty County. I can be in Quincy. I can be anywhere up and down 267. All I have to do is step on it.

Beasley:

Wetumpka has not approached me about applying for a grant. They are applying to USDA on their own.

Holt:

If the community wants to do a grant that is not supported by the County, we do not sign off on it and support that grant and they fund it. If they go out and get hurt, are we liable? Because they are saying that they represent the Gadsden County Fire Department. That is one issue.

The other is, since there are areas that are not covered up there, in those areas, we need to have a plan. I was about to ask you later on what was the County's position on when does that population reach it's peak in that area so that it requires another station? So, we are looking at growth. We have the moratorium, but it is just to slow it down for six months. It will come back in and when it comes back in, we need some plans for when that population reaches some point - is it 400, will it be 1,000? We need some numbers on those that apply for this.

But, on that particular station there, if they go out and answer a fire, if they wrote their grant, I want to make sure that the County is not liable.

Sexton:

If they are utilizing vehicles that the County is keeping on its inventory, (I believe some of them are being kept on county inventory) then you would have the vehicle ownership liability issue which is out there independent of the contracts covering, ah, the terms of the contract. The contracts are (inaudible) the vehicle ownership issue and also an agency issue.

Holt:

That is my concern. Not just that group, but any group that decides "I'm going to apply for a grant to provide a service and I'm going to do that in the County's name" that makes us liable, whether we approve of that grant or not or whether we approve the situation or not.

Sexton:

If they operate (inaudible) and the contract doesn't provide liability protection, that is entirely possible. But, the construction of a substation is interchanged, it is a question of "Are they providing fire service pursuant to an agreement in driving a county vehicle. Those are your primary factors.

Holt:

In that case, a county vehicle shouldn't be at that substation unless they have an agreement with us. Those are some things that this Board needs to look at.

Sexton:

Yeah. I don't think the agreements really talk about stationing of vehicles, but, that is certainly something that you all may want to address as a means to control where those vehicles are placed.

Beasley:

Proposed future stations - We talked about the Dogtown area. Of course, ya'll have approved already for us to do Robertsville and Gretna and then in October, if everything goes like it is supposed to, we should begin to build the Dogtown station. We'll start to get that department up and running to cover the one area where there is no overlap of coverage.

Highbridge Road and the Midway substation - I know the City of Midway is currently working on some kind of grant to try and get their own station in there.

Dixon:

The Highbridge station - if you do the Highbridge station, do you need the Midway substation? Commissioner, wasn't it down the road,

Watson:

Across the railroad tracks.

Dixon:

This side of the tracks, though.

Watson:

On the opposite side of the one that they have now. Their concern was - what do you do with this train blocking the way?

Dixon:

The Highbridge Station is again, five minutes straight down the road.

Beasley:

The Highbridge station and the Midway substation will be a joint effort depending on where we locate it. They want something across the tracks, obviously. They have applied for some kind of substation grant.

Watson:

There will be two instead of three?

Beasley:

Yes, sir. Highbridge and Midway will be combined. Depending on where it is located to cover that area.

Is that what you were asking - Why are we building Highbridge and Midway, too?

Holt:

Because they are going to want to be funded. If they choose, they are going to want to be funded by the County. And you will have to do another one back down Highbridge. They don't want it that far down, but, there is development coming down that road back this way.

Brown:

Brian, the direction from the Board is that those two areas will be one station - once those discussions have been held with Midway.

Dixon:

If I am wrong, someone correct me, but, in our last talks with the City of Midway, that is what we were basically saying. It's going to be on that same road right there. It's a matter of location.

Beasley:

Right. That will be up to the Board. If the Board is funding the station, then obviously, wherever we can get the land in the best position, it will be entirely up to the Board as to where it is put.

To reduce ISO - water source, hydrants - We currently have some existing water lines. Obviously, not enough to promote hydrants throughout the whole area. There are a few dry hydrants in the area. Pat Thomas Park is an example of a dry hydrant where they run to the lake and they can hook an engine up to it and pump water out of the lake. That is a possibility. We can look at some dry hydrants in some of the bigger pond areas to help with the water source.

The treatment plants - There was a proposal before the Board about how we were going to treat water and then discharge it. If they had a big enough tank, there could be the possibility

that we could put some hydrants in that subdivision based on their treatment tank - their water there.

Water shuttle remains the best option for the present to lower the ISO rates.

Hydrants - costs \$3500 each. The budget allows installation of 8 - 10 per year. Placement of the hydrants are determined by the commission district rotation method. (It rotates from one commissioner's district to the next every year.)

One thing that I have talked to Mr. McCord a little bit about is and we are going to discuss further is the new developments. Where they are putting in these new subdivisions, even if there is not 6" water lines that will support a hydrant in that area, the possibility of going ahead and running dry hydrants - that way when the county does run the water line, we could go ahead and hook up and then we won't have the costs of putting it in the subdivision. That is one idea that I had that we were going to try to get with Mr. McCord on.

Dixon:

You mean, we are we still having new developments coming in on 4" lines, Bill?

McCord:

By and large, we don't. The only one I recall is the one on Providence Road - The Palms. They extended a 4" line from Providence Road into the Palms Subdivision. Because there is no 6" service line into that subdivision.

Now, I believe that the lines they building in the subdivisions today are probably 6". They have a restricter that will only allow 4" of flow into that line. It's going to be a pressurized line, but at some future date when Talquin comes and replaces that line, or (inaudible) then they would be able to tie into a 6" line. But, that is the only one that I am aware of.

Holt:

Is there any way we can catch that when they turn in their plans?

McCord:

Yeah. That is on their preliminary plat.

Holt:

I'm trying to make sure that we don't make any other mistakes. When we don't know and we do it, but, now we that we know better,

McCord:

Well, they put a 6" line in. It's just that they didn't have a 6" line of service. In a temporary sense, you will have 4" line serving the system until such time that it is -

Beasley:

Did they put hydrants in that subdivision?

Dixon:

No, you can't.

Beasley:

That is what I wanted to get with the Board and Mr. McCord on. If you can make those developers go ahead and put the hydrants in.

Dixon:

If you have them and can't use them, they ain't no good.

Beasley:

But, when the water does run,

Dixon:

The question - the question - you can't use the hydrant, though.

Beasley:

Correct. Not until they get 6" service.

Dixon:

So, there is another question you have to ask. The question is - Why can't we convince Talquin - and somebody check it out for me, I would like to know - Why can't we convince Talquin to reinvest in their own lines?

I would like to know if legislation of something else would prompt them to because we are investing in their lines. And I understand why we can't - If they are going to be their lines they are going to reap the benefits from it, why can't we convince them to re-invest, if you will, their lines?

Brown:

Mr. Chairman, I know we have a meeting with Talquin next week. Those are some of the questions that we can put to them. Are

they willing to upgrade their water system. But, what I hearing from Bill McCord is that any new subdivisions that we approve as a Board have to come with a 6" line. Correct me if I am wrong.

McCord:

We don't require 6" lines, but that is certainly something that we could beef up.

Dixon:

We did something, Commissioner Watson, do you remember what we did about 6" lines.

Watson:

Nope.

Beasley:

Have them go ahead and put the 6" lines in and go ahead and put the hydrants in - even if we have to paint them a different color and tag them out of service. When Talquin or the County or whoever runs the water line, the County will not have to re-do - put in all that cost of running hydrants to the subdivisions. They will already be there and be just waiting for the water to go to them. That might be something that Mr. McCord could answer better.

Dixon:

But, if Talquin tells you for three years, it's now our plan, - What have you actually accomplished?

Beasley:

It all comes back to - as far as the cities annexing - are they interested in doing it and everything.

McCord:

It gets back to the question of the visioning process. We want to look at our land use patterns. If Talquin is the service provider, if they have substandard lines or no lines at all, do we want to encourage rural residential land use where there are no utilities? What is up there on that map that don't have any utilities whatsoever - water lines or sewer? That is rural residential. The Land Development Code and the Comp Plan right now is written in such a way that you can have this type of development without having any utilities. You can have wells and septs without any fire protection. So, that is a big issue that we are going to have to address. Then, perhaps people will see, believe or fear that their property rights might be taken if the County Commission might remove rural

residential designation from those lands that are rural residential now and reassign them agricultural land use simply because utilities are not available. That would be a hard call for ya'll, but perhaps it is something to consider.

Dixon:

I had folks calling me screaming - off Goldwire Road, - "And my insurance shot up 100% because they said that we don't have this and we don't have that and I need a hydrant and I need to know when I am going to get one.

I'm sitting there going, "I don't know."

McCord:

The other fear is that if you put these hydrants in dry lines in all new subdivisions, you still don't have the fire protection. And you may have a false sense of protection and someone would think that they have fire protection. No one is aware that the hydrant is dry and they have wasted whatever amount of time manpower just trying to discover that. They would have a problem understanding that.

Another problem with construction of those lines without having them pressurized and then waiting years, the lines may have deteriorated to such a degree that they would have to be replaced.

Dixon:

That is a conversation for Talquin. I am sorry.

Beasley:

With the limited hydrants that we have and the water system that we have, the water shuttle system is the way that we are going to decrease the ISO ratings. To get a Class 7 rating, you have to be able to pump 250 gallons per minute for two hours for a total of 30,000 gallons. Each tanker hold 2500 gallons. That goes back to the importance of us aggressively pursuing the tanker options.

If we have a major fire, we can roll 5 or 6 tankers from other department. There is a pool that they can drop their water in and they are pumping out of that pool and the other trucks are running while they pump from that pool. So, we never run out of water for a major fire. That is the point of the tanker purchases that we are pursuing right now.

Goals: Eventually, a paid dispatcher for fire and EMS. That is just a proposal that we are looking at, nothing concrete. Countywide paid volunteer system and obviously, a countywide ISO rate reduction.

One of the main concerns that we have currently is the availability of volunteers. During the day, the peak hours, the volunteers have other jobs. So the availability is not what it was at one time. It is starting to get better again. We are getting some younger and newer people into the departments.

Dispatch is a concern. We are obviously targeting a secondary radio system and upgrading their pager systems. There have been times when people said that they had not gotten pages. So, anytime there is a problem, we are aggressively fixing the dispatch problem now.

Continued training of the fire departments. As we add new members, of course, we are going to constantly have the fire fighter I class going to give everybody their minimum standard. That is basically where we are headed and what we are looking at.

In your packet, there is a five year plan that Mr. Sellers had done that hits some highlights on some of the stuff we have talked about. There are some pictures of the old stations of where we were and the stations that we have now. I think there is a picture of the Old Mt. Pleasant Station and the Old Concord Station. There is also a picture of the fire trucks. You can see where we were and where we are now with the purchase of the five engines that you all approved.

Brown:

Brian, before we take questions, touch on a little bit with the Board about the Midway plan for the training facility and the lack thereof in the Big Bend Area of what they are proposing.

Commissioners, basically, the City of Midway is asking for the Board's support of a training facility in Midway that they are planning to seek legislative money to build. Tell them a little bit about what that does and what the difference.

Beasley:

What the City of Midway is looking at doing, from my understanding from Mr. Piller, the City Manager - he is proposing to get funding to build a training facility for fire departments. In that, he is also going to include his

substation with it. But, currently, Ocala has a fire college and Chipola has a fire college. Now, Tallahassee Fire Department has their own in-house type training. I don't know if they are pursuing classes or not. But, Mr. Piller has said that the Law Enforcement Academy, TCC and the City of Tallahassee have agreed to support him in trying to get a fire academy or training facility going. The training facility would also be used wild land fires. Currently, there is none in the area where the wild fire fighters, the forestry type guys can get training. So, that is what he is pursuing with the facility in Midway. That is on the City (inaudible)

Holt:

That training facility is going to be north of US 90, isn't it?

Brown:

Have they found a location for that?

Beasley:

No, sir. Not that I am aware of - they have not identified a location as of yet.

Brown:

I think Oliver may have something on that.

Sellers:

Yes, they have somewhat. Tentatively, they are looking at a site on Peters Road and getting Forestry to donate the land for it. One south of the tracks.

Dixon:

Is Peters Road down in there?

Beasley:

It is down Highbridge Road, runs off to the right, just right after you get into the city limits of Midway there.

Sellers:

Forestry has a lot of land right in that area.

Dixon:

Is that going into the management district? Is that where it is?

Sellers:

Yes, sir.

Lamb:

The other one, the other supporter, is the City of Tallahassee, along with TCC and the Law Enforcement Academy. They are the three that are going to support them in their training facility.

Beasley:

They have letters from those three supporting them. So, that is what the City of Midway is trying to do - to get the funding. Included in that, from what I understood from Mr. Piller, he is trying to include in that on the Peters Road training facility, he will get his second substation across the tracks for that area.

Lamb:

But that station will cover all the way back down Brickyard Road to the Waffle House and County Line.

Beasley:

Correct.

Are there any questions?

Holt:

I know Talquin has this service area. Would it affect it if we were a charter county? Would it affect the service area? There is no competition there to force or even ask for 6" lines because they have a monopoly. Would that affect it?

Brown:

Commissioner, I will have to do the research. I think that the PSA is the one with authority. The Public Service Commission and the PSA is the one that establishes the franchise and I don't know if we became a charter county, whether we would have any authority over those. Paul, do you know anything?

Sexton:

That is an issue that we are looking at right now. We don't have an answer for you at this time. But, we will take a look at the relative authority over franchise areas and what the county's ability would be if it were a charter county versus a non-charter.

Holt:

The reason I am asking that, though, is I have a question. A lady called me and she said that she lives 20 ft. from the Quincy water service that she could get. She wanted us to provide her water. Talquin doesn't have a line there. And she

said, "I am stuck." I had to tell her, "There is nothing I can do to help you about that." She is in the Talquin service area. That would be something she would have to negotiate with Talquin Electric. I am hearing these questions. I want to make sure that what I am looking at is correct.

If you are looking at people out there building developments and we are saying that we don't have fire hydrants and we are going to try to fill up all these trucks, I'm looking at some of those trucks that are going to (inaudible) in 20 minutes, if you would just look at the time that he is saying that pumps 250 gallons per minute, we are going to be out of water. If you are looking a going down to Lake Talquin, let's say that they go ahead and develop those - they haven't developed those that we have approved. Let's say that that Miller and Mortham developed, then you look at a couple of possible land purchases that I am looking at real hard, but probably are going to come in on 267 North - some of those developers are going to come in.

We are telling people, "O.K., you can build. We don't have the capability to provide you with fire protection. You are in that bubble cause we won't have enough water." If we sent every tank we had down there to a major fire, we are telling them that you can put in 6" lines, but we are not going to have the pressure, can't test them. Do you see the dilemma that we are in? We are approving developments, but we can't provide protections. Can't provide protection. We need to look at that.

Beasley:

We can provide protection, but, it may be at a Class 8 or Class 9 versus something lower. Obviously, if you had the water system, a lower ISO rating would get their insurance rates down.

Holt:

I understand what you are saying. I am just saying that we are doing what we can do at this stage right now.

Beasley:

With the tanker shuttle, like I said, if we had all ten tankers constantly shuttling water to the closest point, obviously, they would all come full, when he would dump, then he would go get another load and come back to keep the water pumping.

Brown:

Commissioners, this highlights the type of conversation we need to have with Talquin. We will start that conversation next week and will report back to the Board in terms of their

cooperation, if it need be towards what we are trying to achieve in the County. So, I'll just have to meet with Talquin and get back to you.

Lamb:

Do we need to consider the Midway proposal. The support that he mentioned?

Brown:

Yeah, I would like the Board's approval for myself to send a letter on behalf of the Board for support of that.

Dixon:

My thing is - I was looking here at the map. I have figured out where Peters Road is. It is just where I thought it was. If we are talking about right here or somewhere down here near high bluff landing, I assumed it would be away from those people so it would probably be near the intersection of Peters and Highbridge Road, then our concern, which was, that we had in earlier talks with Midway was, that it is great for you in serving the area that you wish to serve, but it still has to come out of Midway to cover this whole area. Cause the only thing that we have now is Wetumpka, which is here. So, none of this has any protection.

Beasley:

Can you pull the ISO Map back up for me.

Brown:

Brian, is that Quincy's fire coverage area? Each of the fire departments have a 5-mile radius.

Dixon:

They would essentially have the same coverage area as Midway does now.

Brown:

Are you talking about the City of Quincy?

Watson:

No, the training facility. That was added to the map, you won't have a whole lot more coverage than what you've already got.

Dixon:

The training facility would essentially have the same coverage as Midway.

Holt:

They would overlap.

Beasley:

The only advantage would be with the training facility is that it puts a station on the other side of the tracks. It also comes down Highbridge Road. It will be there at the intersection of Highbridge and Peters from what Oliver was telling me. Obviously, if you have to wait on a train to go through while you sit there, so

Dixon:

I am saying, primarily, though it doesn't give the County primary coverage as much as it does the City. It is essentially across the tracks from Midway. I want to be careful that when we can partner, it is equally in all of our best interests. That's fine. I am not sure that this station is in our best interest, so to speak. You are telling me that I am not getting anymore coverage area than I have now.

Beasley:

The benefits also will be the training facility - if they get approved - that our people will be able to use and we wouldn't have to go to Chipola and Ocala to get certified.

Dixon:

Then go for support of the training facility, but don't tell me we are going to get better response and better coverage, because we are not.

Beasley:

Oliver, could coverage from that station take care of the Highbridge station?

Sellers:

It would close in that gap - that empty space. You would still have departments - on the fringes of being too far apart, it would -

Dixon:

What would happen is you would be at the end of three different fire stations.

Sellers:

Yes, but, it will close that gap as far as ISO is concerned. You would not have that unprotected area.

Dixon:

Are you telling me that those folks have coverage now? With real response times, now?

Sellers:

It would cover

Beasley:

The areas that are not shaded?

Dixon:

Even the shaded areas at the end.

Beasley:

Are they having real responses? Is that what you are asking me?

Dixon:

What is the response time at the very edge of one of those 5-mile radii?

Beasley:

Eight to 10 minutes.

Dixon:

Is that our goal?

Sellers:

No, our goal is five to four minutes.

Dixon:

So, if we build another fire station in Midway, how do we improve the response time in Shiloh or Highbridge?

Sellers:

We can negotiate with them and try to move it further on down. We can do that.

Beasley:

No, we are not improving to that area.

Dixon:

What I am saying is that somebody needs to be negotiating from the County prospective. I admire Mr. Piller. He is negotiating from the city's prospective. Somebody needs to be watching out for the county's prospective.

Sellers:

I'll do that. We will try to get him to move a little further toward our interest.

Dixon:

Thank you.

Brown:

Mr. Chairman, if we can get the Board's support for the training facility, we will include that. We will leave open the opportunity for the staff to negotiate the location of the facility.

Dixon:

The chair will entertain a motion.

Holt:

So moved.

Lamb:

Second.

Dixon:

Motion and second. Is there any further discussion.
All in favor, say "Aye."

All:

Aye.

Dixon:

Make it unanimous, please.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, TO AUTHORIZE A LETTER OF SUPPORT FOR THE MIDWAY TRAINING FACILITY/SUBSTATION BUT TO ALSO AUTHORIZE THE STAFF TO NEGOTIATE ANOTHER LOCATION FOR THE FACILITY.

Brown:

Mr. Chairman, the other action we need is the approval for us to continue the tanker truck program until we can have discussions with Talquin and the cities about improvement of water services in the County to install the fire hydrants.

Lamb:

So moved.

Holt:
Second.

Dixon:
Are we just looking at the tanker?

Brown:
As a temporary option until we can have discussions with the cities. As you are aware, we have that water, sewer study that we have been asking for funding for from the Legislature. That study, hopefully, the results of that study and future funding that we can get from the Legislature to do installation, we can probably look at coming back to you all about the installation of hydrants throughout the County.

Dixon:
Can we also look at at some point, a map of the 4" lines. Where they are. Cause if you are going to spend a million dollars on tankers, you might want to spend a million dollars putting water lines in the ground.

Beasley:
What we would like permission to do is to continue to go for the grants to get the tanker trucks with the 5% match.

Dixon:
I am saying that both have priorities. O.K.

Brown:
Oliver, are we able to use grants for installation of water lines? Do you know that?

Sellers:
The only one that I know about is CDBG, and they keep that tied up with housing all the time. And, that is the only one that I am aware of.

Brown:
We will pursue other options, Mr. Chairman.

Dixon:
That will get us to where we want to go. If we find that we have to give Talquin a million dollars, it will give a lot more people a lot more comfort in a lot shorter time.

Holt:

I'll second the motion.

Dixon:

We have a motion and second. Will there be any other discussion?

All in favor, sign of "Aye."

All:

Aye.

Dixon:

Opposes?

Dixon:

Please make it unanimous.

Brown:

Thank you, Brian.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO CONTINUE THE TANKER TRUCK PROGRAM FOR SUPPLYING WATER TO FIRE FIGHTERS. THIS APPROVAL WAS TEMPORARY UNTIL DISCUSSIONS CAN BE HELD WITH THE CITIES AND TALQUIN ELECTRIC REGARDING INSTALLATION OF FIRE HYDRANTS.

FY 2007 BUDGET DEVELOPMENT AND MANAGEMENT PROCESS

OMB Director Davin Suggs addressed the Board. He told them that he would approach the upcoming budget development process as a dialogue and invited them to interrupt him with questions as they arise.

Mr. Suggs presented the following remarks as highlights of the budget discussion proceedings:

What Is a Budget

- A budget is more than a document that details revenues and expenditures.
- The budget process is not just an exercise to make sure that there is enough money to meet expenditures.

- A budget is a policy document - it outlines and defines all the major policies and plans, programs and activities.
- A budget should serve as an operations and management guide - the day to day operations and activities of the county after the budget has been adopted. There should be no question from department directors as to "What are my goals for the year? What do I need to accomplish throughout the year? What does the Board want me to do?" All the detail should be in the budget and the budget should serve as the operations guide for the staff.
- A budget is also a financial plan for 2, 3 4, or 5 years down the road. You should always try to stay ahead of the game and anticipate issues.
- A budget is a very important communications tool. A lot of cities, counties use it as a vehicle of communication with the citizens. It says, "Here is what we are doing with your tax dollars. Here is the direct program and activities that it is going to." There is no need to ask any questions and no need to wonder.

Budget Process

- A budget process should be strategic in nature.
- A budget should be developed for multiple years at a time based on strategy.
- Allocate resources based on identified goals. The BCC should set their priorities then direct the staff to develop the budget accordingly.
- Move beyond the traditional line item control and provide more flexibility to staff and managers.

Mr. Suggs stated that he wanted to get the Board focused on setting goals and planning activities and allocation of the resources in a way to meet the goals.

Mr. Brown interjected, "Commissioners, that doesn't mean that the budget would not have line items, but you would not be involved in those line item decisions."

Mr. Suggs stated that it is his goal to get certification of the budget from the following organizations.

- **GOVERNMENT FINANCE OFFICERS ASSOICATION (GFOA)**

GFOA is an organization which has credit and is legitimate with every finance officer and any person dealing with local government finance and budgeting. It is a good resource.

- **NATIONAL ADVISORY COUNCIL ON STATE AND LOCAL BUDGETING (NACSLB)**

Council with recommended practices for governments to follow on budgeting and finance.

Mr. Suggs explained that a reliable systematic development of a budget process and routine will not happen overnight. It will have to be adapted and amended over a period of years to meet the local environment. He said that the proposed process is very basic and loose for the first year. But, as it moves forward, the Board can have greater input and by the end of 3 years, the process will be very unique to Gadsden County.

He went on to say that in most cities and counties, the budget is sent to GFOA and they send it to several professional raters who will rate the budget based on 200 aspects. Staff has determined that acquiring this certification will become a requirement for this upcoming budget process.

The process proposed has four phases. Planning, Implementation, Management and Evaluation.

Planning Phase

Mr. Suggs began by saying that planning is very essential and it entails the development of goals and initiatives that will guide the decision making. He asked the Board to establish those goals prior to beginning the budget process.

Commissioner Holt stated that she has attended a number of budget workshops and learned of some interesting ways that boards across the country are doing to determine their goals and priorities. She said many of them actually surveyed the people in the community to determine what their spending priorities would be. Once they (the priorities) were established, all departments had to figure out how they contributed to those established priorities before they could receive their funding. She concluded by saying, "It is better to work from goals and have a deadline on those goals."

Mr. Suggs replied, "In talking to the manager, that is the road that we are headed toward. This system does not only include how you fit into the goals and putting together a budget, but also it will takes us from those goals into a management action plan on an annual basis that will run simultaneously with the budget. It gives you an extra method of accountability with staff also. But, the focus is on your initiatives and your goals as a representative of the citizens of Gadsden County."

He then said that management and staff will be going through the same process from the administrative side. (Looking at administrative goals and things that need to happen administratively.) He added that the staff will need input from the constitutional officers in order to relate their input to the Board so that they can be considered in the process of establishing the top 10 - 15 priorities.

Implementation Phase

Mr. Suggs stated that after the goals and initiatives are determined, the Board must move to adopt policies, budget and the management action plan to achieve those goals and initiatives. A large part of the implementation phase will be the budget development process. There will be a number of workshops throughout the first half of the year to develop the budget.

Management Phase

After the planning and implementing phases are in place, the management phase becomes the action phase for performing the operations and activities to move closer toward achieving the goals and initiatives.

Evaluation Phase

Mr. Suggs continued with the following remarks. The last phase is the evaluation phase. It is very, very important. Two things happen here - garner feed-back from staff and citizens on the activities and operations. Issues change on a daily basis and goals and initiatives shift from time to time. Evaluation and feed-back become a very key component to determining goals and initiatives.

This upcoming year will be scaled down and will deal primarily with instituting performance measures for the routine day to day

activities of management operations. Some type of measurement tool for the larger goals should also be established.

He paused to answer questions from the Board regarding the process.

The next budget workshop was scheduled for February 14, 2006.

Mr. Suggs explained how to use the binders when submitting their budget priorities.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE OPTIONS 1, 2 AND 3 TO WIT: 1) APPROVE AND AUTHORIZE STAFF TO IMPLEMENT THE PROPOSED BUDGET DEVELOPMENT AND MANAGEMENT PROCESS; 2) APPROVE THE TENTATIVE FY 2007 BUDGET CALENDAR; 3) DIRECT BOARD MEMBERS TO PARTICIPATE IN AND COMPLETE BOARD INITIATIVE/GOAL SETTING EXERCISE WITHIN PROPOSED TIMEFRAMES.

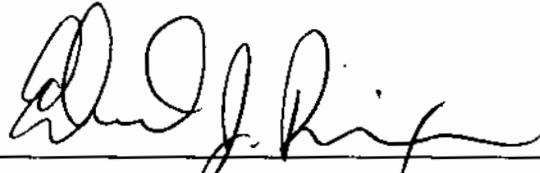
Commissioner Holt said she had attended a Tourism Council meeting on this date and a question arose as to their personal liability.

Paul Sexton replied that they would likely have the same status as any government official since they are appointed by the Board. However, he said he would look into and get something for her in writing to take to them.

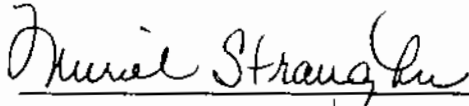
Commissioner Holt asked again for the commissioners to make their suggestions known as to how they would like to see the Tourist Tax dollars spent. She asked them to have them ready by the meeting on the 24th.

ADJOURNMENT

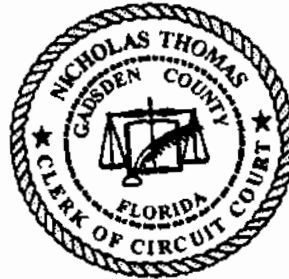
**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR
DECLARD THE MEETING ADJOURNED.**



Edward J. Dixon, Chair



Muriel Straughn, Deputy Clerk



AT A REGULAR MEETING OF THE BOARD
OF COUNTY COMMISSIONERS HELD IN
AND FOR GADSDEN COUNTY, FLORIDA ON
JANUARY 24, 2006, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

PRESENT: EDWARD J. DIXON, CHAIR
EUGENE LAMB
STERLING WATSON
DERRICK PRICE
THORNTON WILLIAMS, COUNTY ATTORNEY
PAUL SEXTON, DEPUTY COUNTY ATTORNEY
MARLON BROWN, COUNTY MANAGER
MURIEL STRAUGHN, DEPUTY CLERK

ABSENT: BRENDA HOLT, VICE-CHAIR (EXCUSED)

INVOCATION AND PLEDGE OF ALLEGIANCE

Chair Dixon called the meeting to order. Commissioner Price opened the meeting with a prayer of comfort for Commissioner Holt and her family in the loss of her son. Commissioner Lamb led in pledging allegiance to the US flag.

AMENDMENTS AND APPROVAL OF THE AGENDA

The agenda was amended as follows:

Add to General Business:

10a Carry Forward Budget Amendments OMB-BA# 060007A THROUGH 0600070; Resolution 2006-004

10b Grant Budget Amendments OMB-BA# 060008A THROUGH 060008L; Resolution 2006-005

Add to the County Attorney's Agenda:

Deer Ridge Estates Update

Fire Arms Discharge Ordinance Update Hunting and Use of Weapons

Request for a closed-door session on Ashford Healthcare Inc.

Add to County Manager's Agenda:

Recommendations for new appointment to Gadsden Hospital,
Inc. Board of Directors

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4-0, BY VOICE VOTE, TO APPROVE THE AGENDA AS AMENDED ABOVE.

AWARDS, PRESENTATIONS AND APPEARANCES

1. Medicare Part D, Federal Prescription Drug Program

Ms. Tymeisha Baker of the Gadsden Community Health Council addressed the Board. She introduced Maria Hernandez, her assistant and Maximo Martinez, Executive Director. She told the Board that the Prescription Assistance Medical (PAM) program was started in May of 2004. During the year 2005, they served over 400 residents of the County. She said they also provided more than \$800,000 worth of medications during the year and wrote more than 2,400 prescriptions to Gadsden clients.

She then turned her attention to Medicare Part D, which will affect 66% of their participants. She went on to explain that as of 2006, there are now four parts to Medicare. Part A covers hospitalization benefits; Part B covers doctor benefits; Part C is the Medicare Plus Choice (allowing Medicare recipients to participate in HMO's etc) and now Part D, which is prescription drug benefit program.

There are more than 7,400 Medicare beneficiaries in Gadsden County. One in six Gadsden County citizens will be impacted by the Medicare benefits. 5,877 of them are 65 or older.

Ms. Baker then told the Board of a program called Extra Help that helps pay for premiums, deductibles and co-payments. Based on a person's income, the insurance premiums can be reduced as well as the deductibles and co-payments. There are 16,000 households in Gadsden County. 3,642 of those households have an income of less than \$15,000 per year and are eligible for the Extra Help program.

She asked the Board to support their program with their voice and presence when addressing the issue with the Gadsden County Health Council. She asked the Board to participate in their public service announcements, to help target the

uninsured population and use facts and data to apply for funds to facilitate the Extra Help program.

She referenced a press release, which includes a statement of the commissioners support. She asked them to approve it.

She then asked them to attend a luncheon on February 9 at the Shelfer National Guard Armory. She said there would be representatives from Social Security Administration, Department of Elder Affairs and twelve insurance companies at the luncheon. This event will offer a number of opportunities for local citizens who qualify for Medicare Part D to enroll in the program. It enrollment period will end on May 15. The event will also offer an opportunity for those who qualify for the Extra Help program to enroll in it as well.

Commissioner Lamb asked if they were communicating with the local municipalities to ask for their help in getting the information out to the public. He noted that many people do not read the newspaper.

Ms. Baker replied that they are targeting newspapers and other media sources. She said they will have information sheets to circulate in the public. She also stated that they have a mailing system which they have utilized.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER WATSON, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE AND SUPPORT THE PROGRAM DESCRIBED ABOVE AS WELL AS THE PRESS RELEASE.

CONSENT AGENDA

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT:

2. Approval of Minutes:

November 28, 2005
December 6, 2005 Special Meeting
December 6, 2005 Regular Meeting
December 13, 2005 Regular Meeting

3. Ratification of Approval to Pay County Bills and Payroll

Accounts Payables dated: 11/18/05; 11/23/05; 12/02/05;
12/09/05; 12/16/05; 12/22/05; 12/30/05; 01/06/06;

01/13/05; 01/20/06

Payrolls dated: 11/24/05; 12/05/05; 12/22/05; 01/05/06;
01/19/06

4. **Approval of the Florida Department of Transportation, County Incentive Grant Program Project Submittals**
Atwater Road - Resurfacing
Luten Road - Resurfacing
Hanna Mill Pond Road - Resurfacing
Telogia Creek Road - Resurfacing
C & E Farm Road - Dirt Road Paving
5. **State Homeland Security Grant/Sub-Agreement with Apalachee Regional Planning Council- Comprehensive Emergency Management Plan Agreement**
6. **Approval of Special Assessment Liens**
SHIP Down Payment/Closing Cost Assistance Program
Brian Bilal
Jacqueline Byrd
7. **Approval of Special Assessment Liens and Rehabilitation Contracts SHIP and CDBG Housing Rehabilitation Program**
Jessie Sloan - Lien and Rehab Contract
Lue E. Sutton - Rehab Contract

PUBLIC HEARINGS

8. Owens Comprehensive Plan Amendment - CPA 2005-23 - Small Scale Amendment - Second Reading of Ordinance 2006-001

Growth Management Director Bill McCord told the Board that this is the second reading of the ordinance to adopt the above named Future Land Use Map Amendment. The first reading of the ordinance was held January 10, 2005.

Owner: George W. Owens, Russell D. Owens and Ralph Rish

Applicant/Representative: Florida Environmental and Land Services, Inc.

Location: East and west sides of Pat Thomas Parkway (SR 267) adjacent to Mossy Oak Acres Subdivision and Sadberry Road in Little River Survey Lot 49 Tax ID 5-0L-OR-OS-0000-49300-0100 AND 5-0L-OR-OS-0000-49300-0400 AND 5-0L-OR-OS-0000-49300-0500

Type of Hearing: Quasi-legislative action in conjunction with the advertised public hearing as a small scale amendment per Subsection 7401 **Type IV Review** under Subsection 7204

Description: The applicants desire to develop the two properties to the east of SR 267 into six lot single family residential subdivision. Two of the lots already contain the residences of George Owens and Russell Owens. No wetlands are present. Properties to the north, south and east are all within the AG3 land uses. Property to the west is within the RR category.

P & Z Commission Recommendation: Approval based on findings listed in the attached Memo.

Staff Recommendation: Approval based on findings as stated in the agenda report.

The applicant was not present. Russell D. Owens, the applicant's representative was present to answer questions.

Chair Dixon called for public comments. There was no response.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE ORDINANCE 2006-001 AS DESCRIBED ABOVE. SEE ATTACHMENT.

9. Thompson Comprehensive Plan Amendment - CPA 2005-20 - Large Scale Amendment (transmittal) Continued from 12/13/05 Changing 143 acres in the Agricultural 2 (AG2) to Urban Service Area (USA)

Owner: James Thompson

Applicant/RePresentative: Creative Planning Group

Location: West of Bostick Road, south of the CSX Railroad tracks and north and east sides of Harbin Road, approximately 2 miles west of Quincy City limits. Tax ID 3-10-2N-4W-0000-00300-0100

Type of Hearing: Quasi-legislative

Type of Review: Type IV under Subsection 7204

Mr. McCord told the Board that this item has been before the Board several times. The owner is requesting the land use amendment in order to permit greater densities and a mix of commercial, residential and industrial uses on the property similar to the surrounding area. If the land use amendment is approved, a maximum of 357 residential units can be built as well as 35 acres of commercial and 28 acres of light industrial uses.

The Board initially discussed the proposed land use

amendment on November 15, 2005 and voted 3 - 2 to approve a land use change to RR (Maximum of 143 lots on the 143 acre parcel) with a package plant. Discussion continued after the vote and they determined that 4:1 density was too dense. There was also concern about permitting light industrial and commercial uses which are part of the mixed use permitted/required under Urban Service Area. At the special November 28, 2005 meeting, the Board again addressed the proposed amendment and voted to reconsider the motion approved on November 15, 2005. Then at the December 13, 2005 meeting, the Board again discussed this item and asked that the County meet with representative of the City of Quincy and Talquin Electric Co-operative to determine how sewer could be provided to the site.

The applicant submitted a letter from Talquin Electric, Inc. dated January 24, 2006. The letter states that Talquin would be acceptable to owning, maintaining and operating a sanitary sewer system should it be constructed to Talquin standards and specifications. It would serve approximately 160 acres located on Harbin Road just west of Ben Bostick Road in Gadsden County.

Mr. McCord said that other than the sewage element, the same issues that were presented before are still relevant. They are included in the attached agenda report. He reiterated that this property is in close proximity to other urbanized land uses including the city boundary of the City of Quincy. The property just to the south has been previously designated as urban service area via a minor land use change. He said that it is possible that an on-site sewage treatment plant could be designed in such a way to serve other properties including the Friends Village project to the south and possibly other properties in the immediate area.

The Planning Commission in November and voted unanimously to deny the request for USA.

Staff recommended approval. He explained that there are protections built into the USA description that would insure that density would not be permitted at 5:1 if full utilities are not there. He said that the staff continues to recommend approval of land use change to USA.

Mr. McCord noted several options found in the agenda packet. He recommended Option # 1 to approve the land use change to

USA.

Chair Dixon opened the hearing to the public.

Angela Poole addressed the Board. She said that she and her husband, Cory, will be the prospective developers of the property. She had no presentation, but offered to answer questions.

Allen Bostick, adjacent property owner, addressed the Board. He stated that his main objection is the density of five units per acre. He did not object to the industrial classification, but would prefer a lower density.

Chair Dixon called for other public comments. There was no response.

He then said that he felt like this property is the kind of property that should be urban service area. He said that he has talked with the City of Quincy about the county's visioning process and they (Quincy) are more receptive now than in the past to extending the sewer lines, etc. He went on to say that he visited one of the sewage package plants a few weeks ago. He said that he was not very impressed with them (to put it mildly.) He expressed hope that the visioning process will address the sewage issue.

Commissioner Lamb and Commissioner Watson were both concerned about the possibility of 5:1 density.

Mr. McCord stated, "What is implied in our land use category is that you have a mixture of uses in urban service. You have some commercial then some residential then of course you would have open space as required by the Code. And then you could have industrial as well. A specific mixture of those percentages is not clear. There is some floating room around in there. But, the idea was not to allow all 143 acres to go at 5 units per acre. But, we don't know what the percentage of use would be. I think it is the intent of the developer to at least develop the open field portion, the southerly portion with homes and then perhaps the wooded tract up there for open space to some degree. But, we don't know at this stage. There are too many options that are available."

Commissioner Lamb asked if the Board could stipulate a lower density to the property.

Mr. McCord answered, "If you are wanting to do that, I think you can. But, what you would need to do is to require that as a site specific condition similar to what we did with the Mortham Shaw land use next to the Farms at Quincy. We would create a special policy for this property that density would be - it would be urban service area - but, density would be limited to whatever threshold the Board would establish. Then we could include other site specific conditions if you wish, such as sewer, open space that is greater than what might be required by Code - not just a flat 10%.

Chair Dixon said, "I don't want you guys to have to put in a package plant that you might not need. O.K. That is just how fast this thing is moving. If we can design it however it comes out to where you can get the urban service classification, allow to build, and that the City or whatever provider will provide sewage at a later date that you will guarantee to hook into, why would you go and build a million dollar sewage plant. That is my concern. To not get you into that position, but, clearly you are where you should be in urban service category. But, like I said, until we do this visioning thing, I don't presume to know what you can get that you won't get if you do this right here. That is all."

Ms. Poole said that they cannot put every single acre of the property 5:1. There must be provisions for open space, roads, sewage plant, etc. She said they would like to have the flexibility to have the 5:1 density in the residential section.

Mr. McCord stated, "We have a quirk in our Code. In some parts of the Land Development regulations, they require a lot width of 100 ft. Simply by creating a lot width of 100 feet (except on a cul-de-sac) - if you had to go in and plat out a subdivision out with 100 ft. frontage of the lots, there is no way you are going to get 5 units an acre. It makes it somewhat difficult. What you could get, however, is not single family homes. Urban service area is not limited to single family homes. I think that it is the intent of the developer to have single family homes, but, you could create a lot that is a 100 ft. by 200-300 ft. and put several units on that 1 acre or half acre. A duplex or triplex or something of that sort. So, you are looking at a lot size that is at least 100 ft. in width except on those lots that are on cul de sac, unless they got a variance.

Unfortunately, the Code, or perhaps fortunately, depending on the way you look at it, we don't have zero lot lines type category because of the lot width restriction. We don't have 50 ft. lot or 40 ft. lot with narrow homes like you might see in south Florida and central Florida. Maybe we should go to that, especially to meet affordable housing objectives. But, I think it will be quite difficult if their intent is to build single family homes to ever achieve 5:1 with 100 ft. frontage required on the streets."

Commissioner Dixon stated that he is generally opposed to 4:1 much less 5:1 density. He said, "When you build situations like that, you are asking for trouble. However, when we introduce sewer to the situation, I have to just kinda ease up because not everybody can't live on ½ acre. So, I'm trying to loosen up a little bit and get down to 3 or 4. But, 5 is never in my game. That is too tight for anybody - poor, rich, I don't care what you've got. My thing is - I want at the end of our visioning situation to not have done something wrong right here. That is my thing."

Commissioner Lamb replied, "My thinking is the same way. I have some concerns about 5:1. Just thinking about it, although, I don't think it is really going to be 5:1 as she stated. But, I have stated my concerns before about 5:1. I don't believe in a person standing on their porch and spit on another person's porch. I just don't believe in that. We've got plenty of land here in Gadsden County and we shouldn't have to do that. But, I don't think they are going to do 5:1, but, I have to rely on Mr. McCord to make sure that doesn't happen."

Cory Poole addressed the Board. He told them that it is not the intention to develop 5:1. The intention of getting urban service area was so that they can have a variety and maximum zoning. He said that he would rather not have to build a sewage package plant and would wait to develop if there is the likelihood of expansion of the sewage lines.

Mr. McCord reminded them once again that if they designate the land use as USA and the developer does not have central facilities available, then they are limited in density by what central services are there. If full utilities are not in place, there is protection built in.

James Thompson addressed the Board. He said that he would

much rather tie into the cities lines than put in a package plant. He said he would work with the County and the City to make that happen.

A MOTION WAS MADE BY COMMISSIONER LAMB TO APPROVE OPTION 1 TO CHANGE THE LAND USE TO URBAN SERVICE AREA. THE MOTION DIED FOR A LACK OF A SECOND.

Discussion followed.

Chair Dixon said he was inclined to leave the density as it is. However, after the visioning process is over, and there is an agreement with the City of Quincy to extend the sewer lines, they could come back and ask to have the zoning changed for greater density.

Commissioner Lamb said that he feels like if they are able to connect to the Quincy sewer system, then they ought to be given the option to come back to ask for a greater density.

There was a stalemate.

Mr. Williams had one concern and one comment. He recalled that there was a similar situation recently with the Highlands at Lake Talquin. They were treated in the same manner consistent with the original motion in this project. He cautioned that they should be consistent in their actions.

McCord:

The motion for the Highlands at Lake Talquin was to go to Rural Residential 1:1 with a sewage treatment plant. Of course, we realize that those lots, most of them will be clustered lots and they won't be on 1- acre lots, but, overall net density would be no more than one unit per acre. Under Urban Service, if they can't get sewer there for some reason and they have central water available, then they can get 2 units per acre. I guess, the issue is - would you want to approve Urban Service Area knowing that they could likely get 2 units per acre and sewer wouldn't show up in whatever fashion.

Williams:

I think that we should do what we have done with every other applicant. If we have a concern, they come up and tell you as commissioners whether they will agree to the terms that you have asked for and if you are going to do sewage and

they are going to tie in and if you are going to do 2:1 or 4:1 instead of the 5:1 under the USA. We can always ask them to come up and tell you. You have been struggling with whether you want to do 4:1 or 3:1 over 5:1, but, we have always in the past had the applicant stipulate that they would do a lesser density. So, I believe that you just have to question the applicant whether they would agree to do a lesser density as opposed to the 4:1 or the 5:1. That will take care of the first issue about the density that you have a concern about.

McCord:

We could go with Urban Service Area and then make it a condition similar to the earlier motion that you made, which by the way, might need to be withdrawn officially, it been sitting on the table." "I'm talking about the past motion changing the land use to Rural Residential with the central sewage system. That is the motion that did pass 3 - 2 in November and it was brought back for further discussion, but the motion was never rescinded, so that is still..

Dixon:

We don't need to rescind that motion because this is a reconsideration of that motion.

McCord:

O.K. Right. But, I just want to make sure that parliamentary procedure-wise that that was officially rescinded if that is the intent of the Board.

Brown:

Bill, we have an attorneys up here, so, you don't have to be an attorney tonight.

McCord:

You could always, again, go back with the site specific condition if you didn't want them to do two units per acre as Urban Service would allow if they don't have central sewer. And create a site specific condition that if central sewer is not available, then they are limited to one unit per acre, which, is even more restrictive. But, that would have to be a site specific condition tied to this parcel of land. Do you follow me? If you are fearful that if you went with USA and somehow sewage didn't work out, and you didn't want two units per acre on septic tanks, then you could create a site specific policy for this property or for this property or for this area. I mean, you could define

this area in a much broader sense to encompass other properties that might come in at a future date.

Dixon: But, we can't do that tonight.

McCord: Yeah, I think you can.

Williams:

You probably can, Mr. Chairman. And, again, if you look at the letter that we got from Talquin Electric, in the first paragraph, the last sentence says, "According to the information described within your correspondence, the proposed rezoning if approved would allow up to 5 dwelling units per, but only 2 to 3 dwelling units per acre would expect to be constructed on the property." So they have already admitted in writing that they are not going to do 5:1. So, there are a series of stipulation that you can get from the applicant, I think, that would address the concerns of the Commission. One is that they are not going to go 5:1 - you've already got this in writing. Sewage - you get a certain density if you hook up to the City and if you don't do that, you have a lesser density. Potentially, to me, it is pretty straight forward, if the applicant will agree to it.

Dixon:

You are the lawyer, anything is suppose to be clear and straight. That is why we pay you. Does anybody understand what he said, though?

Williams:

I can restate it. The applicant comes up and tells you what density they are willing to do and hopefully that is something that you will agree to. That is the first issue. That is the first stipulation. The second one is that they will agree to that density subject to getting either the sewage or tie into the City. If they do not do either one, then it is rural and it is 1:1. I think that is what you said was the last option. So that they understand that if they don't make sure that they protect the infrastructure, the substructure with a sewage treatment plant or tie into the City so that the sewage is pulled away, they will do a lesser density. That seems to be the concern that the Commission has. But, the applicant has to stipulate to all of that so that Bill is protected and the County is protected so we don't any issues later on for litigation.

Dixon: Will the applicant please come forward.

Thompson:

Everything that he just said, we will go along with. It is our intention to provide central sewer to this property. If, for some reason, that doesn't happen, I don't mind at all restricting it to a one unit per acre. That was my letter to Talquin that said, "Yes, overall density for the whole piece of property will probably end up being somewhere between two and three units per acre by the time you factor in streets, storm water ponds, green space and everything else. I don't mind agreeing to those terms."

Dixon:

That is very kind of you, sir. Thank you for pulling us out of this hole. Commissioners, are we in agreement? The chair will entertain a motion.

Lamb: Whatever the attorney said, I will make that motion.

Price: Second.

Dixon:

Will there be any further discussion? Everybody know what we did? We will talk about it later. All in favor, a sign of "Aye".

All: Aye.

Dixon: Opposes? Make it unanimous.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE THOMPSON COMPREHENSIVE PLAN AMENDMENT CPA-2005-20 LARGE SCALE AMENDMENT CHANGING 143 ACRES FROM AG2 TO URBAN SERVICE AREA CONTINGENT ON THE DEVELOPERS AGREEMENT TO RESTRICT THE OVERALL DENSITY TO BETWEEN TWO TO THREE DWELLING UNITS PER ACRE WITH CENTRAL SEWAGE PROVIDED (EITHER WITH A SEWAGE TREATMENT PLANT INSTALLATION OR BY TIEING INTO THE CITY OF QUINCY SEWAGE LINE). IT WAS FURTHER MOTIONED AND STIPULATED BY THE DEVELOPER THAT IF CENTRAL SEWAGE IS NOT PROVIDED, THE OVERALL DENSITY WOULD BECOME ONE UNIT PER ACRE. THE AMENDMENT WAS TO BE TRANSMITTED TO DCA.

GENERAL BUSINESS

10A. Carry Forward Budget Amendments OMB-BA# 060007A THROUGH 060007O; Resolution 2006-004

Mr. Brown told the Board that the carry forward method established budgetary authority for projects that overlap from year to year. He said that the approval of the above named budget amendments will allow for the funding of specific projects approved in previous fiscal years to be re-appropriated in the current fiscal year and support the continuation of those respective projects. He recommended approval of the amendments and the resolution.

Chair Dixon called for questions or comments from the Board. There was no response.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE NAMED BUDGET AMENDMENTS AND RESOLUTION.

10B. Grant Budget Amendments OMB-BA# 060008A THROUGH 060008L; Resolution 2006-005

Mr. Brown stated that the Board needs to establish budget authority for the grants which have already been approved or accepted by the Board. He recommended approval of the above named amendments and the resolution.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTE 4 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE NAMED BUDGET AMENDMENTS AND RESOLUTION.

COUNTY MANAGER'S AGENDA

11A. TALLAHASSEE COMMUNITY COLLEGE CALENDER

Mr. Brown distributed a Tallahassee Community College (TCC) calendar to each of the commissioners. The calendar was a tribute to forty years of excellence and achievement for the school. He said that Chair Dixon was featured as the

July 2006 alumni. An anniversary celebration was held at TCC on Monday evening, January 23, at which time Chair Dixon was awarded a plaque in recognition of his success and achievements since his graduation from TCC.

11B. APPOINTMENT TO GADSDEN HOSPITAL, INC. BOARD OF DIRECTORS

Mr. Brown then turned his attention to the vacancy on the Gadsden Hospital, Inc. Board of Directors since the resignation of Mr. Jerry Wynn. He called attention to a memo, which includes names of possible appointees to replace him. He asked for direction from the Board.

Chair Dixon asked that the appointment be deferred until Commissioner Holt's return.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO TABLE THE APPOINTMENT OF GHI BOARD MEMBER UNTIL COMMISSIONER HOLT'S RETURN.

COUNTY ATTORNEY'S AGENDA

12A. Deer Ridge Subdivision Update

Mr. Williams reported the following:

On January 18, 2006, David Theriaque wrote a letter to the Chairman and copied a number of individuals on the behalf of Home Placement. He said that DEP has apparently done an inspection and it is Mr. Theriaque's opinion that the inspection was satisfactory for purposes of releasing the CO's that the County has on the property.

He went on to say, "On January 20th, I wrote a letter back explaining to him that the County has a separate process and under that process, there had to be an inspection and a determination that the improvements met the approval of the County. We indicated that we would ask for that inspection to be done. Then, based on that inspection by Mr. McCord's office, one of three things could happen.

First, he could agree that the improvements are satisfactory under the county's ordinances and codes.

Second, he could determine that a portion of the improvements meet the requirements of the Code.

Lastly, he could find that - if I have them in order right - I'm so sorry, I might have confused them. He could approve all; approve some or approve none.

So, we need at this point, I think, that you as a commission need to ask Mr. McCord to conduct the inspection based on the letter that we got from Mr. Theriaque. Then he can make a recommendation back to you as to whether or not he thinks that the improvements meet the notice that we sent out earlier. Upon that determination, then the county attorney will set the agenda item back up if he determines do not meet the Code.

So, there is a request tonight (as an action item) to have Mr. McCord's office do an inspection and then make a report back and authorize us to re-agenda this item based on that inspection if necessary."

Arthur Cyr, 320 Deer Ridge Circle, addressed the Board.

"I had a discussion this morning with Michael Hogan of the Department of Environmental Protection. I expressed my concern over the work that had been done out there according to his orders. And, the reply that I got from Mr. Michael Hogan was that if I wasn't happy, he wasn't happy. He was going to go out to the site and review the problems that I have discovered.

So, I bring that up because, and I did not specifically ask Michael Hogan if he had already agreed to the transfer. It seems a little bit unreasonable to expect that he had when there are issues out there still to be resolved. So, I put into question the comment that the developer has adhered to all of the requirements of the Department of Environmental Protection.

And, I would like to provide a picture for ya'll to review to support my comment, if I may. This picture was taken on January 13th of the road system entering into the subdivision which shows a rather serious drainage problem that occurred. This problem has not yet been resolved. The only action taken by the developer, even though Michael Hogan from DEP had stipulated that he was to take a specific corrective action, the only action that the developer has taken at this point, is to put the dirt back

in to cover up the problem and put grass on the top. I provide this for ya'll to review.

I am personally very suspicious of the action that has been taken. I would like to ask that ya'll keep us informed as the steps that are going to take place.

If ya'll have questions of me, I will be happy to answer them."

Mr. Williams responded by saying, "Even though everything is not where we would like it to be right now, I can tell you from a pure litigation standpoint, we are much further along than we would have been had we litigated. Any prudent lawyer would have advised his client not to do anything at this time. So, there are some things that still need to be done. We are all in agreement with that. But, we are making progress that would not have been made otherwise."

Chair Dixon called for other comments. There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER WATSON, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO DIRECT MR. MCCORD TO CONDUCT AN INSPECTION OF DEER RIDGE ESTATES AND REPORT BACK TO THE BOARD REGARDING THE MATTER AT WHICH TIME IT MAY BE RE-AGENDAED.

12B REGULATION OF FIREARMS IN THE COUNTY

Mr. Williams recalled that Commissioner Lamb had requested that he look into creating an ordinance to regulate the discharge of firearms in the County. He reported that he had concluded his research on the matter and determined that any authority is preempted by the State. He called attention to an Attorney General's opinion and the State Statute 790.33. (attached) It basically states that the County cannot regulate firearms. It is done at the State level.

He went on to say that since a petition was filed with the County by Mr. Tom Davis, he will respond to that petition and notify Mr. Davis that the County has no authority.

He also stated that he will have a follow up conversation with the Sheriff regarding enforcement of the Statutes and

ordinances that are already in place.

**12C. REQUEST FOR CLOSED DOOR MEETING FOLLOWING THIS MEETING
REGARDING ASHFORD HEALTHCARE - ALL THREE CASES 05-1259-
CAA; 05-0961-CAA; AND CHAPTER 11 PROCEEDINGS CASE NO. 05-
45011-LMK**

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO HAVE A CLOSED DOOR SESSION WITH THE ATTORNEY REGARDING THE LAWSUITS WITH ASHFORD HEALTHCARE IMMEDIATELY FOLLOWING THIS MEETING.

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

Arthur Cyr, 320 Deer Ridge Circle, addressed the Board again. He said that when Deer Ridge Circle is fully developed, it will have 24 homes. It currently has 17 occupied homes. Of those 17 homes, 5 of them have failed septic systems. Another home has to be pumped out bi-monthly. When it is raining it must be pumped every month. That is 6 out of 17 failed septic systems. He also said that all homeowners are experiencing some degree of problem with the developer in getting the issues resolved.

He then stated that he is bringing the matter to the Board because he had already been to the Department of Health to see if they could help provide support in getting the matter corrected. According to the Department of Health, the only thing they could do to help was to issue a sanitary nuisance and charge them \$500 a day until they correct the issue.

The Department of Health says that their hands are tied because of some action that the County Commission had taken during the development of Deer Ridge Estates has their hands tied.

No one on the Board was readily aware of such an action.

He said that he would provide that information in writing.

Chair Dixon called for other public comments. There was no response.

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Lamb

Commissioner Lamb mentioned Waste Management. He said that a question was raised to him about the inconsistency of the garbage pick up service. He asked that the Manager ask Waste Management to come to the next meeting to answer some of the questions about their service. He said that he understood that the contract renewal is currently being negotiated and he would like to have those questions answered before approving another contract with them.

Commissioner Watson

Commissioner Watson had nothing to report.

Commissioner Price

Commissioner Price mentioned that Commissioner Holt's son died on Sunday evening. He asked that everyone keep that family if their prayers.

Mr. Brown said that the funeral arrangements are not complete, but it is tentatively scheduled for Saturday, January 28. He promised to notify everyone.

Commissioner Holt

Commissioner Holt was not present.

Commissioner Dixon

Chair Dixon said, "It is genuinely sad when any one of us loose someone who is close to us. It's got to be that more disconcerting when it is a child. As Commissioner Price said, please keep the commissioner in your prayers. Your words mean a lot. Echo them often. I am sure she will appreciate them."

Dean Fenn addressed the Board. He asked that the record officially reflect that he appreciates all of them.

He made remarks protesting barges carrying nuclear waste and turbines being transported via the Florida rivers.

13. RECEIPT AND FILE

Resolution No. 2006-001 Recognizing Contribution by Edward Hentz Fletcher, Jr.

Proclamation No. 2006-002 Recognizing Dean Lamont Mitchell

as an Outstanding Artist

Resolution No. 2006-003 Honoring the Life of Elder William M. Maxwell, Sr.

Appreciation by the Residents of Gaver Road, Havana, FL

Appreciation by Department of Agriculture, Division of Forestry - Bear Creek Educational Forest

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, CHAIR DIXON DECLARED THE PUBLIC PORTION OF THE MEETING ADJOURNED. HE ASKED THE PUBLIC TO LEAVE PRIOR TO RECONVENING IN A CLOSED DOOR ATTORNEY CLIENT SESSION.

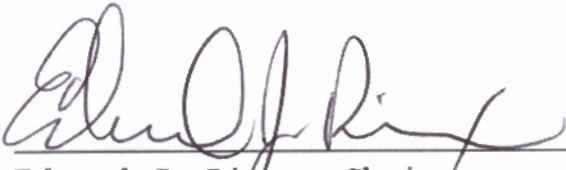
CLOSED DOOR SESSION

Chair Dixon opened the attorney/client session announcing the purpose of the meeting was to discuss pending litigation and strategy related to litigation and expenditures in three pending law suits - Ashford Healthcare Systems vs. Gadsden County and Capital City Bank; Ashford Healthcare Systems vs. Gadsden County and Ashford Healthcare Systems, United States District Bankruptcy Court. He estimated that the length of the meeting would be less than one hour.

The persons in attendance were: Commissioner Sterling Watson, Commissioner Derrick Price, Commissioner Eugene Lamb, Commissioner Edward J. Dixon, chair, County Attorney Thornton Williams, Deputy County Attorney Paul Sexton, County Manager Marlon Brown and a certified court reporter.

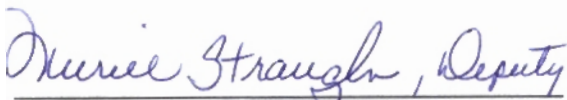
The meeting was then closed. A transcript of this meeting will be made public upon the conclusion of these cases.

After the closed session was concluded, the Board reconvened as a public meeting and promptly adjourned.

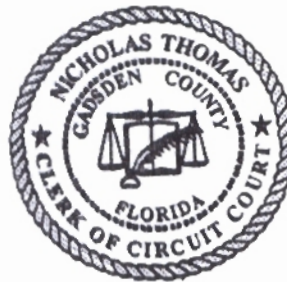


Edward J. Dixon, Chair

ATTEST:



Muriel Straughn, Deputy Clerk



AT A REGULAR BOARD MEETING OF THE
COUNTY COMMISSIONERS HELD IN AND
FOR GADSDEN COUNTY, FLORIDA ON
FEBRUARY 7, 2006, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

PRESENT: EDWARD J. DIXON, CHAIR
BRENDA HOLT, VICE-CHAIR
EUGENE LAMB
STERLING L WATSON
DERRICK PRICE
THORNTON WILLIAMS, COUNTY ATTORNEY
MARLON BROWN, COUNTY MANAGER
MURIEL STRAUGHN, DEPUTY CLERK

INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was called to order by Chair Dixon. Commissioner Holt led in the invocation and Chair Dixon led in pledging allegiance to the US Flag.

AMENDMENTS AND APPROVAL OF AGENDA

The following was added to the agenda:

Added to Item # 7 - Abandonment and Vacation of St. James Cemetery Road AV-2005-01
Memorandum of Understanding between St. Joe Land Development and St. James Missionary Baptist Church

The following was removed from the agenda:

Item # 1 - American Red Cross Disaster Resistant Neighborhood Resolution
Item # 16 - Library Bid Protest

The following was deferred to February 21, 2006:

Item # 15 - County Attorney's Agenda -
Voluntary Annexations to City of Midway

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

AWARDS, PRESENTATIONS AND APPEARANCES

Mr. Brown introduced Conrad Ible who is the new Growth Management Code Site Inspector/Code Enforcer.

**1. Approval of Disaster Resistant Neighborhood Resolution
(Michael Joseph, American Red Cross)**

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

**2. Approval of Resolution in Support of "Step Up Florida"
(Beryl Richardson, Regional Coordinator, Florida Chronic Disease Health Promotion and Education Program)**

Ms. Beryl Richardson, cardiovascular disease health educator for the Gadsden County Health Department, addressed the Board. She introduced Maximo Martinez who was also with her. Mr. Martinez is the acting director of the health department.

Ms. Richardson explained the event "Step Up Florida." She said that it is a series of relays sponsored by the Department of Health. The relays go from community to community throughout the state. She said that it would come from Liberty County through Gadsden County on February 15 then on to Leon County.

She presented the attached resolution and asked for the Board's endorsement.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE RESOLUTION 2006-007 IN SUPPORT OF STEP UP FLORIDA.

CONSENT AGENDA

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE TO APPROVE THE CONSENT AGENDA TO WIT:

3. Approval of Minutes - January 10, 2006
4. Ratification of Approval to Pay Accounts Payables dated 01/27/2006 and 02/03/2006 and Payroll dated 02/02/2006

5. Approval of new Road Name - Glawson Farm Road
South of Shady Rest Road and east of Highland Road (New road in a subdivision)
6. Approval of Property Donation and Authorization for Quit Claim Deed for Martin Luther King Boulevard Library Access (Jane Mock, Library Director) Parcel No. 3132N4W0000002220500-X

The Friends of the Library have contacted Gadsden Home, Inc. regarding a piece of property adjacent to the Bill McGill Library that could be used to access the library from Martin Luther King Boulevard. Gadsden Home, Inc. has donated the property to Friends of the Library and they, in turn, want to donate it to the County to be used as an alternate access road to the library. The property is .679 acres.

PUBLIC HEARINGS - 6:00 P.M.

7. Public Hearing - Abandonment and Vacation of St. James Cemetery Road

Project No. AV-2005-01

Type Review: Abandonment and Vacation of Right of Way
Tax Parcel ID #: adjacent to parcel number 3-05-2N-6W-0000-00120-0100

Planning Commission Recommendation: Approval based on a number of findings as listed in the attached memo and subject to special conditions as follows:

1. Provide a 60 ft. wide utility and drainage easement in favor of Gadsden County over that portion of the right-of-way measures from a point in the center of the right-of-way (30 ft. on either side of the easement.)
2. Upon development of the adjacent properties, the county reserves the right to re-open the right-of-way after public notification
3. In order to provide access to the St. James Missionary Baptist Church cemetery, the applicant shall grant a private easement in favor of the church. If necessary, provide the church a key to any gate placed on the

property.

Staff Recommendation: Approval based on the findings as special conditions stated above and the memorandum of understanding.

Mr. McCord made the following facts known for the record:

St. Joe Timberland Company has requested that the County abandon and vacate a .10 mile portion (approximately 440 linear feet) of an unnamed public right-of-way located in western Gadsden county between Rowan Road (CR269) and Hovey Smith Road. The road is unnamed but has existed for many years. It is a private road, but has been maintained by the County for many years. Since it has been maintained, it is assumed that the County has a prescriptive easement over the portion that the County maintains.

St. James Church owns a .91-acre parcel on the northwest side of the road, which is used as a cemetery. St. Joe Timberland owns the remainder of the property abutting the affected roadway.

The reason that St. Joe has asked to abandon the road is that they have had problems with trespassing and dumping on their property.

St. Joe will do a survey and provide that legal description to the Growth Management Department.

Mr. McCord reported that that St. Joe has met with the church officials, which resulted in a Memorandum of Understanding, which will allow St. Joe to vacate the roadway if they will open an adjacent lot to be used as a parking lot on St. Joe property. They would grant St. James a license to use the park for non-permanent activities.

Mr. Williams stated that he met with the parties prior to this meeting and the Memorandum of Understanding was modified somewhat.

Jeff Stauffer of St. Joe Timberland Company addressed the Board. He explained that the area in question has some very deep ravines, which reach almost to the edge of the road. Over many years, an extreme amount of dumping occurred in those ravines. (Cars, appliances, household garbage, construction debris, etc.) St. Joe has been cited by

Department of Environmental Protection (DEP) and told to clean it up. St. Joe has engaged environmental engineers and waste service companies to remove and dispose of everything that is in the ravines. It will cost them up to \$200,000 to get it cleaned up. They are now awaiting a permit before they begin the clean-up.

He went on to say that, they would like to take measures to prohibit the dumping in the future. They proposed to block the road and install gates so that the dumping site is not easily accessible.

Subsequent to the P & Z meeting, he said that he concluded that it might prove more beneficial to St. James Church to have a parking lot adjacent to their cemetery as opposed to parking along the roadway. They could have continuous access to parking. In that vein, St. Joe has agreed to clear a one-acre parcel to be used as a parking facility adjacent to the cemetery. St. Joe would like, however, to reserve the right to relocate the parking facility but would always keep it adjacent to the cemetery. They would also grant St. James a license to use the parking facility.

After some discussion, St. Joe agreed to the following special conditions:

- The County would continue to have prescriptive rights over the portion of the road being vacated.
- If at any time, the County should determine that they desire to acquire the property back, St. Joe agreed to re-convey it back to the County at no cost to the County.
- If St. Joe should desire to develop the property, they could negotiate with the county, but the County would not be bound to a different location for the road than where it is right now.

Conrad Carroll, Deacon from St. James Missionary Baptist Church appeared before the Board. He asked who would enforce the agreement.

Mr. Williams explained that the parking facility and the license to use it is a condition of the County's approval to abandon the road. If they do not do what they have agreed to do, the County will re-acquire the property.

Kenneth Carroll asked for clarification of Item # 4. He specifically asked if the church could use the parking lot for other purposes.

Mr. Stauffer replied that the intent of # 4 was merely to insure that the church would not create a commercial enterprise on it or extend the cemetery - not to permanently change the property in any way, form or fashion.

Further discussion followed.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ABANDONMENT OF THE DESCRIBED ROAD SUBJECT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN ST. JOE TIMBERLAND OF DELAWARE, LLC AND ST JAMES MISSIONARY BAPTIST CHURCH WITH THE FOLLOWING MODIFICATIONS:

1. Change the language of # 4 to allow for use of the lot by the church for other purposes so long as the property is not permanently changed in any form or fashion.
2. The County would continue to have prescriptive rights over the portion of the road being vacated.
3. If at any time, the County should determine that they desire to acquire the property back, St. Joe agrees to re-convey it back to the County at no cost to the County.
4. If St. Joe should desire to develop the property, they could negotiate with the county, but the County would not be bound to a different location for the road than where it is right now.

8. **Public Hearing - Conceptual Plat for Blueberry Hill
Subdivision (SD 2005-15)**

Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk. He then gave testimony to the following facts as well as those found in the attached agenda report.

50.42 acre parcel within the Rural Residential (RR) (1:1) land use category.

Project No: SD-2005-15

One sheet Plan (Sheet No. 1) prepared by Florida environmental and Land Services, Inc. of Tallahassee, FL with project number 04-0344 dated November 7, 2005, with revision dated of December 16, 2005

Owner: Linderand, Inc.

Applicant: Jack Green, C/O Linderand, Inc.

Representative: Florida environmental and Land Services, Inc.

Location of Property: East side of US 27 (Georgia-Florida Parkway) south of Glades Road (CR12B) approximately 2.5 miles north of Havana in Township 3 North, Range 2 W, Section 14

Tax Parcel ID #: 2-14-3N-2W-0000-00321-0000

Type of Hearing: Quasi-judicial as Type II Review per Subsection 7202 of the Gadsden County Land Development Code (LDC). Formal subdivisions are a Class 2 use. This is the first of four stages of review and approval of the subdivision.

Previous BCC actions on this property: October 2005 - Land Use Amendment Changed from AG2 to RR.

Planning Commission Findings: See attached memo with the agenda report.

Planning Commission Recommendation: At the January 11, 2006 meeting - approval based on findings in the attached memo and subject to the special conditions as follows:

1. At the time of Final Plat approval, provides an executed conservation easement in favor of Gadsden County over any portion of the property determined to be wetlands and convey any open space tracts to the Homeowner's Association.
2. At the time of Preliminary Plat application submittal, provide a clearance letter from the State Division of Historic Resources office and an environmental

assessment report.

3. Provide sidewalks along at least one side of interior local streets and along US 27 and Glades Road.
4. As part of the preliminary plat and construction plan review, the applicant shall coordinate with the County and FDOT concerning the proposed street connection to US 27 to align with median locations or changes to the median locations as a result of the reconstruction of US 27.

Staff Recommendation: Approval based on the findings as listed in the attached memo and subject to the special conditions listed above.

Mr. McCord referenced the attached agenda report and documents attached. He called particular attention to the findings that relate to this project. He also noted the special conditions as listed in the report.

Commissioner Holt questioned the drainage to the south.

Mr. McCord stated that all storm water would flow to the south after having been treated in the retention pond. He said that the water leaving the facility would be no more that is currently draining and it will be treated prior to being discharged. The water will be a higher quality of water than before.

Chair Dixon called for the applicant to come forward.

Carolyn Bibler, representing Linderand, Inc., addressed the Board. She reviewed the conceptual plat design with the Board and responded to their questions with the following facts:

- They will hook up to the Havana water system.
- They have requested the City to install a 10" water main along US 27 to their site, through their site to Graves road, then extend on down Glades Road.
- There will be a homeowners association.

Commissioner Holt asked Mr. McCord to explain the sewage easements.

He said that, at the time of the final plat, the County would require that all easements be recorded with the plat.

Chair Dixon called for public comments. There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE DESCRIBED CONCEPTUAL PLAT FOR BLUEBERRY HILL SUBDIVISION - SD-2005-15 SUBJECT TO THE SPECIAL CONDITIONS REFERENCED IN THE ATTACHED AGENDA REPORT.

9. Public Hearing - Conceptual Plat for Carmen Maria Phase One Subdivision (SD 2005-11)
21.25 acre parcel of a 45.93 acre parcel in the RR land use category

Mr. McCord was administered an oath by Muriel Straughn, deputy clerk.

He gave a brief description of the project described below. See the attached agenda report for additional details. He referenced a number of findings as listed in the agenda report.

Two sheet plan (Sheets numbered C-1 and C-2 prepared by Matthew Parker of Parker Consulting Services, dated July 13, 2005 with revision date of 8/5/05 and stamped received October 18, 2005.

Project NO. SD-2005-11

Owner: Rhonda and Darrell Stodard

Applicant: Matthew Parker

Representative: Parker Consulting Services

Location of the Property: East side of Lakeview Point Road and south side of McCall Bridge Road (CR65-C)

Tax Parcel ID#: 1-23-1N-4W-0000-00340-0100

Type of Hearing: Quasi-judicial as a Type II plan per Subsection 7202 of LDC.

Previous BCC Actions: October 18, 2005; Land use changed from Commercial to RR

Planning Commission Findings: See the attached memo.

Planning Commission Recommendation: January 11, 2006 - unanimous approval with conditions as listed below:

1. Provide an environmental Impact Assessment Study/report as required by Subsection 5401 B.23 and 24 and Comp Plan Policy 5.4.2 and 5.4.3
2. At the time of preliminary plat application submittal, provide a clearance letter from the State

Division of Historic Resources office and an environmental assessment report.

3. The conceptual plat is conditioned on approval of the adjacent land use amendment and subsequent conceptual plat approval in order to ensure that sufficient open space is provided.
4. Provide a temporary cul de sac at the end of the street in Phase One. (This may be located on the portion of the property within the AG3 land use category.)
5. Provide sidewalks within the subdivision on one side of the local streets and provide a sidewalk or bond a sidewalk along Lakeview Point Road and McCall Bridge Road.
6. At the preliminary plat review stage, provide an environmental impact assessment report as required by Comprehensive Plan Policy 5.4.3 and subsection 5401.B.23 and 24 of the LDC.

Staff Recommendations: Approval based on the findings in the attached memo and the special conditions listed above by the Planning Commission.

Chair Dixon called for the applicant to come forward.

The applicant was not present.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO TABLE THE PROJECT UNTIL FEBRUARY 21, 2005.

10. Public Hearing - Chance Comprehensive Plan Amendment (CPA 2005-24) Small Scale Amendment (William D. McCord, Growth Management Director) First Reading of an Ordinance to adopt the proposed small scale land use amendment changing a 9.68 of AG2 land use to RR.

Mr. McCord explained that this land use amendment is not subject to the moratorium.

Project No. CPA-2005-24

Owner: Patricia (Morgan) Chance

Applicant: Angie Daugherty

Representative: Angie Daugherty

Location of the Property: 600 feet north of the intersection of Fairbanks Ferry Road (CR12) and Glades Road (CR12-B) and west of McNair Road at the end of Chinaberry

Lane in Township 3N, Range 2 West, Section 13

Tax Parcel ID#: 2-13-3N-2W-0000-00412-1000

Type of Hearing: Quasi-Legislative per Subsection 7401 of the LDC.

Previous BCC Actions: none

Planning Commission Findings: See attached memo

Planning Commission Recommendation: January 11, 2006 - approval based on findings in the attached memo and approval of the draft ordinance.

Staff Recommendations: Approval based on the finding in the attached memo.

Mr. McCord gave a brief description of the land use amendment. He then introduced the Ordinance explaining that it is the first reading and would be brought back on February 21 for adoption.

Chair Dixon called for the applicant.

Ms. Angie Daughterty, applicant's representative, addressed the Board. She had no testimony.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ORDINANCE 2006-002 ADOPTING THE SMALL SCALE LAND USE AMENDMENT.

GENERAL BUSINESS

11. Request to Accept the Economic Development Grant Award - Extension of Sewer Lines along Pat Thomas Parkway (SR 267) - DCA Small Cities CDBG Program (Farnita Saunders, Community Development Director) 06DB-3K-02-30-01-E 08 \$489,986.00

Mr. Brown briefed the Board of the progress of Hampton Inn and Holiday Inn construction. The following statements were included:

The Board applied for an economic development grant through Small Cities Community Development Block Grant (CDBG) program. The purpose of the grant is to extend the sewer lines from the City of Quincy to the two new hotels at the intersection of Pat Thomas Parkway and I-10.

The Board received notification from DCA in October 2005

that the project was within the fundable range and funds were reserved. The staff began working with the Summit Professional Services, the county's grant consultant, to finalize all grant documents. The Board submitted the application for the project on November 15, 2005.

The DCA Award Agreement was returned fully executed on January 17, 2006.

The hotels are scheduled to open in July 2006. The sewer will not be completed until December 2006 or later. The hotel owners cannot delay opening until the sewer is in place because they will have stiff franchise penalties imposed on them for each month that they remain un-open past July 2006. They could even lose the franchise. For that reason, they must install a temporary septic tank until the sewer lines are installed. The cost of the temporary tanks will be \$50,000 for each of them. The hotel owners will bear that cost.

However, they have asked the County to grant them tax abatement over a period of time until they can recoup the cost of having to install the temporary septic tanks. It is a common practice for counties to offer such incentives to solicit new businesses.

The estimated taxes on the Holiday Inn are expected to be \$25,000 per year. The taxes on the Hampton Inn are expected to be \$15,000 per year.

Mr. Brown asked that the Board authorize the county attorney and himself to look into the legal issues surrounding the abatement of taxes.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO ACCEPT THE GRANT AWARD DESCRIBED ABOVE AND APPROVE THE COUNTY MANAGER TO ADMINISTRATIVELY APPROVE AND THE CHAIRMAN TO EXECUTE ANY ADDITIONAL CONTRACTUAL AGREEMENTS AND OR ADMINISTRATIVE DOCUMENTS AS NECESSARY WHEN ASSOCIATED WITH THE GRANT AWARD.

Budget Director Davin Suggs stated that there were some issues. Depending on the whether the owners decided to stay in or get out.

Mr. Brown asked him to hold his remarks until later.

Commissioner Lamb questioned whether the septic tank would be sufficient for a hotel.

Brown:

The septic tanks will obviously be a temporary solution. They will be required to connect to the sewer system because the sewer is tied to the grant and to the hotels in terms of job creation. So, it will be a temporary solution. Yes, it will accommodate the size of the development. But, obviously, the hotel owners will have to connect to the sewer once we have it constructed.

Dixon:

If the owners would like to come forward, please do so as we begin to discuss this and make comments.

What are we on the line for? I was under the impression that we agreed to pay for hook-ups. Those were things that were going to be in the grant and yet, I have been informed that those things aren't in the grant.

Brown:

Mr. Chairman, we had discussion both with Talquin this evening as well as the consultants, Summit. One of the hotel owners has a signed agreement with Talquin, the City and the County to waive the tap fees. It is not part of the grant, so the grant in itself does not allow for the waiver of tap fees. The grant is purely a construction grant for sewer. There is a stand-alone agreement between the City, the County, Talquin and one of the property owners to waive the tap fees. We have to

Dixon:

Waive meaning no money will change hands. That is for the first Patel - Peter. O.K. Let's move on.

Brown:

We asked the second hotel owner to produce a document because none of our staff knew of a document or could find a document. Because that owner stated that, they signed an agreement between the County and that property owner to waive the system charges and tap fees. We cannot find that document and we asked the property owner to produce that document. (Inaudible) Do you have that document this evening? So right it stands that -

Dixon:

Don't make that a big issue because I remember us saying that we would do those things for the second hotel owner. I recall that whether the document exists or not.

Brown:

And that is what they have expressed to us.

Dixon:

But, that document - in saying that, that also says that because Talquin and the City didn't sign it, there is probably going to have to be a cash outlay.

Brown:

Right. If you will allow me, Mr. Chairman, that is obviously something that we can negotiate with the City and Talquin to also waive that as has been done with Peter Patel.

Dixon:

Short of them agreeing to it, we then, in essence agreed to.

Brown:

That is what we understand. But, we don't have it in writing.

Dixon:

I'm with you. I'm just saying that I thought I understood only to find out that I am not as enlightened as I thought.

Watson:

Why did the second one not get a signed agreement?

Patel:

Peter Patel, Holiday Express. Throughout all the meetings, under all (inaudible) Talquin is not installing or paying for any of this. Talquin is basically getting free service from the County and the hotel owners working in conjunction to bring out the sources that is really for their use. Talquin wasn't going to charge anything as far as a tap fee or anything. Now, I am 99.9% certain that we have a signed agreement. It was 5:30 or 5:00 before we found this out. I don't know whether it is at the hotel or with our attorney. It is at one place or the other, but we have it. We did call the hotel and it is not there. So, I am assuming by tomorrow morning, you can call the attorney and he might have it.

Dixon:

But, for discussion purposes, let's assume that an agreement exists out there some place. And we need to convince Talquin and the City to do what they did in the first hotel. That brings us to - "What do we do about the temporary sewer? Septic tank, I am sorry."

In my discussion with the Manager today, this reads as if the County has done something wrong, or in essence, we fouled up and therefore, we need to make the situation right. In a quick back and forth with the manager, I was very clear and adamant about that. The delays in the process were not of our making. We were not the body who were making these decisions. All we could do was respond when DCA asked us to respond.

Now, that being said, we all understood that there was a process and a time line, right? We all did our best to make sure we were walking together in that time line. Now, that is my understanding. I don't know how any other commissioner feels. There were some things that happened along the way that even the owners delayed the process at one or two opportunities. My point being - not you, Peter - I am referring to Victor and the second hotel - but, the point being is that the County is being asked to absorb all the cost.

Now, I think there is enough culpability to go around. While it is certainly my intention, and I don't think you have seen anything else, to get this project done. I am not sure that we should be on the hook for the whole deal. That is my problem. That is my problem right there. O.K. So. Other commissioners? I am sorry.

Patel:

Peter Patel from Hampton Inn. When we first came with the plan to approve for the hotel, the plan, Mr. Bruce approved it and the Board with no septic. At that meeting, everybody agreed that we would have that within a few months. They weren't saying any time. If you recall, there were so many meetings between us, the County and the City, and we could not come to an agreement. And, then you helped to step in - we were come to a meeting and you stepped in to get an agreement between all the bodies. That took almost a year. I signed the contract, the first contract with Talquin in December 2004. And the reason I was given free ride was because I was getting my land before putting the sewer in there - the lines and everything. In December, 2004.

In October, 2005, we were told that it will be done by May of this year. In the meeting with, I think with Summit, if I recall right, we still want to go to June, maybe to July. With that we have no problem. But, as of today, they are not sure that it will be done in December or not. They said that it depends on the weather. Because of that, we have an agreement with the banks and the franchise that we cannot do that anymore.

We are not asking you to honor because of that, that you did late, or that we did late. We are asking you to do that to do that to help develop that exit. There are so many counties and so many places that are giving you free taxes for three years or four years to bring the business into town and whatever. All I am asking is you to consider it. We cannot force you or we cannot ask you to do that. But, to develop that exit, this is the good way to help. We will both have benefit. That is only reason we are asking you to do that. I hope you will consider it. It will help the County and town to develop the exit as much as we possibly can. I hope you guys will consider that.

Holt:

I'm looking at the fact - if we are looking at December and I am just saying hypothetically, if we are looking at December, they have their businesses to get up and get open. If the property sitting at that exit was not developed, we would not receive those types of taxes. I'm not really on the developer's side, I'm really looking at this as if they are investing their money, they are already into the process. If we can get the situation moving, I'm not interested in paying a whole lot of money out, but we need to get this process going and continue it going so that they can do what they need to do and we can do what we need to do in order to move ahead on this project.

Watson:

Mr. Chairman,

Patel:

You can go up to 20%. You don't have to give us a full year deduction on the taxes. 20% for some years and give us time to recoup that money. You will still get some money out of it every year. Maybe 20 - 25% you give us a break every year off the tax and it may take 5 - 6 years, it doesn't matter. But, you can still get some money out of

us. See if you can do it that way.

Watson:

Peter, you would owe the bank and you would owe the franchise?

Patel:

Yes, we have a deadline for the franchise which was February 2006. And because of this deadline we went up to May, because we were told that it would be May. When we got the letter from Summit that the can't do it until the 15th of September. So, we sent that to the franchise and they gave us July, August, maximum August first week deadline.

Watson:

What would it cost you from August to December?

Patel:

Well, we will lose the franchise. Because, you know, two or three time, once they approved the franchise, you have two years to finish the project. If not, then we have already paid them \$20,000 to them because every time you delay it 3 months, you have to pay \$10,000. I have already paid twice to them. The first time it goes to the committee to see if this (inaudible) or whether they will be able to finish the job or not. So, then it goes to the Board at Hampton Inn. Hampton Inn can decide whether they want to keep us in their system or throw it out. My project is almost a \$4.3 million project. Once we sign the contract, we have 9 months to finish which will be June 1. When the contractor finishes his job, he will get his money, and the bank (as soon as the contractor stops) the bank will convert the construction loan so they can get more interest. So, it all falls in line, one after another. So, we cannot pay too much on opening date now because we have already paid twice. As far as I am concerned. I don't know about the other hotel, what their situation is, but I cannot go too much delay, now. I may loose the loan or I may loose the franchise and I cannot afford to loose the franchise because they have already charged me \$45,000 up front and I put up all this money because of the name. They are not even sure that they will be done in December. They are not giving me any date. They say that it all depends of the rain. So, we cannot see whether it will be another year or not. They are right here and they cannot give us a fixed date. Not even one month - December or January or whatever it may be.

Watson:
Who is they?

Patel:
Summit. The one (inaudible)

Modesitt:
Good evening. I am Scott Modesitt with Summit Professional Services. The time lines that have been set forth in this project have been set by an engineering firm, Melvin Engineering Firm. We haven't provided dates for any project time lines. Also, all the dates that Melvin's office has given us have been based on their engineering agreement being executed, which, delays have occurred in that. So, each time, those delays have occurred with their engineering agreement, they have to extend their work project deadlines. Because they can't start engineering. So, the delays that have gone on have been completely out of our control or out of the County's control. Do you have questions for me?

Watson:
How long does it take to build one of these systems?

Modesitt:
Again, that is an engineering question. It's fairly a simplified project. It is a sewer line with a lift station. I believe the engineer has given us, I think they are saying 90 days construction without any weather delays.

Watson:
Starting when?

Modesitt:
I don't want to speak for the engineering firm.

Brown:
Commissioner, to answer that question, part of it has to do with the design. 90 days from completion of the design for the completion.

Dingman:
I am Dennis Dingman, Vice-president of Summit. I have been involved in this project since October of 2004. The engineer is the county selected engineer. Again, Summit, the reason that Scott is pointing this out is, that engineer is really the County's engineer and it the County has selected them for the grant. The county's engineer for the

grant - they were selected through procurement. And, again, they can't start the engineering phases until the County signs a contract with them. So, just to clarify that. We are not trying to dodge the issue here, we are just totally out of prediction making or time setting frame. That is the engineer's responsibility. He also is responsible for the oversight of the project when construction begins and things like that. So, that is where the engineer fits in.

Watson:

Where did the December date come from?

Brown:

Commissioner, let me help you with that. The issue is that the grant just got awarded this past January. We did not want to execute a contract with an engineer until we got the grant in hand. So, the December date was basically, the last time we had a conversation, Davin, with the engineers, it was in December?

Suggs:

Yes, it was late December or early January. The whole part, the time line does not include just actual construction because there are two things that affect the project. Number 1 is that it is a specific grant. It is a CDBG grant, so, it's not like we had our own money. If we had our own money and we wanted to go and drop a sewer line in the ground, we would select an engineer and a contractor and go build it and get the permits. But, we have to go through extra permitting requirements because it is a CDBG grant.

And also, with the engineers, they are correct. It is the engineers that provided the timelines. The engineers that you selected. So, part of the hold up was I sat on that contract until we got the grant. We just got the grant. So we would not commit county effort until we knew we were getting the grant money.

The other issue is not only the actual construction and the additional grant permitting, but also they are factoring in weather and delay and delivery of actual construction supplies and also there is heavy permitting because you are cutting into an interstate and going across the interstate with the sewer lines. So, they are anticipating all of those things to give you a realistic date. So, that is why it seems like it takes almost a year just to build a sewer

line. But, it is much more than just actual construction that is involved.

Lamb:

What are they asking us to do, Mr. Chairman?

Holt:

They want to get a tax break on the

Brown:

Let me help you, commissioners. I know that there has been the assumption that there has been a lot of finger pointing. Let me propose that we split the difference between the cost of the septic tanks between the County and the hotels. In other words, they will be responsible for 50% of the cost. What we will do, we will do as Mr. Peter Patel has suggested - over a number of years, multiple years, we will waive taxes in 50% of the amount that it costs to install the septic tank system. So, in other words, the County will not be responsible for the entire bill for the septic tanks. The hotel owners will bear half of that cost. We will waive the other half over a number of years as it would equal 50% of that cost when installing the septic tanks. We can ask both of the hotel owners if that is something they will agree to.

Lamb:

So, they are trying to get us to help on the septic tanks.

Brown:

Right. If it costs 50,000 for the septic tank, they will be responsible for \$25,000 and we will be responsible for \$25,000.

Dixon:

So, roughly, we are talking about a total of \$100,000?

Brown:

Yes, sir.

Watson:

What reason are we doing this. Let's have a definite reason why we are doing this on this particular project so that if we are asked?

Dixon:

Commissioner, I'll tell you. I was sitting here saying,

"zero, zero, zero." And, I think Mr. Patel gave us the best reason that we could hopefully have in that we all want economic development to come to that area. We really should. At any other point, we would probably be giving some type of incentive to a potential business. I was glad that he did not - please excuse me. I think in any other occasion when we have considered businesses coming to new places, those were some of the incentives that we talked about. So, my angle was that somebody did something wrong and therefore you need to compensate. He didn't take that attitude. He flipped the script on me. So, he actually hit the nail on the head as far as I am concerned. And, in that, I think that we would. It would be in our best interest to do something to help make this project go.

Watson:

I can go along with that.

Lamb:

I just don't want it to look like we are setting a precedent or anything. But, for economic development purposes, I can understand where we are going with this.

Holt:

I would like to know how the Patels feel about this.

Patel:

I am (inaudible) Patel. I own the Holiday Inn Express in Quincy. I am taking two hotel risks for that grant. I don't know why Quincy won't give us a paper like what Peter signed.

Dixon:

That is o.k. Don't worry about that. We are in agreement about the paper. It is not a problem.

Patel:

Do I need to say my name again? We are talking about the 50%, correct? This is something that would have to go through with the partners before we could agree to something like this. Now, Mr. Peter, he has partners also. So, this isn't just a sole decision, this is a corporate decision that we have to make also. Based on not all the partners being here, I can't just say you guys can say "yes" and we can say "yes". I just want you to understand that.

Dixon:

Please contact the manager.

Price:
Did they agree?

Lamb:
Not yet.

Price:
Do we need to vote on it?

Dixon:
We will take a motion that that is our position.

Holt:
I move approval.

Price:
Second.

Dixon:
Will there be further discussion?
All in favor, sign of "aye".

All:
Aye.

Dixon:
The manager has the discretion to discuss it with you and to attempt to bring this to a resolution.

Next issue, please.

UPON MOTION BY COMMISSIONER HOLT AND SECOND PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO TAKE THE POSITION THAT IF THE ATTORNEY DETERMINES THAT THE COUNTY CAN LEGALLY OFFER A TAX ABATEMENT, THE BOARD WOULD OFFER TO REDUCE THE AD VALOREM TAXES OVER A NUMBER OF YEARS UNTIL IT EQUALS HALF OF THE COST OF THE INSTALLATION OF TEMPORARY SEPTIC TANKS FOR THE TWO HOTELS.

12. Approval of Proposed Road Improvement Projects List

Mr. Brown introduced the attached list of roads which have been proposed for paving in addition to those already

approved for payment for the year 2005/2006. He asked for approval of the change order.

Public Works Director Robert Presnell addressed the Board for questions.

After some discussion two other roads were added to the list. Strong Road in District 3 and Williams Lane in District 2.

Change Order for Dirt Roads:

District 1: Ancient Oaks - \$123,960.00; Azalea Trail - \$22,110.00; Deer Run - 108,135.00; Horseshoe - \$68,265.00; Lanier South - \$37,680.00 Total - \$ 360,150.00

District 2: A & L Drive - \$8,520.00; Ball Farm Road Resurfacing - \$52,455.00; David Clemons Lane - \$45,210.00; Dodger Ball Park Road Resurfacing - \$52,455.00; Houston Road - \$18,945.00; Penny B Road - \$17,65.00; Paradise Road - \$42,330.00; Hollow Creek Lane - \$ 10,215.00 Total - \$ 247,815.00; Add Williams Lane

District 3: Blount Road Resurfacing - \$ 19,920.00; Jinks Crossing - \$ 17,550.00; Oaks/Old Oaks Road - \$ 60,750.00; Ridgewood - \$ 28,500.00; Runkle Road - \$47,970.00; Smith Lane Resurfacing - \$ 15,195.00 Total - \$189,885.00 add Strong Road

District 4: Astor Ave - \$16,875.00; Atsco St. - \$11,790.00; B W Martin Road - \$ 119,790.00; Cox Road - \$40,560.00; Drew Ellis Road - \$ 9,495.00; Grice Road - \$ 14,505.00; Hazel Green Road - \$ 89,610.00; Kelly Ave. - \$ 7,365.00; Kenon Lane - \$ 15,285.00; Powell Circle - \$16,590.00; St. Johns School Road - \$ 26,970.00; Stella Gray Road - \$ 6,435.00; Tipper Lane - \$10,260.00; West Line St. - \$7,080.00 totaling \$392,010.00

District 5: Byrd Road - \$ 35,085.00; Cox Lane - \$40,560.00; Joe Knight St. - \$ 23,595.00.

Total financial impact: \$ 1,289,100.00 Department 130/Road construction and resurfacing

It was noted that when the list of roads is completed, 50% of all the dirt roads in Gadsden County will be paved.

Linda Clemons and Gloria Robinson addressed the Board.

Chair Dixon stated that even though the smaller roads may not appear on the paving lists, it is the policy of the Board to pave the small roads that connect to a road that is being paved. The small roads will not be left unpaved.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ROAD PAVING LIST ATTACHED AND LISTED ABOVE.

Mr. Willard Crawford addressed the Board. He questioned the Board about how to get a private road paved.

Chair Dixon explained that the County cannot pave a road unless it owns it and cannot accept any new roads until all of the county roads are brought up to standards. He explained that there are a couple of options available to residents to get their private roads paved. He said that there is an ordinance that will allow for private paving with the residents paying a portion of the costs and the County paying a portion. There is an assessment on the tax bill over a period of time for the convenience of the residents. He also told him that public works would maintain a road for an hourly fee. He referred Mr. Crawford to Mr. Robert Presnell.

COUNTY MANAGER'S AGENDA

13. Appointment to the Gadsden Hospital, Inc. Board of Directors

Current Board of Directors: S. Craig McMillan, Chairman; James R. Suber, Treasurer/Secretary; Dr. Jessie Furlow, Medical Director; Darryl Marshall; Dr. Charles Kent

Names submitted to replace Jerry Wynn: Mr. Scott Whitehead; Ms. Shelia Atkins; Mr. Fred Dudley; Mr. Herb Sheheane

After some discussion, there was a consensus that all of the names submitted would be asked to sit on the hospital board of directors.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPOINT ALL OF THE ABOVE LIST OF NAMES (IF THEY WILL ACCEPT) TO THE GADSDEN HOSPITAL BOARD OF DIRECTORS.

14. Miscellaneous Items

There were no miscellaneous items discussed.

COUNTY ATTORNEY'S AGENDA

15. **Briefing on Annexation of Pat Thomas Law Enforcement Academy & County's Annexation Policy (Thornton Williams, County Attorney/William D. McCord, Growth Management Director)**

This item was deferred until February 21, 2006 per the agenda amendment.

Chair Dixon reported that he spoke to the Midway City Commission and asked them to delay annexation of anymore county lands until the county's visioning process has been completed. He said the mayor and council received them well.

He referenced the pending Pat Thomas Law Enforcement Academy request for voluntary annexation. He made the following comments:

- When that annexation occurs, it will present many more opportunities for annexation as well.
- The proposed map for the City of Midway caused him great concern because they have no way of delivering services, yet they have proposed a city that runs from CR 270 on the north to Little River in the west , and takes in everything all the way down and over to the Leon County line.
- People living in the new subdivisions are already appearing at the commission meetings complaining about the delivery of services.
- Things are kind of beginning to break down and the County will need to partner with them to help them grow smart.
- Midway expects to build another 800 homes within the next year, yet they have no police force. They will be looking to the Sheriff's office for those services. The Board will have to fund that type of growth and figure out how to do it.
- He hoped that Midway would join the moratorium and become a part of the visioning process so that the County can grow together.

16. Library Furniture Bid Protest (Thornton Williams, County Attorney)

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

17. Miscellaneous Items

There were no miscellaneous items.

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS (3 MINUTE LIMIT)

Chair Dixon called for citizen comments and questions. There was no response.

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Lamb

Commissioner Lamb had no report.

Commissioner Watson

Commissioner Watson had no report.

Commissioner Price

Commissioner Price had no report.

Commissioner Holt

Commissioner Holt thanked everyone for their prayers, kindnesses and expressions of sympathy during the time of the death of her son Ricco.

She then stated that she hoped that the Board was ready to do some marketing in the Enterprise Zones. She said that it is common practice to offer tax incentives to potential businesses. She said that one neighboring county just received \$3 million to run sewer lines to I-10.

She then reported that she attended a function at the Senior Citizens Center. She said the room was full of people. She invited them to come to the County Commission meetings and be interested in county government.

Chairman Dixon

Chair Dixon thanked the cities of Chattahoochee, Greensboro, Gretna, Quincy, Midway and Havana for their participation in helping the County secure the legislative agenda. He said, "For those of you who were not here, the legislative delegation said it was one of the best they have seen. The cities attended often and made comments. It was very collegial and I think we are now set to go to the Legislature and press our case. We met the Chief Judge today who said that he was already pressing the courthouse issue and a number of issues. For once, we are ahead of the game and in the game. And, it is a great feeling to be in the game and everybody knowing our positions. Perhaps, with a little work, we can bring a significant, and it is my goal, and I am sure it is each of your goals, to bring a significant amount of funding to the County from the State level and from the national level. Thank you all for your cooperation as well as we continue through this process of visioning here in the budget where we are now. Thank you for your continued input and your continued dedication."

RECEIPT AND FILE

17. Letter from Leon County Board of County Commissioners -
Gadsden Community Hospital Closing

Letter from Midway - Community Budget Issue Request for
Training Facility/Fire Station

Letter from USDA Rural Development - McDaniel Infrastructure
Project

Memorandum from Clerk - Designation of Helene Shuler as
Clerk's Liaison

Cash Report as of January 24, 2006

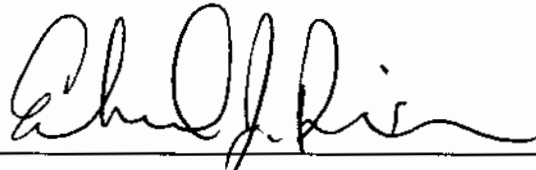
Financial Statement as of January 24, 2006

Tourist Development Council - November 14, 2005 Minutes

Tourist Development Council - December 20, 2005 Minutes

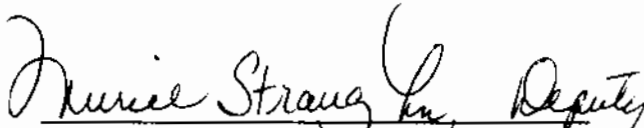
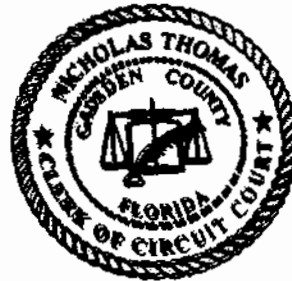
ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR
DECLARED THE MEETING ADJOURNED.



EDWARD J. DIXON, CHAIR

ATTEST:


Muriel Straughn, Deputy Clerk

AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON FEBRUARY 21,
2006, THE FOLLOWING PROCEEDINGS WERE
HAD, VIZ.

PRESENT: EDWARD J. DIXON, CHAIR
BRENDA HOLT, VICE-CHAIR
EUGENE LAMB
STERLING L. WATSON
DERRICK PRICE
PAUL SEXTON, DEPUTY COUNTY ATTORNEY
MARLON BROWN, COUNTY MANAGER
MURIEL STRAUGHN, DEPUTY CLERK

Invocation and Pledge of Allegiance

Chair Dixon called the meeting to order. Commissioner Holt led in a prayer followed by the pledge of allegiance to the US flag led by Chair Dixon.

Amendments and Approval of the Agenda

The following was deleted from the agenda:

Item # 16 - Request for Tax Abatement (To be rescheduled for March 7, 2006)

The following was added to the agenda:

Item # 20 - add additional information

UPON MOTION BY COMMISSIONER AND SECOND HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE AGENDA AS AMENDED.

Awards, Presentations and Appearances

1. Presentation of 2005 Extension Service Customer Satisfaction Survey Results (Attached)

Dr. Henry Grant addressed the Board. He said that a study was done by the Florida Board of Regents in 1988. They recommended that a survey should be conducted by the extension offices to measure customer satisfaction. He presented the attached information, which demonstrated the results of the survey, which his office conducted. He said that such a survey could help the extension office find

ways to improve information delivery. More importantly, it helps in the ongoing process of program accountability.

He went on to say that the extension service and the University of Florida uses the survey to examine two groups of customers - those seeking education information by coming by the office or by calling and those who actually participate in the planned extension programs.

He said that each year 15 counties are randomly selected for the annual customer satisfaction survey. Gadsden County was selected in 2005 to do the survey. He then presented the information. See attachment.

County Marlon Brown congratulated Dr. Grant on the results of the survey. He said that Dr. Grant's services scored consistently high. He said that it is a credit to Dr. Grant and his staff.

2. Approval of Disaster Resistant Neighborhood Resolution 2006-006

Mr. Michael Joseph was not present.

Consent

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE TO APPROVE THE CONSENT AGENDA TO WIT:

3. Approval of Minutes

January 17, 2006 Special Meeting
January 24, 2006 Regular Meeting
February 7, 2006 Regular Meeting

4. Ratification of Approval to Pay County Bills

Accounts Payables dated February 10 & 17, 2006
Payroll dated February 16, 2006

5. Approval of Resolution No. 2006-010 Gadsden Men of Action - Recognition of Individuals Making Outstanding Contributions to the Health, Safety, and Welfare of Citizens of Gadsden County, FL

**6. Approval of Final Change Order for the New Quincy Library
Change Order # 1 Decreasing the total from \$1,750,000 to \$1,658,728 - net decrease \$91,272. Funds returned to be used for furniture.**

7. Approval of EMS Debt Write-Off of \$197,089.65 Resolution

NO. 2006-008

8. Approval of Contract Award - Small County Outreach Program - County Road 12 to Peavy & Son Construction Co., Inc. SCOP Project # 228.029 \$1,115,567.90
9. Approval of Contract Award - Small County Road Assistance Program SCRAP Project No. 228.028 County Road 65 - Awarded to Peavy & Son Construction Co., Inc. for \$1,071,951.80
10. Approval of Acceptance of Forestry Grants for Purchase of Seven Portable Radios and 25 sections of fire hose
11. Approval to Accept Florida Department of Health Emergency Medical Services Grant Award Resolution 2006-009. The amount of the award this year is \$17,239.00 plus a carryover from last year of \$6,846.54 - to be used to improve the run report system by upgrading computers that are five years old and to move East Side EMS Station to another location.

Consent Items Pulled for Discussion

Public Hearings - 6:00 p.m.

12. Abandonment & Vacation of St. James Cemetery Road (A&V 2005-001- Adoption of Resolution 2006-011

Mr. Ken Stocks was administered an oath by Muriel Straughn, deputy clerk. He offered the following facts regarding the road abandonment.

The roadway has existed for many years and the county has maintained it even though it is a private road. Because the county has maintained it, it is presumed that the County has prescriptive easement on the road.

St. Joe approached the County about abandoning the road because of the illegal dumping that has been taking place in a large ravine located near the edge of the road in question. They proposed to close the road at both ends to abate the dumping.

However, it is in close proximity to St. James Missionary Baptist Church cemetery, which is still used fairly often. The visitors to the cemetery use the roadway for parking when they have burials there. St. Joe offered to give St. James keys to the gates on either end of the roadway for their use as needed.

The Planning Commission recommended approval to abandon the road with the several special conditions as outlined in the

attached report, which included giving access keys to the Church and constructing a turn-around space next to the cemetery.

Subsequent to that meeting, St. Joe proposed to construct a parking lot that would be adequate for funeral parking. A Memorandum of Agreement (MOA) between St. Joe and St. James Missionary Baptist Church was reached and approved by the Board of County Commissioners at the meeting on February 7. However, a signed copy of the amended MOA has not been provided to the Board as of this meeting.

Mr. Brown recommended that the Board approve the Resolution vacating the road contingent upon receipt of the MOA. It was understood that the Resolution would not be recorded nor considered official until the agreement has been signed and filed with the resolution.

Mr. Jeff Stauffer addressed the Board. He was administered an oath by Muriel Straughn, deputy clerk.

Chair Dixon called for public comment. There was no response.

He called for someone from the church. There was no response.

He then clarified that approval of the resolution, which will abandon the road, was with the understanding that the MOA will be signed and become part of the resolution. It will not be recorded until the agreement is in hand.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE RESOLUTION NO 2006-011 ABANDONING ST. JAMES CEMETERY ROAD CONTINGENT ON THE AMENDED MEMORANDUM OF AGREEMENT BEING MADE A PART OF THE DOCUMENT OF ABANDONMENT AS DESCRIBED IN THE ATTACHED AGENDA REPORT.

13. Request for approval for an outdoor entertainment venue temporary use "Women Rock" Outdoor Festival Permit

Terry McCoy, owner of Spanish Moss Philanthropies, requested approval of an Outdoor Festival Permit, per

Section 58, Article IV, Gadsden County Code of Ordinances (Ordinance 2001-010). The one-day festival is tentatively scheduled for Saturday, March 18, 2006. It will be held on the old Ball Farm property located at the northern terminus of Ball Farm Road in Township 3N, Range 2W, and Section 33 approximately 2 miles northeast of Quincy.

Mr. Ken Stocks stated that the applicant is requesting a waiver of the alcoholic beverage prohibition. He said they are also seeking a Temporary Weekend Liquor License as a "special exemption" by using the license of a vendor.

Findings: The applicant has provided a complete application for the proposed outdoor festival and is requesting several waivers from requirements of the Code in order to conduct the festival in a similar nature as three other festivals recently held on the site (with such waivers.) Apparently, the previously held festivals did not have problems such as those for which the special provisions of the ordinance were established. The waivers would allow the applicant to provide additional services to the attendees and guests, but would also not provide specific legal protections to attendees and the County should actions occur at the site or liability or faithful performance does not materialize. The application provides most but not all of the requirements of the Ordinance 2001-010.

Staff Recommendation: Approval of Option #3 based on the findings above and those listed in the agenda report. Approvals with some of the requested waivers but require that certain select provisions of the ordinance, which the applicant is requesting waivers, be required - with special conditions a - d in the agenda report.

Paul Levine, Spanish Moss Productions, addressed the Board. He said that the event was presented to them by the Refuge House - a house for abused and battered women. He said that it would be a one-day music festival. The acts that will be performing are exclusively female artists. They expect 500 - 700 people to attend.

Alice Dupont, chairperson of the Gadsden County Domestic Violence and Sexual Abuse Task Force, addressed the Board in favor of the festival. She said some of the money would be used in Gadsden County to help battered women.

Nikki Beare spoke in favor of the festival.

Chair Dixon called for other comments. There was no response.

Commissioner Lamb had several questions about the waivers requested. The following facts were made known in response to his questions:

- Alcohol will be served.
- The Sheriff's office and EMS staff and vehicles will be present.
- There is adequate EMS staff and vehicles available to accommodate their need. EMS will be paid \$75.00 per hour to be on the grounds. A \$200 deposit has been paid to EMS already.

Directions to the EMS staff: Get payment in full for 8 hours in advance of the event.

UPON MOTION BY COMMISISONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE OPTION # 3 WITH THE RECOMMENDATION OF THE STAFF AS STATED IN THE ATTACHED AGENDA REPORT.

14. Public Hearing - Conceptual Plat for Carmen Maria Phase One Subdivision (SD 2005-11)
21.25 acre parcel of a 45.93 acre parcel in the RR land use category - continued from 02/07/06

Mr. Brown introduced the above stated project. He explained that the applicant was not present on February 7 when it was first scheduled. Therefore, the board continued the public hearing until this meeting.

Mr. Ken Stocks was administered an oath by Muriel Straughn, deputy clerk.

He gave a brief description of the project described below. See the attached agenda report for additional details. He referenced a number of findings as listed in the agenda report.

Two sheet plan (Sheets numbered C-1 and C-2 prepared by Matthew Parker of Parker Consulting Services, dated July 13, 2005 with revision date of 8/5/05 and stamped received October 18, 2005.

Project NO. SD-2005-11

Owner: Rhonda and Darrell Stodard

Applicant: Matthew Parker

Representative: Parker Consulting Services

Location of the Property: East side of Lakeview Point Road and south side of McCall Bridge Road (CR65-C)

Tax Parcel ID#: 1-23-1N-4W-0000-00340-0100

Type of Hearing: Quasi-judicial as a Type II plan per Subsection 7202 of LDC.

Previous BCC Actions: October 18, 2005; Land use changed from Commercial to RR

Planning Commission Findings: See the attached memo.

Planning Commission Recommendation: January 11, 2006 - unanimous approval with conditions as listed below:

1. Provide an environmental Impact Assessment Study/report as required by Subsection 5401 B.23 and 24 and Comp Plan Policy 5.4.2 and 5.4.3
2. At the time of preliminary plat application submittal, provide a clearance letter from the State Division of Historic Resources office and an environmental assessment report.
3. The conceptual plat is conditioned on approval of the adjacent land use amendment and subsequent conceptual plat approval in order to ensure that sufficient open space is provided.
4. Provide a temporary cul de sac at the end of the street in Phase One. (This may be located on the portion of the property within the AG3 land use category.)
5. Provide sidewalks within the subdivision on one side of the local streets and provide a sidewalk or bond a sidewalk along Lakeview Point Road and McCall Bridge Road.
6. At the preliminary plat review stage, provide an environmental impact assessment report as required by Comprehensive Plan Policy 5.4.3 and subsection 5401.B.23 and 24 of the LDC.

Staff Recommendations: Approval based on the findings in the attached memo and the special conditions listed above by the Planning Commission.

Chair Dixon called for the applicant to come forward. He admonished him for not being present on February 7 when the project was first scheduled for a hearing.

Matthew Parker, was administered an oath by Muriel Straughn, deputy clerk. He gave another overview of the project as described earlier by Mr. Stocks. He then answered questions from the Board.

He said that the subdivision would be done in two phases, but they would be merged into one subdivision. The land use category of the adjacent parcel is currently at DCA undergoing their review for a proposed land use change to RR. If that is successful, that parcel would eventually be combined with this project.

Chair Dixon called for public comment. There was no response.

He then turned to questions and comments from the Board.

- The six-inch water line will come from Lake Viewpoint Road and McCall Bridge Road.
- They will install fire hydrants in the subdivision.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTE 5 - 0, BY VOICE VOTE, TO APPROVE THE CONCEPTUAL PLAT FOR CARMEN MARIA PHASE ONE SUBDIVISION BASED ON THE FINDINGS LISTED IN THE AGENDA REPORT AND SUBJECT TO THE SPECIAL CONDITIONS LISTED ABOVE AND IN THE ATTACHMENT.

15. Public Hearing - Chance Comprehensive Plan Amendment (CPA 2005-24) Small Scale Amendment (William D. McCord, Growth Management Director) Second Reading of an Ordinance to adopt the proposed small scale land use amendment changing a 9.68 of AG2 land use to RR.

Mr. Stocks explained that this land use amendment is not subject to the moratorium.

Project No. CPA-2005-24

Owner: Patricia (Morgan) Chance

Applicant: Angie Daugherty

Representative: Angie Daugherty

Location of the Property: 600 feet north of the intersection of Fairbanks Ferry Road (CR12) and Glades Road (CR12-B) and west of McNair Road at the end of Chinaberry Lane in Township 3N, Range 2 West, Section 13

Tax Parcel ID#: 2-13-3N-2W-0000-00412-1000

Type of Hearing: Quasi-Legislative per Subsection 7401 of the LDC.

Previous BCC Actions: none

Planning Commission Findings: See attached memo

Planning Commission Recommendation: January 11, 2006 - approval based on findings in the attached memo and approval of the draft ordinance.

Staff Recommendations: Approval based on the finding in the attached memo.

It is noted here that the first hearing and reading of the ordinance occurred on February 7, 2006.

Mr. Stocks gave a brief description of the land use amendment. He then introduced the Ordinance explaining that it is the Second reading and this reading would be for adoption.

Chair Dixon called for the applicant.

Ms. Angie Daughterty, applicant's representative, addressed the Board. She had no testimony.

Mr. Stocks read the ordinance title into the record explaining that the ordinance was duly advertised.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ORDINANCE 2006-002 ADOPTING THE SMALL SCALE LAND USE AMENDMENT.

General Business

16. ~~Request to Approve Tax Abatement for Payal Hospitality and Kiwi Hospitality~~ This item was removed from the agenda at the beginning of the meeting.
17. **Approval of Bid Award to Ring Power Corporation for Purchase of Heavy Equipment and authorize staff to go out for bid for financing of the equipment Actual capital outlay will be \$351,359.00 to be financed over four years.**

Public Works Director Robert Presnell addressed the Board. He said that that it is time to turn in the equipment that was purchased five years ago on the five-year buy-back program. (seven motor graders, excavator, bull dozers, wheel loader)

He said that they will return all seven motor graders, but

will only replace six of them. The savings that the County has been searching for in terms of road maintenance is beginning to be realized. He then said that the department wants to keep the bull dozer and the small wheel loader. They will replace the excavator, the large wheel loader and six new motor graders. He recommended using the buy-back money for the down payment on the new equipment which will leave only \$350,000+ to finance the new equipment as compared to over \$1 million five years ago.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE TO APPROVE THE AWARD OF THE HEAVY EQUIPMENT BID TO RING POWER FOR \$351,359.00 TO BE FINANCED FOR FOUR YEARS.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO AUTHORIZE THE STAFF TO SOLICIT FINANCING FOR THE ABOVE EQUIPMENT.

Mr. Johnny Haire, representative of Ring Power, was present. He addressed the Board very briefly about Ring Power moving to Gadsden County. He said they already employ a number of people from Gadsden County, but hope to be hiring several more very soon.

18. Approval of McDaniel's Piggly Wiggly Infrastructure Bid

Mr. Brown told the Board that this agenda item seeks administrative approval from the Board to allow staff to approve bid recommendations from the project engineers for the Piggly Wiggly Project construction of a storm water retention pond, sidewalks and a turn lane.

The Board submitted an application to the United State Department of Agriculture (USDA) under the Rural Business Enterprise Grant (RFEG) on behalf of Mr. Kevin McDaniels, owner of the Piggly Wiggly for \$266,877 for the construction of the infrastructure stated in the previous paragraph. The grant application with the USDA is in the application stage.

On November 15, 2005, the Board approved to grant a "Proceed at Risk" letter to Mr. McDaniel and to advance funds in the amount stated above to construct the infrastructure and instructed the staff to bid the project.

Prior to the County bidding the project, USDA had to

approve the site plans and specifications for the proposed construction. That approval was granted on January 12, 2006. The engineers have now been authorized to bid the project. This project is time sensitive and the staff is working with Mr. McDaniel to assist in expediting the final phase of the project so that the new store can be opened as soon as possible.

Dixon: Do we have any reason to believe that the grant will not be funded?

Brown: I believe that USDA has approved everything thus far. Mr. Lawson?

Lawson: The only information I can give you on that, Mr. Chairman, is that we received information from them about two weeks ago. What they would tell us is that they would not say "Yea" or "Nay", but that the application was proceeding through the application process and we should know something either by the middle of March or the first of April.

Dixon: Commissioners, this is, as we talked about a few months ago, part of that investment in the expansion of our local economy. We had long discussions about this and it is one of those things where we can recoup the money and we have an opportunity to recoup the money. I think it is prudent that we invest, especially where we see very shortly we can get the money back into our coffers and put more private commercial operations into development fairly quickly in the County. If we don't do this, we will have to wait a number of months which will keep that process from moving forward. I hope that the project will continue to have your support and we can pass this.

Will there be any public discussion before we move this? Discussion around the Board?

Watson: Have there been bids awarded?

Lawson: Mr. Commissioner, the project has been bid. We have received the bids. Right now, the engineers are in negotiations with the two lowest bidders because all of the bids came in over budget. Once those negotiations are complete, they will bring that recommendation to the County Manager and we will make the award at that point in time. But, they have not been awarded as of yet.

Watson: How much over?

Lawson: About \$100,000. Overall. I think the lowest bid, well the lowest bid was about, and I am just guessing, somewhere in the neighborhood of \$314,000 - \$315,000. But, we've got \$266,000 we are working with. So, we are working with two separate vendors in trying to get that within our budget.

Watson: So, this \$266,000 could go up?

Lawson: No, the \$266,000 won't go up. That is our bottom line.

Watson: Then they are going to have to do it for that?

Lawson: They are going to have to do it within that or the owner is going to have to pay the difference.

Watson: Well, if he could guarantee the County to pay the County back, why couldn't he pay for the project?

Lawson: That is a good question.

Dixon: He can't get the grant.

Watson: I understand that. But, we are advancing it. Why couldn't he go borrow the money?

Lawson: Well, they wouldn't extend any additional monies at this time until the store is open.

Holt: And they need to have revenue going.

Lawson: I think they have reached their loan limit while they are under construction. They have a construction loan.

Watson: This is sounding worse and worse.

Dixon: I could be wrong, but this comes across, and I know I am using absolutely the wrong verbage, but, this comes across as free money, if you will.

Lawson: It is a grant. And obviously, if they can get a grant to assist them in the construction process rather

than having to come up with the additional money up front.

Holt: May I?

Dixon: Madam Commissioner.

Holt: Yes, I know there is still discussion going on, but I have been out there several times and talked with Mr. McDaniels. I looked at the project. We have had this same discussion two or three times. In order for him to get the revenue, he would have to be open. So, that is where the reimbursement came into effect. To get up, open and go into business and start producing revenue. In that way, it can be looked at. But that was the whole point in him going out and going after these grant money so that we can make sure that we help out in that endeavor. But, at this time, I would like to place a motion to approve.

Dixon: Before you do that.

Lamb: What are we doing from the County's side to make sure, in case the grant does not come through, that the County will be paid. What are we doing? What do we have in place?

Dixon: That is Option # 2. To direct the attorney to make sure we have things in place to insure that we get our money back.

Lamb: So, we will make sure. That is what I was concerned about. Will there be something definitely in place to make sure that we get our money back if the Board is going to do this?

Watson: How long are we talking about giving him to pay us back?

Dixon: Not long.

Brown: That will be a part of the agreement that we will have, that we will draw up with the applicant, to make that determination. Mr. Lawson is correct. They have maxed out on their construction loan. Once the building is open, he will be able to re-apply for additional money through financing to pay us back for the money we loan to him if the grant does not come through. It seems like the grant is progressing and that we will get the grant. This is just

a safety net just in the event that we don't get the grant.

Dixon: But, as Commissioner Watson said, - not long.

Lamb: One more question. Hopefully, it will come through. Will we set anything in place to make sure that we don't set a precedent through this for the future. Are we going to do case by case or what?

Dixon: Case by case.

Lamb: We will look at it case by case.

Dixon: As this board sees fit. That is my position.

Watson: Is that is within this budget year?

Sexton: Commissioners, I think probably that the agreement would end, of course this is up to discussions, but, the goal would be to have the reimbursement times to run the length of time that a grant cycle that would normally follow. So, whenever the County should expect the money from USDA, if that doesn't happen, then that should start to trigger the obligation on the part of the applicant to pay the County back.

Dixon: What is the will of the Board?

Holt: Mr. Chairman, I would like to approve Option 2, but I have a question. If we approve Option 2 for the attorney to go ahead and write up the agreement, should not Option 1 be included?

Dixon: Option 1 and 2 is the recommendation.

Holt: O.K. I just want to make sure that it is clear.
I move approval for Options 1 & 2.

Price: Second.

Dixon: We have a motion and second to approve Options 1 & 2. To grant staff the administrative authority to approve the bid recommendations and authorizing the attorney to develop and agreement. Will there be further discussion?

All in favor, a sign of "aye".

Dixon, Holt, Price & Lamb: Aye

Dixon: Opposes?

Watson: No.

Dixon: Make it 4 - 1. Next issue please.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 1, BY VOICE VOTE, TO APPROVE THE FOLLOWING:

Option 1

Grant staff administrative authority to approve the bid recommendation from the Project engineer and authorize the Chairman to sign the construction contract.

Advance \$266,877 to Mr. McDaniel to fund the storm water retention pond, sidewalks, and the turn lane. (The County will be reimbursed upon successful award of the grant from USDA. If the grant is not funded the owner will reimburse the County for the funds that were advanced for this project.)

And

Option 2

Authorize the County Attorney to develop an agreement between the County and the Project Owners stating that the owners will repay the County all funds expended for this project if the grant is not funded.

Commissioner Watson cast the lone dissenting vote.

County Manager

Mr. Brown told the Board that a retreat is scheduled for March 10 for the Board with Dr. Gross to determine management protocols for the Board and the staff. He said he would notify them of the time and place later.

County Attorney

20. Proposed Midway Annexation of the Pat Thomas Law Enforcement Academy

Deputy Attorney Paul Sexton called attention to the staff

report and supplemental memorandum in the agenda report regarding annexations and how it relates to Midway annexing Pat Thomas Law Enforcement Academy into their city limits. After a lengthy discussion, there was a consensus that the Board should ask Midway to hold off on annexing the academy until after the County's moratorium on land use changes is over.

Request for Closed Door Attorney Client Session

Mr. Sexton requested a closed door attorney client session following this meeting to discuss the Ashford Healthcare law suits.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE TO HOLD A CLOSED DOOR SESSION FOLLOWING THIS MEETING.

Citizens Requesting To Be Heard

Chair Dixon called for citizens to speak.

Mrs. Margie Sims addressed the Board with questions regarding the festival on Ball Farm Road to benefit Refuge House. She specifically asked if there was someone who follows up on these events to make certain that they are donating the money as they advertised. She was referred to Alice Dupont.

Ms. Ida Thompson also had questions regarding the festival. She was referred to Ken Stocks to get the information she requested.

Discussion Items by Commissioners

Commissioner Lamb had nothing to report.

Commissioner Watson told the Board that Gadsden County government, especially the Library system, lost it's number 1 supporter - Mrs. Margaret Lawson Johnson who passed away on February 19. He said that she worked tirelessly for the Gadsden County Public Library System. She was also the executive director of the Red Cross for many years. He spoke words of appreciation for all that she has done. He closed by saying, "This is a sad day."

Chair Dixon directed that an appropriate recognition of her life and acknowledgement of her contributions be made by the County Commission.

It was mentioned that perhaps a room at the new main library could be named for her.

Commissioner Price had nothing to report.

Commissioner Holt stated that the Tourist Council has discovered that it should have been following percentages for administrative fees, infrastructure, marketing and administration. She asked the county attorney to give her a legal opinion on the operation of and organization of the Tourism Council regarding the distribution of grants and funding. She also asked him to give them some clarification as to whether it is an advisory board or administrative in nature.

Chair Dixon said, "We are now in full legislative swing, if you will. We met yesterday with the REDI Group which is an accumulation of state agencies who will descend upon Gadsden County very shortly and look at us or begin the opportunity to look at us from every available aspect. How can we improve our funding; how we can improve our relationship with state agencies; not waiting for us to search around a program, but actually coming in and saying "These are the programs that you should be accessing and here is how you access them. Let us help you get there." Basically, not waiting, but taking a positive approach.

They are going to look at everything about Gadsden County and the way that we deliver services as it relates to state government and the federal government. We are proud to be a part of that. It is another opportunity at stimulating our economy, at making sure that our citizens are getting the best bang for their buck.

We pay taxes, too, but guess what - there are some counties that for every dollar their citizens pay, they are getting \$100 worth of return services from state government. We are probably getting about 35 cents because we have not been aggressive and assertive in making sure that we brought that money home. REDI is designed to help us do that.

It is important that all six cities have signed on. They appreciate that kind of cooperation and we are thankful to the cities to have signed on. Mayor Madison from Midway was at the meeting and brought some interesting information to us about what her city is going through. I don't know if they can actually help them, but they were most impressed at the level of cooperation that we have had between city and county government.

We need to make sure that relationship stays fluid, that it stays cooperative in doing the things that we need to do... We need to remember that we serve the same people, not different people, the same people. So we need to be making sure that, where we can, we are diligently lending service..."

21. Receipt and File

- **Transportation Regional Incentive Program (TRIP) FY 07 Notice of Funding**
- **Notice of Commencement of Work - Progress Energy filed by Carlton, Fields**
- **Letter from Mike Waters regarding Litter Control**
- **Response to Public Records Request from Richard Thompson**
- **Notice of Denial of Funding Consideration by Department of Agriculture for a Gadsden County Multi-Purpose Facility**
- **Letter from Office of Tourism, Trade and Economic Development regarding Designation of Gadsden County Enterprise Zone**
- **Response to City of Quincy - Utility Service to Joyland Subdivision**
- **Letter of Appreciation for Gadsden Youth Project funding from TCC**
- **Letter of Appreciation to County Manager for Project CHOICE Support**
- **Letter from Department of Community Development Block Grant (CDBG) Agreement Number 06DB-3K-02-30-01-H15 Return of grant agreement to Gadsden County**

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, CHAIR DIXON
DECLARED THE MEETING ADJOURNED.

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON MARCH 7,
2006, THE FOLLOWING PROCEEDINGS WERE
HAD, VIZ.

PRESENT: BRENDA HOLT, VICE-CHAIR, PRESIDING
EUGENE LAMB
STERLING WATSON
DERRICK PRICE
THORNTON WILLIAMS, COUNTY ATTORNEY
MARLON BROWN, COUNTY MANAGER
MURIEL STRAUGHN, DEPUTY CLERK

ABSENT: EDWARD J. DIXON, CHAIR (ATTENDING NACO MEETING)

Invocation and Pledge of Allegiance

Vice-chair Brenda Holt called the meeting to order.
Commissioner Price opened with a prayer. Assistant County
Manager Arthur Lawson led in pledging allegiance to the US flag.

Amendments and Approval of the Agenda

The agenda was amended as follows:

- ADD: Introduction of New Public Relations Officer, Jon
Brown
- ADD: Presentation of Appreciation Plaque to Eugene Wood and
Glenn Wood
- CHANGE: Presentation of \$750,000 Check from Small Cities
Community Development Block Grant Program - Housing
Rehabilitation by Mr. Steve Fellerman, Department of
Community Affairs
- ADD: Additional County Information on Restriction Placed on
Placement of billboards within the County and Change
from original Item #2 to Item #2B
- ADD: Request from David Theriaque Regarding Deer Ridge
Estates (County Attorney's Agenda)

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE AGENDA AS AMENDED ABOVE.

1. Introduction of Jon Brown, New Public Relations Officer

Mr. Marlon Brown introduced Mr. Jon Brown, the County's new public relations officer. He said that Mr. Brown would be working with the lobbyists and reporting on the legislative progress at the Legislature. He also said that Mr. Brown would be the voice and the pen of the Gadsden County Board of County Commissioners. He welcomed him.

It was noted that Mr. Jon Brown is not related to County Manager Marlon Brown.

2. Presentation of Plaque Showing Appreciation to Eugene Wood and Glenn Wood

Assistant County Manager Arthur Lawson and Vice-chair Holt called Mr. Eugene Wood and Mr. Glen Wood to come forward.

County Manager Brown told the Board and the audience that the beautiful woodwork in the commission chambers was built by the Wood brothers. He then said that the brothers are called on by every department in the County and they continually deliver a quality work product. In recognition of their talent and artisanship to the entire county, Vice-chair Holt presented them with a plaque of appreciation.

There was applause.

Mr. Brown closed by saying that he hoped they would stay with the County until they are ready to retire. He said, "We don't want them going anywhere else."

2A. Presentation of \$750,00 Check from Department of Community Affairs (DCA), Small Cities Community Development Block Grant (CDBG) Program - Housing Rehabilitation

Mr. Steve Fellerman from DCA presented a CDBG check for \$750,000 to do housing rehabilitation in conjunction with the ongoing SHIP program. As a quick historical note, he reported that it is the ninth grant that Gadsden County has received since 1984. Including this grant, the County has received \$6.5 million since 1984. (This includes the I-10/SR267 hotel economic grant as well)

2B. Gadsden County Tourist Development Council - Restriction Placed on Placement of Billboards Within the County

Mr. Jim Kellum addressed the Board on behalf of the Tourism Council. He asked the Board to reconsider its position on the placement of billboards along the highways in Gadsden County. He cited the need of local businesses and events to be able to advertise their businesses along the interstate.

Growth Management Director Bill McCord cautioned the Board that you cannot regulate the content of billboards and there is no guarantee that the owners would lease the billboards to businesses in Gadsden County. He recommended that the County hold workshops with the Planning Commission. He said it is not a fast track thing that the board should take lightly.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO ALLOW STAFF TO SET A WORKSHOP ON BILLBOARDS WITH THE PLANNING COMMISSION AND THE BOARD.

Commissioner Holt asked the staff to work this issue in with the other issues that are already set for workshops.

CONSENT AGENDA

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT:

- 3. Approval of Minutes - February 21, 2006 Regular Meeting**
- 4. Ratification of Approval to Pay County Bills
Accounts Payables dated February 24, 2006 and March 3, 2006; Payroll dated March 2, 2006**
- 5. Approval of Special Assessment Liens - Lue E. Sutton and Ollie M. McGriff; Contract for Rehabilitation Work - Ollie Mae McGriff**
- 6. Approval of SHIP Program Special Assessment Liens - Deborah Albritton; Shannon M. Allen**
- 7. Approval of Execution of Contract for the Gadsden County Summer Library Program - "Quite a Catch" contract with Ron**

**Anglin of Molena GA Total Cost \$720.00 Dates are 06/26/06;
06/27/06; 06/27/06**

- 8. Approval and Execution of Contract for the Gadsden County Public Library Storytelling Programs - Chetter M. Galloway for \$1500.00 funded by LSTA grant**
- 9. Approval of fire Service Agreements for Mt. Pleasant and Wetumpka** October 1, 2005 through September 30, 2008 @ \$9,991 per year.

PUBLIC HEARINGS

- 10. Conceptual/Preliminary Site Plan (Special Exception use) for Atwater Substation SP-2005-13**

One sheet plan prepared by Sega, Inc. of Stilwell, KA, with drawing NO. s-467-D300, dated 01/23/06 and signed and sealed on 01/25/06 by David J. Bower, P.E.

Type of Hearing: Quasi-judicial

Type of Review: Type II Plan Review

Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk. He testified to the following facts:

Owner: Florida Power d/b/a Progress Energy

Applicant: David J. Brower, P.E. , Representative

Project Description: 4.96 acre parcel with the AG-2 land use category -Public facilities, such as the proposed substation, are allowed through a special exception process in many land use categories including AG-2. Progress Energy acquired the property through judicial action in 2005.

Location: East side of Atwater Road, south of the CSX Railroad tracks between the Hardaway Community and the Oak Grove Community in Township 3 North, Range 5 West Section 15

Tax Parcel ID:2-15-3N-5W-0000-00300-0000

Compatibility: There is another substation across the road to the west of this property, making this use compatible. To the south and east is all wooded tracts of land owned by St. Joe.

Policies pertaining to the project: See Page 3-4 of the agenda report.

See other details as outlined in the agenda report (attached)

Planning Commission Recommendation: The Planning Commission met on February 8 to consider this project. After review and comment, they voted unanimously to recommend approval based on findings listed in the agenda report and contingent on special conditions as follows:

1. At the time of final development plan submittal, provide a clearance letter from the State Historic Resources Division.
2. Indicate the location of a solid waste receptacle (dumpster) with fencing or screening, if required for the site and indicate if the grounds outside the fence will be irrigated.
3. Relocate the driveway to serve the properties to the east and south acceptable to the property owner and in compliance with County access management standards.
4. The vegetative buffer adjacent to Atwater Road shall include supplemental plantings with acceptable shrubs along Atwater Road which shall create a visual buffer between the switching station and Atwater Road.

Staff Recommendation: Approval based on the findings in the attached agenda report, contingent of the special conditions.

Findings: See attached agenda report pages 6-8.

Mr. McCord said that the applicant needs to clarify whether an irrigation system or the dumpster pad is necessary when the construction plan is submitted.

Doug Hall, attorney for Progress Energy was present. He concurred with the findings, recommendations and special conditions. He introduced Dave Ballard and Jeff Hayes who were present to answer questions from the Board.

Vice-chair Holt called for public comments. There was no response.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE OPTION 1 - APPROVE THE SITE PLAN FOR ATWATER SWITCHING STATION AS DESCRIBED ABOVE WITH BASED ON THE FINDINGS LISTED IN THE AGENDA REPORT ATTACHED AND SUBJECT TO THE SPECIAL CONDITIONS LISTED ABOVE.

11. Conceptual/Preliminary Site Plan for West Gadsden High School
- SP2005-14

Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk.

One sheet plan (sheet Number C1.1 of 22) prepared by George and Hutcheson Engineering, Inc. of Tallahassee, FL with CRA project number 01034, dated December 15, 2005 with revision date of January 27, 2006. It will be a 600 student school which will consist of six buildings with a total of 117,000 square feet.

Type of Hearing: Quasi-judicial

Type of Review: Type II plan per Subsections 7202 and 4202(J)2.(a) of the Land Development Code.

Owner: Gadsden County School Board

Applicant: Gadsden County School Board

Project Description: 62.09 acre parcel within the Urban Service Area land use category.

Location: West side of Providence Road (CR274) and south side of SR 12 east of Greensboro across the road from the existing high school in Township 2 North, Range 5 West, Section 16

Tax Parcel ID: 3-16-2N-5W-0000-00411-0600

Big Issue: The recreation and athletic facilities for the school will remain across the street. The School Board proposes to bus the children back and forth. However, the Planning Commission felt that there would absolutely be a lot of foot traffic and sidewalks would be essential.

Planning Commission Recommendation: Approval based on the findings as listed in the attached agenda report but subject to the following special conditions.

- **Special conditions:** Since the development is located in the USA land use category, sidewalks shall be required along SR 12 and Providence Road. Provide
- A sidewalk or bond a sidewalk on all abutting public roadways adjacent to the site. Sidewalks shall be indicated on the construction plan drawings.
- Prior to construction plan approval, provide an executed conservation easement in favor of Gadsden County over any portion of the property determined to be wetlands.
- At the time of construction plan submittal, provide an environmental impact assessment report compliant with Policies 5.4.2 and 5.4.3 and Section 5401.B.23 and 24 with the application which indicates environmentally sensitive features on the property which will be

protected as a result of the development plan design.

- At the time of construction plan submittal, provide a clearance letter from the State Historic Resources Division.
- Provide additional right-of-way for SR 12 and Providence Road necessary to accommodate turn lanes, drainage improvements and sidewalk within the right-of-way complying with clear zones and FDOT design standards.

Staff Recommendation: Approval based on the findings listed in the attached agenda report and subject to the special conditions listed above.

Findings: See the attached agenda report.

One of the provisions included in the Comp Plan is that schools would also be joint use facilities wherever possible with other county recreation facilities. The County's recreation coordinator is working with the School Board to ensure that the County will have joint use of the property at appropriate times. (see the agenda report for more detail)

Vice-chair Holt called for the applicant to come forward.

Mr. Dan Rutherford and Mr. Wayne Shepard were administered an oath by Muriel Straughn, deputy clerk. They stated that they had no objections to the special conditions.

Vice-chair Holt called for public comment.

Sam Hawkins, President of the NAACP, addressed the Board. He was administered an oath by Muriel Straughn, deputy clerk. He contended that the School Board should construct a catwalk over SR 12 to join the campuses in an effort to eliminate looming dangers for children crossing SR 12. He mentioned that the school is in an existing Urban Service Area and the area is experiencing growth already and will surely expand with the addition of the school. Discussion followed.

Mr. Rutherford said that the construction budget would not allow for construction of a catwalk. He cited other obstacles that could be encountered with construction - such as DOT regulations of a state roadway. He insisted that it would require so much time to permit it that the school would not be able to open by the target date if it is delayed for that long.

There was a consensus of the Board to ask the School Board to look into constructing the catwalk - at least determine the cost and come back with some construction cost estimates.

Mr. Brown called attention to the fact that the County has been looking at locating a branch library in Greensboro. He asked for permission to pursue conversation with the School Board about a joint library location whereby the school would use it during the day and the public would use it during the evenings and weekends. He was not sure what issues that may be forthcoming in that regard, but he asked for direction.

There was a consensus for the staff to pursue dialogue with the School Board.

A MOTION WAS MADE BY COMMISSIONER PRICE AND SECONDED BY COMMISSIONER WATSON TO APPROVE THE SITE PLAN CONTINGENT OF THE SPECIAL CONDITIONS AS LISTED IN THE AGENDA REPORT.

DISCUSSION FOLLOWED.

THE MOTION WAS LATER RESCINDED.

COMMISSIONER LAMB MADE ANOTHER MOTION TO APPROVE THE SITE PLAN WITH THE SPECIAL CONDITIONS AS PREVIOUSLY DISCUSSED. THE MOTION DIED FOR LACK OF A SECOND.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER WATSON, THE BOARD VOTED 3 -1, BY VOICE VOTE, TO CONTINUE THE DISCUSSION FOR TWO WEEKS. COMMISSIONER LAMB CAST THE LONE DISSENTING VOTE.

12 Conceptual Plats for Comfort Creek, Phase I and II Subdivisions SD-2006-01 (formerly known as the Mortham property at Lake Talquin)

Comfort Creek Phase I - Two sheet plan prepared by PBS&J of Tallahassee, FL with job no. 091679.01, dated December 2005
Comfort Creek Phase II - two sheet plan prepared by PBS&J of Tallahassee, FL with job no. 091679.01 dated December 2005

Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk. He offered the following facts as testimony.

Type of Hearing: Quasi-judicial

Type of Review: Type II Plan per Section 7202 of the Land

Development Code.

Owner: Talquin Ventures, LLC; Parvey Companies, Inc.

Applicant: PBS & J, Inc.

Project Description: Two phase conceptual subdivision plat on a 471 acre parcel within the AG-1 land use category.

Location: North side of Reynolds Road east of McCall Bridge Road and West of Lake Talquin approximately 3.5 miles east of Wetumpka, comprising portions of lots in the Little river Survey (lots 10, 19, 20, 21,22)

Variance Request: The applicant is requesting approval of a variance of 450 feet to allow a cul de sac (Oak Bluff Lane) to be greater than 1500 feet in length. The LDC limits a cul de sac to no more than 1500 feet in length.

Tax Parcel ID: 0L0R0S-00000-193000-0500, 0L0R0S-00000-19300-0100, 0L0R0S-00000-21200-0100, 0L0R0S-00000-21200-0300, 0L0R0S-00000-21200-0500

Planning Commission Recommendation: Approval of the conceptual plat and the variance request based on the findings listed in the agenda report and subject to the special conditions a-e on page 12 of the agenda report.

Staff Recommendation: Same as the Planning Commission.

Findings: See Pages 12-13 of the agenda report.

Mr. McCord gave an overview of the project and demonstrated it with a visual presentation. See the agenda report for further details and attachments. He then went through the request for a variance.

Vice-chair Holt called for the applicant.

Heather Houston Meeks addressed the Board. She was administered an oath by Muriel Straughn, deputy clerk. She stated she had no objections to the special conditions by the Planning Commission. She offered no additional testimony.

Vice-chair Holt called for public comments.

Marion Lasley was administered an oath by Muriel Straughn, deputy clerk. She referenced Ordinance 2004-006. It states that the County was to adopt conservation measures to protect the wetlands associated with the land use change of this proposed project. She asked questions regarding the status of those changes.

Mr. McCord replied, "Those were text amendments proposed last

spring when it went through a couple of workshops to the Planning Commission as well as the Board of County Commissioners. After looking through the first couple of drafts, we decided, at least at the staff and the Planning Commission level, to significantly modify and reduce the text of those proposed plan amendments. We then brought those to the Board through a workshop and had a discussion. Then we had proposed after that workshop, we moved to adopt those. We had actually sent them to DCA and they came back for adoption. When they came back for adoption, the board elected not to adopt them. They wanted to workshop them again. I guess there was some concerns. You all didn't remember exactly what was discussed at the previous workshops. She applauded the applicant for protecting the wetlands on his own.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE OPTION # 1 TO APPROVE THE CONCEPTUAL PLAT AS DESCRIBED ABOVE BASED ON THE FINDINGS FOUND IN THE AGENDA REPORT AND SUBJECT TO THE SPECIAL CONDITIONS LISTED BELOW:

- At the time of final plat approval, provide an executed conservation easement in favor of Gadsden county over any portion of the property determined to be wetlands and convey any open space tracts to the Homeowner's Association.
- At the time of preliminary plat application submittal, provide a clearance letter from the State Division of Historic Resources office.
- At the time of preliminary plat submittal provide an environmental impact assessment report as required by Subsection 5401.B23 and 24, Gadsden County Land Development Code.
- The applicant must obtain a variance in order to develop Oak Bluff Lane with a street length more than 1500 feet.

Variance Request:

There was discussion regarding the variance request and there seemed to be a consensus. However, there was no formal motion nor was the variance made part of the motion above.

13. Code or Ordinance Amendment, Chapter 2, Article V, Division 2, Planning Commission - First Reading

Mr. McCord referenced the proposed ordinance which essentially changes the meeting date of the Planning Commission to the second Thursday night of the month. He reported that it was discussed on two occasions with the Planning Commission and there was unanimous support for the change. He read the title into the record.

A MOTION WAS MADE BY COMMISSIONER LAMB AND SECONDED BY COMMISSIONER PRICE TO APPROVE THE FIRST READING OF THE ORDINANCE AND SET IT FOR A HEARING FOR ADOPTION.

Richard Thompson addressed the Board. He stated that the ordinance had not been before the Planning Commission in its entirety. He acknowledged that there had been discussion of it, but no vote was taken. While he said he had no objections to the contents of the ordinance, he felt it should go back to the Planning Commission for approval.

Mr. McCord replied that this ordinance has nothing to do with the Land Development Code or the Comprehensive Plan, it is an amendment to an ordinance already in place and does not require review by the Planning Commission.

Mr. Thompson requested that the Board not adopt the ordinance, but send it back to the Planning Commission with instruction to revise Section 2 of the County Code to adopt and clarify the rules of procedures using Ordinance 2002-006 as guidelines. In the interim, the Planning Commission can reschedule the monthly meetings to accommodate the Department of Growth Management needs. He also requested that the Board instruct the Land Planning Agency to public notice all its meetings using the procedures in the ordinance as guidelines. He cited a number of things that he would like to see addressed in a review of the procedures. They are listed in that attached document which he filed with the Clerk.

Attorney Williams responded: "

Mr. Thompson went over a number of issues and I believe that the Planning Director did this properly. If you will note, there are a couple of comments in his outline, some of the concerns he raised have already been addressed. If you go to page 2, the second to the last paragraph, he indicated that the Planning Commission discussed this issue which means it was obviously presented to the Planning Commission. They have agreed to the discussion on this and obviously there was no opposition. ..

Mr. Thompson also made a comment that he had hoped there would be some joint workshops on these types of issues. If you go to the last paragraph, you will see that Mr. McCord indicated that this is one of many workshops which he is planning. So, for the other issues, he is anticipating a workshop between the County Commission and the Planning Commission.

In an abundance of caution, because Mr. Thompson went over a lot of issues, if I did miss something, I would ask you to approve the ordinance to go forward conditionally just for me to check off those issues just as it relates to this point. But, I believe Mr. McCord did it properly.:

Mr. McCord reiterated that this ordinance does not affect the Land Development Code. It is part of the regular Code of Ordinances and does not fall under the provisions of the Planning Commission - even though it was discussed with the them. He noted that none of the commissioners objected to the change.

As to advertising in the newspaper, Mr. McCord stated that the Code nor State Statute requires them to post the agenda in the newspapers. It is posted on the county buildings, including the courthouse, and notices are sent to the newspapers and every property owner within 1,000 feet of any land developmentl

Marion Lasley addressed the Board regarding a statement on page 2 of the agenda report. Changing the time frame will (which I don't have a problem with either) will improve the efficiency of the review for developers and will mean that citizens, newspaper reporters and staff will not have to attend potentially two lengthy meetings. She said that a lot of information for a particular development comes out of the Planning and Zoning meetings. As of now, they are not being noticed. There is not a notice on the Board for the meeting tomorrow night. There was not one Friday and there is not one tonight. So, to tell me that the meetings are getting noticed is not correct. The only people who are getting information for the meeting are the planning and zoning commissioners and the land owners who is directly affected. This does not give the public access to these meetings. To put that weight on the papers without even discussing it with them - to say "I hope they will put it in the paper"- If you want that to be the venue, you need to set it up. I think you are cutting the

public out and you are doing it on purpose and I don't appreciate it."

Planning Commissioner Frank Rowan stated that Mr. McCord informed the Planning Commission and allowed them input to the proposed ordinance. There was a consensus of the Planning Commission to support the change.

A MOTION WAS MADE BY COMMISSIONER LAMB AND SECONDED BY COMMISSIONER PRICE TO APPROVE THE ORDINANCE

Commissioner Watson asked the attorney, "What about the fact that the actual ordinance was not seen by the LPA? Not whether they discussed it or not, but that the actual ordinance had not been seen?"

Mr. Williams replied, "Because it is not a part of the Land Development, he did not have to present it to them. He discussed the concepts with them more out of courtesy. Conceptually, they were aware of what he was planning on doing as I understand it. The ordinance had to be presented to this Commission....It was not required."

THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE ORDINANCE CONTINGENT ON FURTHER RESEARCH BY THE COUNTY ATTORNEY AS STATED ABOVE.

General Business

14. Approval of Partnership with Talquin Bass Association for the 28th Annual Lake Talquin Open

Parks and Recreation Coordinator Charles Chapman addressed the Board and briefed them as to Talquin Bass Association tournament and the proposed partnership agreement between them and the County.

See the agenda report for details of this partnership.

He said that the Parks and Recreation Department applied for a grant from the Tourist Council for funds to promote the Bass Tournament. He reported that they received \$1,000 and that the money would be used to pay for T-shirts.

He then asked the Board to approve the partnership

agreement/contract.

Attorney Williams reported that he looked at the contract and found a few "housekeeping" changes that need to be made. He asked that the Board approve it contingent of making those minor changes.

Commissioner Watson asked, "Is there any way that you can get this before we look at it in the future so that those housekeeping things are made before we see it?"

Mr. Williams explained that the changes are very minor insignificant changes such as filling in dates.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE PARTNERSHIP AGREEMENT DESCRIBED ABOVE WITH THE MINOR CHANGES BY THE ATTORNEY

15. Approval to Enter into a Lease Agreement with the City of Gretna for Placement of the New Gretna Fire Station

Mr. Brown reported that discussions have taken place with the City of Gretna regarding the placement of a fire station.

Brian Beasley reported that he had researched four sites for potential location of the new Gretna Fire Station. He recommended a site owned by the City of Gretna - directly across US 90 from their police station. He said that the City is willing to lease it to the County for \$1.00 per year for 50 years. He said the building will be similar to the St. John Fire Station.

Mr. Brown stated, "One of the issues that we had with the current voluntary fire department in Gretna is vandalism. Through discussion with the City of Gretna, there has been discussion about co-locating the police department at the fire station so that there will be 24/7 security. One of the suggestions that was also brought to our attention regarding the use of the police also was that in the event of fire or emergency they can drive the trucks to the locations until the fire officers can get to the site.

Vice Chair Holt called for public comment. There was no response.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER

PRICE, THE BOARD VOTED 4 - 0 , BY VOICE VOTE, TO LEASE THE DESCRIBED PROPERTY FROM THE CITY OF GRETN A FOR \$1.00 PER YEAR FOR 50 YEARS AND DIRECTED THE COUNTY ATTORNEY TO DEVELOP THE LEGAL AGREEMENT NECESSARY TO IT.

16. Confirmation of Tax Abatement Approval for Kiwi's Hospitality, Inc. and Payal Hospitality, Inc.

Mr. Brown recalled that the last time there was discussion about a tax abatement for the above stated businesses, the Board voted to offer a 50% reduction in the ad valorem taxes until such time as they were able to recoup the cost of installing a temporary septic system to service the hotels while waiting for the sewer line to be installed. Since that vote, there has been additional correspondence with the hotel owners. While Kiwi Hospitality is agreeable with the 50% reduction, Payal Hospitality maintains that they should be compensated at 100% because it was their property that they donated for the lift station and sewage line.

Vice-chair Holt stated that she is in favor of offering the abatement equal to 100% of Mr. Patel's investment. She said that he is donating his property for the sewer project and he should be compensated. She reminded them that Mr. Patel has fully cooperated with the County in the efforts to get central sewage to the site.

Marion Lasley inquired as to the length of time the abatement would apply.

Mr. Brown stated, "The tax abatement will be as long as the amount that the sewer cost is paid off. For example, if the cost of the sewer system is \$50,000, and their property taxes are \$50,000, it would be for only one year. For whatever time it takes to be equivalent to the amount of property taxes that needs to be paid, that will be the length of time of the tax abatement."

Ms. Lasley replied, "I hope this is not going to be the norm for Gadsden County businesses."

Attorney Williams cautioned that he was still not certain that the County can offer a tax abatement. He acknowledged that it has been done in the past, but he was still not comfortable that the tax abatement approach was something that the County could do.

Vice-chair Holt stated, "The abatement, you may want to look at it, but, other areas are offering a lot more years in free taxes to bring in businesses. This is not unusual at all. So, what we are looking at is a situation where we are finally getting into economic development. We are getting into fostering economic development where this County never has before. Now, we lost one business and it is in Tallahassee right now because we offered no incentives. So, we cannot say that we are concerned about a year or two years, when other areas are offering five years."

Commissioner Watson stated, "But, the question is "Is this legal to do and I really don't think we should be voting on it until we find out if this is something this Board can do."

Holt: Is it legal to offer the abatement. It is legal to offer the abatement, but, can you do it in lieu of the CDBG. I think that is what the attorney is implying. We can offer an abatement to anybody.

Williams: There are a number of issues out there. We, there is no straight forward issue in the Statutes that addresses this point. From a monetary prospective, I have heard that the County has done it before. I know of other counties have done similar things before. But, the question asked of me was "What is the authority to do it? It is either a general statement about how you get it done. It is not something that just jumps out and because of that concern, I just wanted to make you all aware that we haven't locked that down for you yet. It has been done in Leon County, (inaudible). They did that same thing in Leon County. When the County didn't do it, the City picked up and provided some type of tax incentive.

Watson: It has been done here with the Printing House, I know and the Mushroom Farm. But, it is a question of the right format.

Williams: That is the question. I am comfortable that we are going to get there because it has been done and I chose to believe that there was legal authority in the past when we did it. We thought it would jump out at us. It just didn't jump out at us.

Watson: Were ordinances passed to do that which we have not done here? That was one of the questions that I had.

Williams: There is no procedure that outlines what you should

do that we have been able to find. We have looked extensively. We actually made contact with other counties and we haven't gotten any response back as to how you do it yet. I am comfortable that we should be able to do it, but, I just wanted to alert you to the fact that we haven't gotten that kind of information back yet.

Holt: This is not an unusual practice at all. I must make that statement simply because of the same company that went to Tallahassee had an offer from Virginia and Texas. They made some preparations to get those businesses over there. We lost 200 jobs.

Marion Lasley: My guess is that the Printing House and the Supervalu was done before the Comp Plan was approved. It was a long time ago and it has not been done since. I really don't think you should set a precedent unless it is very site specific and you are not going to apply it to others...This is not a decision that this board can make just because you want to. It involves the whole county.

Victor Patel: I am from Kiwi's Hospitality. I am not sure if you have read the letter that we supplied to Ms. Nancy Gee. Our acceptance of the 50% tax abatement is on the contingency that the County will pay or that Talquin will still waive the tap and hook-up fee. Now, we tried to set up a meeting, and for whatever reason, it did not come to fruition as of this date.

Holt: Are you saying that you do not want the 50% tax abatement if Talquin doesn't agree?

Patel: Right. Then we would like to be excluded from the grant. We would like to be left off the grant.

Holt: So, that means that you would, What we need to do is just look at Mr. Peter Patel and not consider your issue?

Patel: Correct. If we have to pay hook-up and tap fees, then we would like to remove ourselves from the grant.

Watson: Which means that you are not willing to hook to the sewer?

Patel: Correct.

Holt: So, then we do not look at final permitting on your

project. So, we do not permit your septic tank, is that what you are really saying?

Patel: Why would you not permit my septic tank?

Brown: Commissioners, I don't think that is what he means.

Holt: He couldn't open if we didn't permit it.

Brown: Commissioners, we did talk to Talquin and it is similar to the agreement we have with Peter Patel, they are willing to come to the table to discuss the ability to waive the tap fees and hook-up fees for Victor Patel.

Commissioners, it seems that this item needs a little more work. Let me make the recommendation that we table this item and bring it back with the necessary due diligence that it needs. I know these two issues are under the gun in terms of moving forward the development. But, again, the commitment is that we will do something to assist them, but, we want to make sure that we do it one time - the right way. Once, again, let me recommend that we table this item and give the county attorney the necessary time that he needs to do research and bring back a recommendation to the Board as to how to go about doing this abatement.

Watson: Work out this problem that they seem to have with Talquin.

Holt: Oh, yeah. They need to get with Talquin.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE TO TABLE THE TAX ABATEMENT, THE BOARD VOTED 4 - 0, BY TO TABLE THIS ACTION.

17. Adoption of Resolution 2006-012 for the Rural Business Enterprise Grant (RBEG) for the Piggly Wiggly Grocery Store - \$266,877

Brown: Commissioners, this is one more step in the approval process for the grant so that we hopefully don't have to put out any money from the county for the construction of the storm water facility, turn lanes and sidewalks for the Piggly Wiggly. So, by adopting this resolution tonight, it gets us closer to getting the grant from the USDA.

Vice-chair Holt called for public input. There was no response.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER WATSON, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE RESOLUTION DESCRIBED ABOVE.

18. Approval of funding for Replacement of Jail Doors at Gadsden County Jail Budget Amendment OMB-BA# 060009

Brown: Commissioners, this is an item that obviously we are bringing to you mid budget cycle that we had not anticipated this drastic of a measure in terms of the funding that was allocated for the maintenance of the jail. There is money in our budget for the maintenance of the jail doors, but, not the amount that is required to actually replace it. We are asking the Board tonight for the approval of this funding that will come from contingency and from other budget items that we have been able to transfer money from in order to fund this. Again, this is a safety welfare issue at the jail. We think it is very important. The Sheriff is obviously very concerned about coming to the Board mid budget to make this request. But, obviously, there is an understanding of the need and necessity for this. I am asking for the Board's approval of this item.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 - 0, BY VOICE VOTE TO APPROVE THE ABOVE STATED BUDGET AMENDMENT.

County Manager's Agenda

Mr. Brown reminded the Board of the Leadership Retreat on Friday, March 10, 2005 at the Bill McGill County Library on Pat Thomas Parkway. He explained that Dr. Larry Gross will facilitate the discussion regarding board protocols and high performance leadership.

He then told the Board that the City of Midway has requested a workshop with the County Commission to discuss the moratorium and the annexation of the Pat Thomas Law Enforcement Academy. He said he would pole the commissioners as to an appropriate site for the meeting and get with the city manager

Vice-chair Holt stated that Dr. Law agreed to offer the Pat Thomas Center.

County Attorney's Agenda

- **Request from David Theriaque Regarding Deer Ridge Subdivision**

Mr. Williams called attention to a letter dated March 1 sent to Deputy County Attorney Paul Sexton and to the Chairman. The letter outlines Mr. Theriaque's frustration in dealing with the situation at Deer Ridge.

Williams:

At one point, I thought we were close to a settlement agreement based on concerns outlined by Mr. McCord. Roughly, there was a draft on October of last year. That settlement agreement was never executed by the parties. For all practical purposes, it is my opinion that the agreement was not binding on the County. Nevertheless, as you recall, there were also negotiations between DEP and the developer. It is my understanding that there was at one point an agreement by DEP that the developer had met all the conditions that DEP was concerned with. That letter went out on approximately December 23 of last year.

The developer then asked us to agree that based on what we had done in our consent order, which was not executed, that we should agree that they were in compliance with the concerns that we had in the consent order.

Paul sent a letter out indicating, on behalf of the County, that was not the case. An unsigned consent order is not binding on the County.

Subsequent to that, as you recall, we had a number of heavy rains to come through the County. I believe it was Michael Hogan, on behalf of the Department of Environmental Protection, indicated that what he thought looked like had been repaired, in his opinion, was indeed not repaired. So, DEP has subsequently rescinded their approval of the development.

In light of the, as you recall, we have had some updates, and having had the improvements done, and having a notice out from the County, we have indicated to you that the next stage is for a review to be done by Mr. McCord to let us know whether he thought that the development was in compliance. As we stated it, if it was in compliance,

there would be no need to go forward in a public hearing because there would be no issues of concern with the County.

Mr. McCord issued a site inspection report today (I believe you have a copy of it) indicating that, in his opinion, there are still additional concerns as it relates to the subdivision.

As we previously outlined to you, it is our opinion, based on that letter, that we should set a public hearing on this matter. We think you should have discussion about whether this should be a special meeting in light of the testimony that we anticipate. Now, as a secondary note, it is my understanding that Mr. McCullum has indicated to the County Manager that he wants to have another meeting with him to see if this issue can be resolved. I think, even though he is not here, I think the County Manager is inclined to have that meeting to see if they can find a resolution on this matter. It is the County Manager's opinion, I believe, that, notwithstanding, a meeting with the developer, we want to set a hearing so that if this does not resolve the issues for the County, then there won't be any further delays in this matter.

It is important to recognize that this is a process. We have followed the process. Having done that, now, the next stage is for us to set a hearing. There is nothing wrong with having discussions with the developer in the interim to see if the final issues can be resolved.

I believe the developer and his attorney are in the audience. I am not sure that they want to speak. I also see some residents. But, that is the update, Madam chair.

Holt:

Good evening, Mr. Theriaque.

David Theriaque:

Good evening, Commissioners, my name is David Theriaque. I represent the developer. If I may approach, I have two hand outs.

I have handed out two documents. One is a copy of the March 1st. letter to Chairman Dixon. Attached to the March 1 letter, there is another letter dated January 18, 2006 to Chairman Dixon. In that letter, while there was no

executed settlement agreement between parties, we have never contended that there was, there was however, a list of items from your staff that staff requested that my client perform. What we did is that my client, even though we did not enter into the settlement agreement, fulfilled a substantial majority of the items that were identified your staff, even though we did not agree that we had a legal obligation to do so. If you will thumb through that, you will notice that many items have been completed. Also, I handed out timeline. That is not in your backup. I will not walk through the timeline other than to focus on the last two entries on page 3. On January 20, we received a letter from the Assistant County Attorney Paul Sexton indicating that an inspection would be required before the county staff could respond to my second letter dated January 18th. There was an inspection on February 7th, 2006, with county staff, (inaudible) and my associate (inaudible) was at the site. That was a month ago. We acknowledged at that time that staff would provide a report to you to determine whether this matter could be resolved.

Tonight, we hear that Mr. McCord has provided a report to you today, one month later. We have never seen the report. It is kind of ironic that the report is issued the day that we finally get to come before the Board of County Commissioners.

With all due respect to Mr. Williams, the consent approval from DEP has not been rescinded. What DEP has sought is further information on the conveyance of the storm water pond to the homeowners association, which is not a part of the consent order. The letter that is attached to the March 1st letter that I sent to Chairman Dixon which indicates that DEP agrees that my client has fulfilled the consent order still remains. There is no letter from DEP to the contrary. I believe that Mr. Williams may have misunderstood the information from DEP because it did not pertain to the consent order.

In conclusion, this matter has been pending before the County Commission since April of 2005. The county staff stopped performing building inspections this summer and has frozen the certificate of occupancy for a gentlemen in the back who is here. He is a police officer from Tallahassee who has purchased the home and has not been able to go into his home. I believe this is his first experience with Gadsden County. They are seeking to at some point in time

to wrap this up. What we are asking the Board to do is what I outlined in my letter of March 1st - is to review the items that have been completed and to determine, given the risks that are associated with any litigation, if we are close enough to sign this thing. Let's stop spending money on lawyers and stop spending tax dollars on your staff to address this issue.

While I am certain that there may be a few home owners in the subdivision that are not happy, that is a civil matter between the home owners and my client. It is something that the homeowners can take up in Circuit Court. At what point in time will this Board say, "We are not going to spend more tax payers dollars to address this issue?" We believe the time has come to put this thing to bed. We are asking for help. We are asking for help for a home owner who all he needs is a certificate of occupancy in order to move into his home. We are asking for help to put closure to this matter.

So, in conclusion, with all due respect to the county staff, waiting a month to provide a report to you tonight on a project that is being held up and certificates of occupancy not being issued and building inspections not being performed is egregious.

In my 15 years of representing local governments, I have never seen this happen. From Monroe County to Escambia County all the way over to Jacksonville.

We are asking for your help to put this to bed. I will be happy to answer any of your questions.

Williams:

Madam Chair, I am not sure if the Commission recalls, but, we could have had a hearing quite some time ago. There was a lot frustration from the Commission. But, we did not have the hearings because we were requested by the developer to give them time to see if they could work this out.

In Mr. McCord's defense, even after the inspection was done, there were indications from the developer that they wanted to still talk to the County to see if they could work this issue out before he issued his order.

We have worked with them constantly, repeatedly, in trying to help them reach resolution. Even so far as to come with a complete consent order that in normal legal circles, if you want to comply with a legal document, you sign it and it is binding on both parties. I actually have to tell you that I fail to understand any logical argument that flows from an unsigned consent order. Notwithstanding all of that, the County is still duty bound to go forward.

We are here tonight and it has been omitted, but, if you look at the letter that was sent out by Mr. Theriaque, he threatened legal action against the County. And, he said that if you did not act tonight, he would be forced to legal action.

Now, Mr. McCord was not issuing this because there has been this "Let's work with you, let's not work with you" approach here. Once the threatened legal action occurred, I think it was absolutely appropriate for Mr. McCord to issue an order telling you what he found which we could have done some time ago. We could definitely had the hearing quite some time ago. But, as you recall, we had this hearing scheduled twice and we were ready to go. They came in at the last minute and asked us not to go forward.

We have had a lot of upset homeowners at Deer Ridge. We have tried to follow a process and have good government. I have to tell you that I absolutely disagree with Mr. Theriaque's representation that somehow the County is at fault here tonight. I don't think you are a fault at all. I think we have tried to help them reach a resolution that did avoid legal fees and allow them to work on this matter. They made those representations to us and we trusted them to be accurate.

If what I am hearing tonight is that they don't want to work with the County anymore, I stand by what I said in my opening presentation to you. We are prepared to go forward with the hearing.

Theriaque:

Madam Chair, if I may respond. I also could not disagree with Mr. Williams anymore than he can disagree with my statement. We have not heard a word or a peep from county staff regarding this report after the inspection on February 7. I have personally called the assistant county attorney, Mr. Sexton. My associate has personally called

Mr. Sexton asking for this report. At no point in time have we asked since January 18th that this matter be postponed or that it be delayed. At no point in time has there been any communication with any member of staff saying, "We would like to continue to work with you. Let's postpone this some more."

My client did call the county manager asking if we could avoid having to go to court. My client doesn't want to pay my legal fees. My client doesn't want to sue Gadsden County. My client wants to close on the lots that he still has, get certificates of occupancy and complete the project. The last thing in the world that he wants to do is keep writing checks to me. Obviously, the last thing that you all want to do is spend money on litigation with your attorneys. Nobody likes to do that.

Holt:

Mr. McCord, do you have any comments before we get to the Board and public comment.

McCord:

Oh, yes. Of course, this is a timeline prepared by the developer's attorney. As you will notice, there are other dates that are mentioned. For example, take June 16, 2005 when we sent our third letter alleging deficiencies at Deer Ridge Subdivision. They did not respond to us until July 7th which is practically a month in itself. And you can look throughout the rest of this. Now, I would like to be able to refute or prepare our own timeline about when things were done and when they weren't done out there. I think the record stands in the report that I have prepared that is documented with a number of photographs and then we have a lot more photographs that I would be willing to show you in a long hearing. It would take a long time, but that would be fine with me. But, I am not satisfied with the quality of work out there. I doubt that the residents of Deer Ridge Subdivision are satisfied with the quality of work or our public works director or anybody else who did an inspection out there on behalf of the County, including DEP for that matter.

As was indicated, we had some heavy rains in early January after DEP had initially signed off or they thought that everything was done in compliance with the consent order. However, DEP, I think has second thoughts about that signing off on or sending that letter.

I am not at all satisfied. If anybody is frustrated by the lack of progress here, it is me. This thing has been a thorn in my side. It is taking up way too much of everyone's time. If the developer would have hired a contractor to do the work that we asked him to do initially, we wouldn't be here today spending this time and the developer spending his money on an attorney as opposed to a contractor which he should have spent in the first place.

Theriaque:

Chairman, my client has spent over \$100,000.

Holt:

Just a minute, Mr. Theriaque, I am sorry. I understand that when attorneys and everyone have had it, they have had it. But, we have to end this at some point tonight. We also have to take public comment, input. Mr. Attorney? So we need to get those in favor of this issue and those opposed of this issue so that we can hear it.

Brown:

Madam, let me make a suggestion. Because the attorney has suggested that we go ahead and schedule the hearing, instead of having that back and forth testimony tonight, let's go ahead and schedule the public hearing. After the due process that we initially tried to do that was continued by the developer and the attorneys, let's go ahead and set the hearing and do the due process.

Theriaque:

Madam chair, one point, actually two. The consent order that was no executed - that was a laundry list that your staff prepared. If your staff is now stating that my client's reliance on their laundry list is misplaced and not binding on the County, then what good is the laundry list that your staff prepared? Secondly, I take great exception to the county manager's staff that these delays were the result of our request. Those delays were the result of the association, the county attorney and my efforts to cooperatively reach a resolution to this matter.

Holt:

Mr. Theriaque, if I may, and I am not speaking entirely for the Board, but, let's just go ahead and have the hearing

and then everyone will have the opportunity to give their input at that time. Is that acceptable?

Watson:

Is there a willingness by the developers to talk to the manager in the process?

Theriaque:

I believe that the developer was told last Saturday that the county manager could not speak without his lawyer.

Williams:

That is partially accurate, and Chair and Commissioners, what was stated was that the developer wanted to meet with the manager without lawyers. And, the manager said that he was uncomfortable. We talked about it and the manager was actually going to, now that we have the complete story, indicate that he was willing to have a meeting without the lawyers. We are comfortable in trying to get it resolved. There isn't any reason to think that there is any attempt on the part of the staff not to help get the issues resolved. So, the only reason that it was stated is that it was asked to meet without the lawyers. And the county manager felt uncomfortable. But, I do think that we might want to set this for a date other than a regular commission date. I think you are going to have a lot of testimony.

Holt:

Mr. Manager, if you will look at that scheduling.

Brown:

I will poll the commissioners and we will find a date and we will publicize that meeting date. We will send out notices to all residents at Deer Ridge as well as to that meeting.

Holt:

Do we need a motion on that?

Lamb:

Mr. Manager, what month are you planning on having that?

Brown:

Probably late March or early April. To get enough time to notice everyone.

Holt:

But, you are going to get that date and come back to us?

Brown:

That is right.

Holt:

Need a motion and a second.

Watson:

So moved.

Price:

Second.

Holt:

I have a motion and a second, all in favor?

All: Aye.

Theriaque:

Would it be possible for the county manager to also contact the developer to see if we are available?

Holt:

Yes.

Williams:

I think it is appropriate to set the hearing and move forward. If we don't do it that way, we may never get the hearing date set.

Holt:

Mr. Manager, contact us.

Williams:

You can contact them and try to coordinate it, but, we can't let that decision of unavailability over multiple time periods allow us to go forward with the hearing date. We agenda the items and then they need to make themselves available for those dates.

Citizens Requesting to be Heard on Non-Agenda Items

Marion Laslie voiced concern regarding the special meeting that is scheduled on Friday morning, March 10. She said that it is

at a different location and at a different time. She questioned whether the public would reasonably be able to attend.

An unidentified lady from the audience spoke to the issue of the hospital. She implored the Board to take measures to provide better healthcare for it's citizens.

Sam Hawkins commended the Board for being proactive in attempting to provide a hospital that is better than anything the citizens have had before. He then urged the Board to continue their efforts to protect the county against developers who do not have the best interest of the County at heart.

Dr. Emko addressed the Board about the urgent need to re-open the hospital for the patients and the former employees of the hospital.

Earl Daniels addressed the Board regarding pot holes on Rice Road.

Arthur Cyr, 320 Deer Ridge Circle, addressed the board regarding the continued problems with Deer Ridge Subdivision.

Dean Fenn addressed the Board about the hospital closing. He said, "This gets personal when the Agency for Health Care Administration and a big company get into a fight, that is one thing. They caught ya'll in the middle. And the buck stops right there on the desk...But, when they made the decision to close that hospital at 10:09 at night and put my mother-in-law practically on the street,...How could they have done that? Where is the common sense with those folks?...Whoever is responsible for that decision to close and put the people on the streets in America. This is America. Is that the way they are going to do us? It could have waited until 8:00 a.m. when the sun was coming in from the east and they had a way see around. That was serious. They put people's lives at risk. And, it got personal when it was my mother-in-law, Mrs. Annie Merle Fletcher from Greensboro..."

He concluded with words of appreciation for the Board and thanked them for their efforts.

Vice-chair Holt stated, "Speaking only for Commissioner Holt, we all want the hospital open as quickly as possible. We are working through the system to get to that end and the attorney can speak to that a lot better than I can. We can't comment on

some of those issues, but, we are working diligently to do the best we can to get to that point."

Richard Thompson addressed the Board. He recalled that when the Law Enforcement Academy first came before the Board, he recognized what an important asset it is to the County and has great value. He also recognized that the law enforcement people are quasi-military and their training and their facility is a quasi-military facility. He urged the Board to take measures to insure that adequate buffers are put in place around it to offer protection.

Discussion Items by Commissioners

Commissioner Lamb asked the county manager if his office had written a letter of apology to the vendors to whom the County was delinquent with payment.

Mr. Brown replied that all of them had been contacted either by phone or written communication.

Commissioner Watson had nothing to report.

Commissioner Price had noting to report.

Commissioner Holt announced the upcoming meetings as listed below.

Commissioner Dixon was not present. He was attending a National Association of Counties meeting in Washington, D.C.

Receipt and File

- DOT Public Information Meeting - March 2, 2006 - 6:00 p.m. - 7:00 p.m. Quincy City Hall
- Secretary of State Recommendation for Nomination of Dezell House in Greensboro to Florida National Register Review Board
- Clerk's Memorandum Regarding the Use of Surcharge on Non-Criminal Traffic Fines
- DEP Letter of Notification - Closed Landfill on SR 269-A - Two miles SE of Chattahoochee
- Letter to Mayor of City of Midway Regarding Gadsden County Land use Moratorium

Upcoming March and April 2006 County Commission Meetings

- March 10, 2006 Special Meeting Retreat at William A. Bill McGill Library at 9:00 a.m. Management Protocols
- March 14, 2006 Special Meeting/Workshop - 6:00 p.m.
- April 4, 2006 Regular Meeting - 6:00 p.m.
- April 11, 2006 Special Meeting/Workshop - 6:00 p.m.
- April 25, 2006 Regular Meeting - 6:00 p.m.

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, VICE-CHAIR
HOLT DECLARED THE MEETING ADJOURNED AT 9:00 P.M.

Brenda Holt, Vice-Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A REGULAR MEETING OF THE BOARD OF
GADSDEN COUNTY HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON MARCH 21, 2006, THE
FOLLOWING PROCEEDINGS WERE HELD, VIZ.

PRESENT: Edward J. Dixon, Chair
Brenda Holt, Vice-Chair
Eugene Lamb
Sterling Watson
Derrick Price
Thornton Williams, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

Invocation and Pledge of Allegiance

Chair Dixon called the meeting to order. Commissioner Watson led in a prayer and Commissioner Holt led in pledging allegiance to the US Flag.

Amendments and Approval of Agenda

See attachment for amendments to the agenda.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE TO ADOPT THE AGENDA AS AMENDED.

Awards, Presentations and Appearances

1. The Mission of Big Bend Hospice

Mr. Willard Rudd, chair of Big Bend Hospice Advisory Council, addressed the Board regarding the services available to Gadsden County residents through Big Bend Hospice. He introduced Ms. Pat Law, CEO; Sandra Kelly, Community Relations; Donna Gatch, Team Leader. He then asked the advisory council members to stand and be recognized. (There was applause.)

Mr. Sterling Dupont then addressed the Board as a representative for them. He told the Board that the services available are not being utilized. He asked the Board to assist them in getting the word out into the community. He said, "I hate to see families suffering when all they have to do is pick up the phone and call somebody. Call me and we

will get them the help that they need at virtually no cost... If you know of anybody that needs care, compassionate care...we are there to provide the patient and the family members...with compassionate care."

Consent Agenda

UPON MOTIONBY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT:

2. Approval of Minutes - February 21, 2006 Opening and Closing of Closed Door Meeting
3. Ratification of Approval for Payment of County Bills
Accounts Payables dated March 10 and 17, 2006 and Payroll dated March 16, 2006
4. Approval of Bid Award 06-01 to Gulf Atlantic Culvert for asphalt covered culvert pipe
5. Approval of Recognition and Resolution # 2006-014 Honoring Margaret Lawson Curry Johnson
6. Approval of EMS Station 4 Utility Agreement - Chattahoochee Station (agreement to share ½ utilities cost)
7. Post Approval of Expenditures for Road Sweeper Equipment Repairs - Ring Power Corporation PO 06-1124 \$10,982.73
Invoice no. 02WX2942507
8. Approval of New Road Names - Croley Lane; Brookhaven Dr.; Brookwood Lane; Brook Forest Lane; Pebble Brook Dr.; Pebble Creek Dr.; Comfort Creek Road; Grey Fox Lane; Water Oak lane; Wood Duck WY; Oak Bluff Lane; Bald Eagle Drive; Crown Eagle Way; Golden eagle Drive; harpy Eagle Way; Lindsey Lane;

Mr. Brown noted that the meeting room at the Bill McGill Public Library will be named for Mrs. Margaret Lawson Curry Johnson in memory of the many contributions she made. Commissioner Watson spoke briefly as to how dedicated she had been to the library system. He said that the gesture was very appropriate.

PUBLIC HEARINGS

9. Conceptual/Preliminary Site Plan for West Gadsden High School (SP-2005-014) continued from March 7, 2006

Attachment: E-mail response from Ms. Koos with FDOT

regarding the Overpass for West Gadsden High School (added to the agenda at the beginning of the meeting)

Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk. He referenced a memorandum he received from Dan Rutherford, engineer for the School Board regarding the elevated cross-walk which was proposed by the Board at the last meeting. The cost was estimated to range from \$600,000 to \$1.3 million to build such a project.

Mr. McCord recommended approval of the site plan as submitted at the previous meeting with the special conditions as listed in the agenda report. (attached)
One sheet plan (sheet Number C1.1 of 22) prepared by George and Hutcheson Engineering, Inc. of Tallahassee, FL with CRA project number 01034, dated December 15, 2005 with revision date of January 27, 2006. It will be a 600 student school which will consist of six buildings with a total of 117,000 square feet.

Type of Hearing: Quasi-judicial

Type of Review: Type II plan per Subsections 7202 and 4202(J)2.(a) of the Land Development Code.

Owner: Gadsden County School Board

Applicant: Gadsden County School Board

Project Description: 62.09 acre parcel within the Urban Service Area land use category.

Location: West side of Providence Road (CR274) and south side of SR 12 east of Greensboro across the road from the existing high school in Township 2 North, Range 5 West, Section 16

Tax Parcel ID: 3-16-2N-5W-0000-00411-0600

Big Issue: The recreation and athletic facilities for the school will remain across the street. The School Board proposes to bus the children back and forth. However, the Planning Commission felt that there would absolutely be a lot of foot traffic between the two campuses and they felt that sidewalks would be essential.

Planning Commission Recommendation: Approval based on the findings as listed in the attached agenda report but subject to the following special conditions.

- **Special conditions:** Since the development is located in the USA land use category, sidewalks shall be

required along SR 12 and Providence Road. Provide

- A sidewalk or bond a sidewalk on all abutting public roadways adjacent to the site. Sidewalks shall be indicated on the construction plan drawings.
- Prior to construction plan approval, provide an executed conservation easement in favor of Gadsden County over any portion of the property determined to be wetlands.
- At the time of construction plan submittal, provide an environmental impact assessment report compliant with Policies 5.4.2 and 5.4.3 and Section 5401.B.23 and 24 with the application which indicates environmentally sensitive features on the property which will be protected as a result of the development plan design.
- At the time of construction plan submittal, provide a clearance letter from the State Historic Resources Division.
- Provide additional right-of-way for SR 12 and Providence Road necessary to accommodate turn lanes, drainage improvements and sidewalk within the right-of-way complying with clear zones and FDOT design standards.

Staff Recommendation: Approval based on the findings listed in the attached agenda report and subject to the special conditions listed above.

Findings: See the attached agenda report.

One of the provisions included in the Comp Plan is that schools would also be joint use facilities wherever possible with other county recreation facilities. The County's recreation coordinator is working with the School Board to ensure that the County will have joint use of the property at appropriate times. (see the agenda report for more detail)

Chair Dixon:

Commissioners, let me - ah, I have gotten some phone calls from those of you who certainly, (and I am sure that other commissioners have gotten plenty of calls about the school, about the situation) this isn't a "We want the school or we don't want the school" type situation. I know that a lot of people see it as such. Just as the School Board took however long they needed to do their particular part of the job, this body has a job to do as well. Sometimes that

seems a little bit out of bounds to a lot of people, but, we have our end of the deal to do and we have to do that end of the deal. Sometimes it takes a few minutes. That is why we have things such as school citing committees and so on and so forth so that we come down on the same page and that we are working on this thing all along together and not unilaterally, and then we hit a road block at this point. This body still has a job to do and has to ask those questions that we are certainly going to be asked in the future.

I can remember with East Gadsden when we were citing the football field and the stadium and the school district wanted a bigger stadium. We looked at it and said, "But, you don't have parking for a bigger stadium. If we allow you to put a bigger stadium in, what is going to happen is that those cars are going to back up the street because they can't find parking and eventually spill onto Highway 90. It only takes one person to get side swiped by a car doing 45 - 55 mph before there is a problem. It wasn't the School Board's job to look at the situation from the outside in. It was this body's job to look at the situation from the outside in. So, regardless of what happens tonight and how this things moves, please understand that this body has a job to do and our job sometimes is to ask questions that School Board members would not naturally ask. We won't ask questions about curriculum - that is not our job. But, we will ask questions about safety, welfare, how people are moving to and fro, levels of service on the road, and those kinds of things. That is what we are here for. I wanted to make that very clear because I think that a lot of people have the impression that, "Either you want the school or you don't." That is never the call of this body. O.K.

Where are we? School System, do you want to make a comment, please? Mr. Superintendent, I am sorry.

Reginald James, School Superintendent, was administered an oath by Muriel Straughn, deputy clerk.

James:

Thank you, Mr. Chairman and other commissioners. We are here to ask approval of the site plan. Again, Mr. Chairman and Commissioners, it is a pleasure to be with you this evening. I just came to answer any questions you may have about our site plan. I brought with me our maintenance director, Mr. Shepard, and our engineer, Mr. Rutherford and

a School Board Member, Mr. Frost. I think, in between meetings, you have received some information pertinent to this situation that I think will help you make a clear decision about it.

We are excited about building a school in the west end of the County. The parents are excited about it and we are ready to get started.

Dixon:

Are there questions? I have a few, but, I will wait.

Lamb:

I received one or two calls concerning the school like, "Why did we delay the school project?" My answer to that was that I was thrilled to know that we were getting a new school in Gadsden County. I was disappointed in the delay - that we delayed the school. I feel, personally, that if I had an item concerning the school, I would have gone to the School Board and presented my concern there before it got to the County Commission, as a citizen. Being a former employee of the Gadsden County School Board, and if I was an employee now of the Gadsden County School Board, I would definitely have called the superintendent, as a commissioner, and went and sat down with you and gave my concern about something - if I had some concerns. I, personally, think that was the time for us to have blocked it in. We could have gone forward easily and then gotten with you later to have found out the same information that I see in front of me now. The information is not going to change, so why am I going to wait. But, I gave my opinion and I am glad that it is coming back to us tonight. I pray to God that we don't delay this any longer. We can't play around with \$23 million out there in the field. Thank you.

Holt:

May I, Mr. Chairman.

Dixon:

Commissioner, But, this doesn't have anything to do with a delay. They asked a question and the question needed to be answered.

Lamb:

That is my personal feeling.

Dixon:

And I know you have that and you have every right to it. But, for any commissioner who asks a question on this board, they have a right to get that question answered.

Lamb:

I am just saying, I asked it and they answered my question.

Dixon:

Please, let me finish. Please respect the right of any member.

That is why we have a school citing committee, which I am disappointed to hear that it did not meet in this opportunity. We had the same problem with East Gadsden. There is a school citing committee that, by law, is supposed to meet and work out the difficulties. We are here now. So, let's ask some fruitful questions that will get to the point.

Another commissioner wanted to -

Holt:

When you are looking at the safety aspect, which is what came up at the last meeting, safety as far as the roadways go. That was the concern. The roadway. We do allow public input. By law, we must allow that. That is fine. There is a swearing in at this proceeding. And, child safety is what we have to look at. One concern is that within two miles of a school, students normally walk to school. If there is going to be walking on that road, that was a concern - going from one school to the other, they are going to cross that highway. Where are they going to cross at? If they are going to cross, what kind of mechanism is going to be put in by the School Board to make sure it is safe? There are trucks that come from Liberty County on their way to I-10 and they are slowing down there. You can tell when they get to Shepard's mill, they are speeding up trying to get to I-10. How do we make sure that the children who cross that road are going to be taken care of? That is why the issue came up about the overpass or the catwalk for the students to walk across. That is the main concern. How is that going to be taken care of? That is my question.

James:

Very well, our answer is that we are going to handle that issue the same way we handle it at the other schools. In

other schools, we have crossing guards and we have school caution lights. When they are flashing, I think it says the speed limit is 15 mph. People normally adhere to that. We have not had any incidents at our schools in the past. We don't have any assumption that we will have any in the future. Those have been sufficient. Wherever there is a school, we use crossing guards and caution lights. I believe that at the particular site, a caution light and crossing guard will be sufficient to protect the safety of the students.

Let me say this since I was asked a question. I want this body to know, you know, we are all elected officials. I am the elected school superintendent and we have an elected board. You know, when we look at issues, we look at safety as a part of it. I don't want anybody to think that the School Board hasn't looked at the safety aspects of this particular school - we have. We didn't see that particular situation as a major point or a stopping point of the project. I mean, I can see that the commissioners here have a right to ask questions about it, and I am appreciative of your concern about it. But, if you look at our past record, and we have a former superintendent here with us too, we haven't had any problems getting students across the street and I don't think we will have any problems here.

Holt:

O.K. The only concern there is because you have two schools there together. At the others, there is only one location and they are going there in the morning and they cross or they are going there in the afternoon. So, and this is one parent's concern when they called me - they said, "Ms. Holt, if there is a fight at either one of the schools and their brothers and sisters (these are people from that district, so they are not calling countywide, they are basically calling from that area) if there is a fight at one of those schools, if other brothers and sisters know about, they are going to cross that road." That was the ladies concern that called me. She said, "They are going to cross it and go help those brothers and sisters if there is a fight." If that is not a concern, that is not a concern, but that is a question that I was asked. So, I am posing it to your group.

James:

Normally, students would not have to cross that road a lot. But, from our vantage point, we talked about it at a

workshop the other day. I really don't see it as a major concern. I can't see your vision as to what the concern is. We have administrators there and we are going to have crossing guards. So, I don't know. There is going to be a light there to tell people to slow down. You see schools in other rural counties and you always see a caution light and you always slow down. I know I slow down because I know the penalty is double if you fly through that particular zone. I think people have respect for children and they slow down when they come to school zones.

Holt:

One other question. This will be for Rutherford.

Dan Rutherford was administered an oath by Muriel Straughn, deputy clerk.

Holt:

On that estimate to do the catwalk if there were to be any, \$600,000 to \$1.3 million. Out of the \$23 million that Commissioner Lamb quoted and the \$31 million from East Gadsden, there is no way that your company or Ajax Construction could see your way to help the community out since you will make approximately \$54 million - are you not willing to give back to the community at all by building a catwalk?

Rutherford:

Are you asking me if I am?

Holt:

I am asking you or Ajax or anyone else who is with that organization.

Rutherford:

I can't answer that question. I am not a principal in that firm. I can't answer for them.

Holt:

Isn't there an Ajax truck out there? There is no one here from Ajax? There was a truck out here earlier.

Bruce Wilson was administered an oath by Muriel Straughn, deputy clerk.

Wilson:

My name is Bruce Wilson. I am the project superintendent for

Ajax Building Corporation. I will be running the project at West Gadsden. I cannot make that commitment for Ajax. I can take that request back to Ajax and present it for one of the principles to respond to.

Holt:

O.K. The reason I asked that is because community reinvestment by companies that come in and make money should be a priority whether it is this commission or the Board. When companies come in and they get those contracts, they need to reinvest in the places where they are making the money.

Wilson:

Yes, ma'am. But, also, please keep in mind that we bid this project a year ago and we are trying to hold the contractors to their prices with all the increases. With the way the fuel prices have gone, prices of materials have gone through the roof.

Holt:

I understand that, but still, and I understand that. There is a time limit on money and a time limit on building, but, I thought maybe there will be some after East Gadsden. Where will Ajax show that they are willing to reinvest in the County, in the school system, in the city? Those reinvestment dollars, when you go to other places, you see buildings or whatever facilities built by those companies, and a bunch of those places will donate the money. So, I don't see any in Gadsden County, no matter whether it is with you guys or with the County, I ask those contractors, "Are you going to reinvest that?"

Wilson:

I will take that request back.

Dixon:

Madam, I would suggest to you that is a question for the School Board.

Holt:

That is a question for taxpayers, but that is my personal opinion. Thank you, sir. Thank you, Mr. Chairman.

Watson:

I don't think a crosswalk there is necessary and I asked the cost of it to come back this time because frankly, I didn't

think we would get a vote one way or the other last time. It does matter to me what it costs, but I do think that there are more dangerous situations in the County than here. I think that Highway 90, the crossing that goes on there every morning and every afternoon is far more dangerous than what we are talking about out there. And there has been no incidents there, you say? I'm talking about Highway 90 at McDonald's. Kids have been crossing there for years going to Shanks. There is not even a guard there, is there? There is not even a crossing guard there. There is no caution light. So, what you are doing in a less dense traffic area is more than what you are doing on Highway 90. So, I feel comfortable with not requiring the crosswalk, plus, it's going to be in an area that not going to be guarded during the off hours and I wouldn't put it past kids to be climbing all over the thing. It won't be like it is in an urban area where there are lights on all the time and there are people around all the time and traffic all the time. But, you're creating something that these kids could really climb on which is far more dangerous to me than crossing the street with a crossing guard and a caution light there, like we have at George Monroe. I think that is working very well. You have it at Carter Parramore now. You have crossing guards there. So, I don't think it is necessary and I apologize for making you wait two weeks, but, I thought it was at least important to at least to find out what the cost of it was.

Mr. Chairman, I don't think that this Board should require that of the School Board at this point in the project.

Price:

It can be something they can look into if the management feels like it is necessary.

Watson:

Well, if they are going to look into that, then they should look into the Highway 90. I wouldn't want them to look into that when there are far more dangerous situations going on. But, I think that they are elected, I think they've got these students' safety at heart, I think that they are concerned about the safety, I know they are concerned about the safety of the kids. And, I don't want to sit here and try to tell them that I don't think that they are being safe enough. I believe that all of them are good conscientious Gadsden County citizens, good School Board members, good superintendent and their concerns is there, I believe.

Dixon:

Mr. Superintendent, let me just ask you a couple of questions.

Sir, you may be seated.

Unidentified audience member:

May I have some input?

Dixon:

Sir, you may be seated until I recognize you.

Mr. Superintendent, let me ask you a couple of questions. You may not be able to tell me this, but my question is where does the waste from your package plant go?

Rutherford:

It goes into a (inaudible) drain field across the road under the existing football field at the current Greensboro High School.

Dixon:

O.K. So, you're going to go from 35% capacity to what?

Rutherford:

As far as the treatment plant is concerned?

Dixon:

Yes.

Rutherford:

Roughly 50 to 51%. That is only because of the increase of the students coming into the existing Greensboro School. There will technically be no increase in the new school to the plant. The allocation will actually be for the students moving into the existing school.

Dixon:

The old school is on the septic system?

Rutherford:

Waste water treatment plant.

Dixon:

The same plant?

I mean the Elementary School.

Rutherford:

The current Greensboro school.

Shepard:

The elementary school is on septic tank.

Dixon:

How many students?

Rutherford:

350.

Dixon:

So, that is why.

O.K. I am getting it now.

We wrote you guys a letter concerning hurricane shelter. We didn't get a response. We were concerned last year. In anticipation of this school being built, we were concerned that we do not have, even to this day, any place adequate for hurricane shelter. I drafted a letter to the superintendent and to the School Board that inquired as to what we needed to do to make this school (as much of it as possible) proper for hurricane. Knowing that those folks in the western end of the County have no where to go and the ones here in the County have no where to go either. In anticipation of this building being built, this series of buildings being built, we could begin the process of making buildings as hurricane resistant as possible. What did you guys do because we didn't hear back from you.

James:

Mr. Chairman, it will be built to hurricane standards, the same way that East Gadsden was built. It will serve as a shelter for the west end of the County just like East Gadsden serves for the east end.

Dixon:

How much of it, Mr. Superintendent?

James:

I'll ask Mr. Shepard to come up and tell you a little more.

Shepard:

(An oath was administered by Muriel Straughn, deputy clerk)

Yes, sir, Mr. Dixon. Wayne Shepard, director of facilities for the School District. We are required by the Department of Education to build 50% of the school for hurricane shelter and 50% will be readied for hurricane use.

Dixon:

How much space?

Shepard:

It is 100,000 sq. ft. so you are talking about 50,000 sq. ft. The cafeteria, gymnasium and one of the educational wings. I believe the educational wing that houses that part of it has our ESE section which is where we can move hospital patients in there if need be into that part of the shelter.

Dixon:

My concern was, because, and the reason we wrote the letter early was because we wanted to be involved and it was important that we could possibly get more of the school hurricane resistant and it was my intent to participate in the building of that school. It is one place that we have to go. There is no other building in this county resistant to a category 2 hurricane other than the gymnasium at East Gadsden.

Shepard:

The cafeteria, gymnasium and two educational wings out there.

Dixon:

Other than that, those are the only buildings in this whole county, so, technically, we have no where to go. Our best buildings won't stand up to a category 2 hurricane. So, I am disappointed that you didn't get back with us.

I don't know what else we can do. I don't know if it is too late, but, this working together thing is serious to me. And we ought to consider it more than we do. We can't just go building buildings that are hurricane proof unless there is a major project. We certainly ought to do more than we are doing. I think this was a great opportunity. I don't know if we missed it. I don't know how much it costs to take a building to the next level. Maybe the engineer can tell me, but, it can't be that much more. We certainly

would have pushed this Board to get into a position to make that investment into this facility so that people on that end of the county can have some place to go.

Mr. Rutherford?

Rutherford:

As to how much more would it have cost? To be completely honest with you, I can't tell you that. That comes from a structural engineering aspect. I can tell you that in the future, with other schools, the Department of Education has given additional dollars if you are on the coast line - point in fact Franklin County - because they actually sit on the Gulf of Mexico, the Department of Education saw fit to give that School Board extra funds to actually enhance not necessarily more square footage in their school, but to beef up the structural design of the school. Now, the square footage, I can't tell you whether that changed or not. I don't do that part of this. But, only because of their location and their proximity to the Gulf of Mexico did they get additional funds.

Dixon:

I am not talking about additional funds. I am saying that I would have asked the Board to put in whatever additional funds that it would have cost. That is my point.

Rutherford:

To actually increase the square footage?

Dixon:

Certainly to increase the amount of square footage that is hurricane resistant - greater than 50%.

Rutherford:

Right. Because of my discipline is the civil side of this, and I am not trying to avoid your question by any means, but, I don't do that side of it, so, I can't answer you.

Dixon:

Thank you.

Are we too far along in the process?

Rutherford:

To receive funds from DOE, yes.

Shepard:

Yes, sir. We're too far.

Williams:

We need for you to speak into the microphone. This is a quasi-judicial hearing, so we have to make a record.

Shepard:

Mr. Chairman, at this point, if the Board agrees for us to move forward, yes, sir, we are too far down the road. We would have to have plans for that particular area and stop the project again. It would take another month or two months to get plans drawn. We are pushing our date now for opening in August of 2007. But, yes, it is at the very last moment. Yes, sir.

Dixon:

Mr. Shepard, I am really disappointed. You and I have done this dance before. I have often told commissioners that there is one vote I wish I could take back. But, because the School Board and the former Superintendent said, "We need this, we are short, we are in a tight, the deadline is there, do this for me." For once, I should have listened to Commissioner Watson. For once. I should have listened to him and not done it. I am real disappointed in the level of cooperation we have here in terms of building.

We all like to say that we work for the public. But, we live in hurricane alley. There is no doubt about it. As soon as June rolls around and we are missing a great opportunity to put into place some hurricane resistant buildings and it is all because of a lack of communication. I am totally disappointed. I wish we would have gotten some feedback. We didn't. I am disappointed in that.

Shepard:

Do you have a date on that letter.

Brown:

It was sent out some time during the fall of last year. September or October. I can go upstairs and get a copy.

Shepard:

Was it sent to -

Brown:

It was sent to the Superintendent.

Dixon:

We will get you a copy of it. Let me ask you a couple more questions, then we will move on. We have some big issues to cover to night.

Commissioner Price, I think, said something about libraries a while back. And, our interlocal agreement basically says in 6.2.1 policy, I am sorry, that is policy 1.8.2 Item B - the Board of County Commissioners and the Department of Growth Management shall endeavor to co-locate public facilities such as recreation facilities, parks, libraries and community centers. This is something that came up during the East Gadsden's time and tenure. At some point, we are going to have to look at some type of library, if you will, for Greensboro. At some point, just as we are doing for Chattahoochee and other outlying areas. Is the School Board amenable to co-locating facilities. The last situation wasn't so amenable. So, I am just asking, are you amenable to co-location of facilities where an opportunity presents itself?

James:

I will give that some consideration.

Dixon:

Is that a yes or no?

James:

That's it. Just what I said it was.

Dixon:

Yes or no?

James:

Just what I said it was.

Dixon:

And that is what?

James:

That I will give that some consideration. I can't answer that. I mean, I have a board, too. But, we will certainly give that some thought.

Dixon:

Are you open to the co-location?

James:

I am open to that. I am open to that.

Dixon:

Thank you very much.

Commissioners, the recommendation from the Growth Management Director is for either Option #1 which is the approval that comes with sidewalks. I understand the Superintendent in defending the position of the School Board, but, there are no sidewalks, and somebody correct me if I am wrong, that exist between what you would consider downtown Greensboro and the School on the side of the road where the school is. Is that true?

McCord:

There is a sidewalk that extends along Selman Street which is Highway 12 from what you might call downtown Greensboro along the north side of Selman Street to the existing school. And what we would ask for is as a part of the conditions is that with DOT approval at the appropriate place (to be determined at the construction plan review and permitting) is that the cross walk between this existing school building site and the south site be identified and that the cross walk be signed and marked. Then the side walk extends along the road frontages in front of this school here so as to facilitate walking to and from the Greensboro area from this site, they could cross the street and continue using the existing sidewalk. The existing school is connected to a sidewalk to the center of town.

Dixon:

Commissioner, it is certainly my belief that at least one kid is going to have to walk to school sooner or later. And, sidewalks keep kids supposedly from crossing the street. Certainly, the crosswalk seems to be financially feasibly out of reach. But, certainly sidewalks will provide an added safety measure and I am personally in favor of what the Growth Management Director has recommended - that sidewalks be placed along the front of the school. Even at 90, I think, that is the point, to give the kids an opportunity not to walk in the street. I certainly understand, given last night, we had a conversation with REDI yesterday evening and we talked about the extension of

a sewer and water facility from Greensboro out to I-10. And that the point that I am making is that traffic won't always be what it is now if that occurs. Therefore, sidewalks will be needed and necessary, even now.

Lamb:

Mr. Chairman, I believe that the last time the staff met with the School Board, I believe that they did accept the sidewalks. We accepted everything that he presented to us.

Dixon:

I am sorry, I wasn't at the last meeting.

Lamb:

Are you ready to entertain a motion?

Holt:

Are you taking public input?

Dixon:

Yes, we will. Mr. Superintendent, do you have any other comments to the Board?

James:

Just a couple of things. Keep in mind that I appreciate you listening. As you know and you have already stated that a pedestrian overhead walkway is certainly something that given the cost of it would not be feasible at this point in time. Certainly, that is the situation. There was a permitting issue, too that extended out to about a year before we could even get started on a permit to do that.

I just sorta wanted to remind you that we are working on an extended deadline for the expenditure of funds. I had to apply for an extended deadline due some other issues that happened. I am saying that to say this. As Superintendent, my primary interest is the children. Building a school for the children there and the parents. We all want to do that. We don't want to get into a situation where we jeopardize the funding because as I have said, I have already applied for and received one extension. I don't know if they have ever granted two. I hope to not to have to apply for a second one. I just wanted to say that to you.

Thank you very much.

Dixon:

Thank you.

Will there be public comment. As you come, please state your name for the record and be sworn in.

Sam Hawkins was administered an oath by Muriel Straughn, deputy clerk.

Hawkins:

I want to correct a couple of things and then make a couple of comments. And I want to make one quote from my chairman. "Now that we know better, let's do better." That was directly from the chairman. That is his quote. "We know better, we do better."

It is not a question of how much it costs. Cost is not the issue. If it is about money, the average child in a lifetime will make \$2.5 million at today's estimate. My question is, "How much is that child's life worth?"

And I've got to quote Mr. Watson who still believes that we should still have a road bond issue to pave all the roads in the county at the rate it was two years ago, Mr. Dixon, Mr. Attorney.

Well, I am saying that to say this, "Now that we know better, we need to do better." I don't want to stop the School Board from building a new school. I don't want (inaudible) But, my question goes back to the same thing. How much is this child's life worth?

You are talking about the Shanks kids crossing the street. Yea, they cross the street. And we can't say there has not been an accident, because there has. I was at the Jitney when there was one. Yes, I have attended just about every school within the city limits of Gadsden County and I have walked to school. So, I know what it is like. You can't tell me. The way I was raised and the superintendent was raised, you probably walked to school, too. But, with the development coming into this county, we cannot overlook putting crosswalks on 90 and every school where our children have to cross that street. Because if we don't do better, even though we know better, then we are doing no better than our predecessors. That is saying, "We don't care." Now, surely you care.

Mr. Superintendent, and Board, show me a plan saying that within two years we will have crosswalks on every school that crosses a major highway. Then, you are showing me that you intend to do better. That you know better. Because right now, you are not showing the residents of Gadsden County that you know better. You are not showing them that you have any intent to do better. Even Mr. Watson is doing better. And that is a compliment. Because he knows better.

School Board, let's do better. Thank you.

Dixon:

Thank you, Mr. Hawkins. Will there be others?

Lamb:

Mr. Chairman?

Dixon:

Just one minute, commissioner.

O.K. The chair will entertain a motion.

Lamb:

Mr. Chairman, I would like to offer a motion to approve the conceptual and preliminary site plan for West Gadsden High School.

Dixon:

Moving Option 1?

Lamb:

Number 1.

Dixon:

Is there a second?

Price:

Second.

Dixon:

We have a motion and a second. Any further comments from members of the Board?

All in favor, sign of "aye".

All:

Aye.

Dixon:
Opposes?

No response.

Dixon:
Let's make it unanimous. Thank you and good evening.

Next issue please.

10. Code of Ordinances Amendment, Chapter 2, Article V, Division 2- Planning and Zoning Commission - Second Reading of Ordinance 2006-003

Growth Management Director Bill McCord introduced the second reading of the above described ordinance. He explained that the first reading was approved on March 7, 2006. The ordinance essentially changes the meeting date of the Planning Commission. Instead of being the first Wednesday following the first BCC meeting of the month, it will be held on the second Thursday following the first BCC meeting of the month. It also makes other minor text changes that clarify that the Planning Commission as the actual body that review the site plans. He asked for approval of the ordinance which will take effect in April.

Chair Dixon called for public comment. There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE STATED ORDINANCE.

11. Final Plat - Magnolia Forest, Phases II and V (Project 03PZ-038-205-2-09

Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk.

He offered the following facts.

Owner: Raymond K. Sheline Revocable Trust, Raymond K. Sheline, Trustee and Owner

Applicant: Poole Engineering and Surveying

Type of Hearing: Quasi-judicial

Type Review: Type II PER subsection 7203.

Location: Magnolia Forest, Phases II and V on a 83.66 acre parcel, zoned RR. The subdivision will be located on the north side of US 90 approximately one mile east of the intersection with Selman Road in Twonship 2 North, Range 3 West Sections 15, 16, 21, and 22. (TAX ID 3-16-2N-3W-0000-00140-0000; 3-21-2N-3W-0000-00110-0100; 3-21-2N-3W-0000-00110-0100)

This subdivision was formerly known as Sparkleberry Subdivision.

Conceptual Plat approval: January 20, 2004

Preliminary Plat approval: March 2, 2004

The preliminary plat was approved for a 5 phase subdivision. Upon development of Phase III of the subdivision an access connection will be provided to and from Selman Road. The application was submitted to the Growth Management Department on December 13, 2005. The Planning Commission met on Marcy 8, 2006 and voted unanimously to approve the final plat with conditions.

The proposed second and fifth phases of the subdivision will consist of 52 single family lots with two streets, two storm water management areas and four tracts for common area open space which will include a conservation easement, stormwater facilities and an access easement.

Phase I, which is in the southerly portion of the subdivision, has been platted and some homes are already constructed.

Mr. McCord then denoted other pertinent facts regarding the subdivision as contained in the attached agenda report. See it for further details.

Barry Poole, Poole Engineering, was administered an oath by Muriel Straughn, deputy clerk. He told the Board that the new phases are merely continuation of the development. He said that he just couldn't be more proud about the success of the development. He said that the homes being built are far above the expectations that he had in the beginning.

Chair Dixon called for discussion among the Board. There was no response. He then called for public comments. Again, there was no response.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY

COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE OPTION 1 - APPROVE THE FINAL PLAT FOR MAGNOLIA FOREST, PHASE II AND V SUBDIVISION BASED ON THE FINDINGS AS LISTED IN THE AGENDA REPORT AND THE SPECIAL CONDITIONS A - E OF THE AGENDA REPORT AS WELL.

GENERAL BUSINESS

12. Approval of Request for Paving Assistance - City of Gretna

Chair Dixon stated that he asked this matter to be included on the agenda after discussions with the mayors of Gretna and Greensboro. He said that those cities are in dire straits with their paved roads and approached the County for help. He explained that the cities are so small that they do not generate enough money to do capital projects on their own. He said his position is that those folks in the cities are also represented by the County Commission. He went on to say that when the County finds an opportunity to help them, the Commission should exercise that opportunity. He said that he is aware that the staff does not support his position.

He said, "We have done some things that have positioned us very well...And, I thought that we might be at a point that we might, given this Board's desire, that we might be able to begin that process of helping them again. No cities are excluded, that is not the point. The point was that these guys have asked for help and I thought it certainly was something that we could put forward to the members of this Board."

Commissioner Holt was in favor of helping the cities.

Commissioner Watson was opposed to granting the request at this time.

Commissioner Lamb was also opposed to paving the city streets while there are still so many unpaved county roads. He asked Mr. Presnell how much of the bond money remains unspent. Mr. Presnell said there is \$3 million remaining.

Chair Dixon then withdrew his request stating, "I certainly don't want my fellow commissioners to be in a position to vote against cities."

Commissioner Price said that he would like to see the County complete their own projects first, then get with the mayors of the cities to see if there are opportunities - but not to slow down the county's progress on road paving.

The request was withdrawn by Chair Dixon.

13. Approval of Request for Paving Assistance - City of Greensboro

This request was withdrawn by Chair Dixon.

The following people were recognized for comments:

Bill Hoatson

Aleta King

Helen Franks, City of Gretna

Jerome Harris

14. Approval to Accept Donated Materials from Capital Projects

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE DONATED MATERIALS AND TO PUT A PROCESS INTO PLACE THAT WILL TRACT THE MATERIALS AS THEY ARE USED FOR PROJECTS.

14.1 Resolution 2006-015 Piggly Wiggly Infrastructure RBEG Grant Application (\$266,877) (added to the agenda at the beginning of the meeting)

Ms. Farnita Saunders reported that the last communications with USDA was that there were a few more items that needed to be submitted for the infrastructure grant on behalf of Kevin McDaniels. One of the last submittals was the resolution described above. She said that there should be a decision made on the grant by mid-April.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, TO APPROVE THE ABOVE STATED RESOLUTION.

COUNTY MANAGER'S AGENDA

15.0 Update on Harrison's Building Permit(added to the agenda at the beginning of the meeting)

Mr. McCord reported that he has received the Objections,

Recommendations and Comments (ORC) report from the Florida Department of Community Affairs (DCA) on the last transmittal of land use amendments approved by the Commission. Ms. Harrison's property was one of the amendments in that submittal. He said that there were no adverse comments or recommendations from them regarding Ms. Harrison's property. (This property was assigned industrial use in error on the land use map when it was adopted in 1991. It was discovered when the Harrisons applied for a loan to build a home on the property. The bank extended her loan for 3 months, but at this time, the mortgage is in jeopardy because of the delay in getting the land use changed.) He said the designation still requires an ordinance adoption which will require two readings and two public hearings.

Commissioner Watson stated that he would like for the Board to authorize Mr. McCord to give Ms. Harrison a building permit to allow her to proceed.

A MOTION WAS MADE BY COMMISSIONER WATSON AND SECONDED BY COMMISSIONER PRICE TO APPROVE THE BUILDING PERMIT. THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE BUILDING PERMIT WITH THE SPECIAL CONDITIONS THAT THE CERTIFICATE OF OCCUPANCY WILL NOT BE ISSUED UNTIL THE LAND USE DESIGNATION HAS IN FACT BEEN CHANGED OFFICIALLY.

- 15.1 Reminder for the Gadsden County Youth Project Press Conference** (added to the agenda at the beginning of the meeting) County Manager Brown reminded the Board that there will be a press conference on the Youth Project on Monday, March 27 at East Gadsden High School.

COUNTY ATTORNEY'S AGENDA

- 16.1 Tax Abatement for Kiwi Hospitality, Inc. and Payal Hospitality, Inc.** (materials attached added to the agenda at the beginning of the meeting)

Williams:

Mr. Chairman and Commissioners, we have had an issue which has been agendaed a couple of times involving a tax abatement for the two properties - the two hotels that they are building. As you recall, there have been delays and they have to build a sewage treatment plant because they have concerns about keeping the names of the hotels

associated with the development. Our question was posed as to whether we could do a tax abatement to assist them financially.

We have done extensive research and it is pretty much consistent that you cannot do a tax abatement. Ad valorem taxes have to be applied uniformly across the board. In doing our research and doing a lot of digging, we found out that Leon County had a similar issue involving military personnel going off to war that could not pay their ad valorem taxes. What they came up with was a grant program which allows them to, in effect, achieve the same purpose. Any (military) personnel who was in need of assistance with their ad valorem taxes (which is identical with what we are dealing with here) could then apply under the grant program. Based on that application, an approval through the procedures that were outlined, (which I have attached in this memo) the military personnel would be eligible upon approval receive the payment equal to their ad valorem taxes that they were obligated to pay.

So, the recommendations are outlined in the back. You have Option 1 - which is to follow a procedure similar to Leon County and approve a resolution. There is a modification to Option 1. The grants would equal the cost of the project. I think there were indications earlier that you would do 50% of the tax abatement. So, if you move Option 1, you should indicate that you would make it consistent with your previous motion that was adopted to do 50% if I recall correctly.

Option 2 is do not approve the resolution.

Option 3 is any other direction that you so provide.

It is my recommendation to achieve your goals as previously outlined that you move Option 1.

Brown:

Commissioners, just a note. At the end the County Attorney's item, as you recall, when we presented this item at the last meeting, Mr. Peter Patel had requested the Board to consider 100% reimbursement for his improvements - putting in a septic tank. So, that is what is before the Board tonight for consideration.

Watson:

What happened with the other applicant? Wanting to be pulled from the whole thing?

Brown:

Let me ask Ms. Saunders as to the status of that. Peter Patel- as to whether he is still in the project.

Saunders:

The last information that we received from Victor Patel is that he was in agreement with the 50% tax abatement based on our conversations with him, we did receive that back in writing that was o.k. with him.

Watson:

That was not his question, though. His question, his concern was that - was he a part of the Talquin agreement.

Saunders:

Oh, the Talquin agreement.

Watson:

If he was not a part of the Talquin agreement, then he wanted to pull out of the whole deal. Is that the way ya'll remember it?

Brown:

That is correct.

Saunders:

Right. We are currently working on trying to get Victor added to the Talquin agreement. AS a matter of fact, we've left messages with Talquin to try and get back with us and we are also going to - the manager will, I guess, request for the attorney to work with us so that we can have him added to the agreement. That is our intention to do that because we would like to have him included. So, we are aware of that and we are going to be scheduling a meeting with him so that we can that expedited as soon as possible.

Dixon:

Ladies and gentlemen?

Holt:

I move approval. But, now, let me ask you something before I do that. Are you saying that we need two separate motions or one motion?

Williams:

Just one motion to move Option 1 as modified to equal the abatement that was approved earlier at 50%.

Watson:

Mr. Chairman, I would be more comfortable if I saw exactly what we are going to do in writing instead of something that Leon County has done.

Dixon:]

We can ask the attorney to bring that.

Williams:

I will have to bring a resolution back and you will have to adopt a resolution. This is more about approving the procedure that we are going to follow because it was so radically different. I wanted to get your direction that this was the direction that you wanted to go in. Upon getting that direction, and I talked to Ms. Saunders today because I was concerned that he had a timing issue. Because we are looking at approximately a year to two years before this might even come before the Commission, I realized that we don't have timing issue, Commissioners, so therefore, I want to get your sense of whether you wanted to approve this process because we had to do a lot of digging to find a process that will work for you. If you chose not to approve it, then there is no reason for us to do a resolution. But, we would bring a resolution back for your approval.

Holt:

Mr. Chairman, my question was - there were two different percentages - so, on my motion to make the motion with both with the adjustment. Because there is 100% in one and 50% in the other.

Williams:

I thought Ms. Saunders indicated that they both agreed to 50%.

Holt:

No. Mr. Patel, Mr. Peter Patel donated the land and his is 100% and Mr. Victor Patel's was 50%.

Watson:

Their request was for 100%.

Brown:

Commissioners, when you initially approved this, they were both at 50%. When we brought the agenda item back to you, you had a request from Mr. Peter Patel to up his amount to 100%. So, we are asking the Board this evening, as part of the directions that you are going to give the staff, whether you do want to consider Mr. Patel's request at 100% or still leave them both at 50%.

Holt:

So, do you want two separate motions?

Watson:

The problem with that is that the land is not going to be of any value to anybody. He donated it, but, it is only going to be used during the septic tank time. So,

Brown:

No, it will be used for the sewer. The land that he donated is for the sewer.

Watson:

The plant?

Brown:

Yes. For the drainage pipes.

Watson:

How many acres?

Patel:

.39 acres. It will be used to put the lift station and to run the pipes.

Watson:

100% for .39 acres?

Dixon:

He can ask.

Williams:

I think you still need a motion to give us direction to go forward with the resolution. It sounds like you have an unresolved issues with the grant program, which we can tailor. Whenever this issue is resolved, we can put criteria on it when it comes back.

Watson:

But, is this motion going to set up a process that everybody can or is this going to be this case only resolution.

Williams:

We will tailor the program based on your directions for the tax abatement. So, it will be very narrowly drawn.

Holt:

I motion approval of Option 1 with the percentages that have already been established with modification as to the amounts.

Price:

Second.

Watson:

What are the percentages?

Lamb:

What are the percentages?

Dixon:

What is approved is 50%.

Holt:

So, we pass the motion, then I am saying, after we do this, then we can discuss either two options.

Dixon:

You can always argue about it, but, it is approved at 50%.

Holt:

Right.

Price:

So, we just have to approve both of them.

Watson:

You just want approval for the process, right? You are not asking for percentages, are you?

Williams:

Correct. Because of the time frame issue, this is what Ms. Saunders and I talked about today, because this is a year to two years out, I am not in any rush to bring you a

resolution back to you at the next meeting. We can resolve the percentages. Once you resolve the percentages, we will be prepared to go at this point. We know exactly what we need to do. We need you to approve this process. Having approved the process, Mr. Brown's staff can work with the Patels to determine what percentage that they will recommend to you for your approval in the event the resolution passes.

Peter Patel:

At this point, I am at the stage that I have to have your answer. I cannot wait for the answer on the tax anymore. I am at the state that I have to get drawing on my septic tanks. Without your approval of 100%, I can't proceed on anything because there will be two different drawings. If the sewers come in, then they can draw them differently because I have to leave the land separate for the sewer pipes and the lift station.

If you are not going to bring sewer, then I can use that land to put my septic tanks on. There are too many factors unknown in this for me to go further at this point. So, if you guys cannot go 100%, then there is no need to go for procedure. Or, you can go 50% and pay me the price for my land and I will have no problem. Whether the land is used for the sewer or not, you pay for it. I will have no problem. Then you can go 50%/50% and I won't have a problem.

Holt:

I think we had better go with 100%.

Dixon:

No, No. I don't like - I am sorry, you talk.

Holt:

I was saying, if you are looking at it, if you go for 100%, we don't have to worry about what he charges for the land because later on he could charge anything. It is his land. I mean, when we get into to it later on using someone else's land later, we would have an opportunity, once the businesses start out there, that land could go up quite a bit. His .39 acre could be sold at a higher price.

Patel:

You could bring the sewer from another way if you want to and instead go 50%. Just change your plans to bring the

sewer in, you know, I don't have no problem, that is what I mean. Without that, I cannot draw the plans. My engineer cannot draw the plans without knowing which way you are going.

Watson:

There is nothing practical or reasonable can be put on .39 acres of land out there, so, I am not worried about the price of it going up. Nobody can use it for anything - not .39 acres. What would you do with it other than this?

You can't put a motel on it, you can't put a restaurant on it, you can't put a gas station on it.

Holt:

And, what if you don't have anyone who is willing to give up land so that we can put in a lift station? So, you will still could pay more for land and locate another place to put in a lift station.

Watson:

My understanding was that he had agreed to the 50% some time ago.

Patel:

That is what the manager came up with - a proposal.

Watson:

I thought that is what we threw out on the table and ya'll went back and they said that it was fine. I thought you came back the next week and you said that was fine.

Patel:

No, I never said that, sir. When they asked me to come back, I wrote a letter to the County that said (inaudible) and I am not getting any incentive for my land being used. (inaudible) lift station because they will be going through my property, I would like to be compensated with some money. That was my request right away to Mr. Brown.

Brown:

Commissioners, Mr. Patel is correct. His letter to us was that he was in agreement for the tax abatement, but he also asked for consideration for 100% relief. Mr. Victor Patel was the one who agreed at 50%.

Lamb:

Will you amend that motion to give him 100%.

Holt:

Yes, I will amend my motion to give him (Peter Patel) 100% abatement. But, as I said before, do you want that included in this motion? That is fine. I will amend my motion.

Lamb:

I second the amendment to the motion.

Dixon:

So amended and seconded.

All in favor of the amendment, say "aye."

All:

Aye.

Dixon:

Opposed?

(no response)

Dixon:

Back to the main motion. All in favor of the main motion to direct the attorney to draft an ordinance pertaining to Kiwi Hospitality and Payal reflecting 100% for Peter Patel, say "aye."

All:

Aye.

Dixon:

Opposed?

(No response.)

Next issue, please.

CITIZENS REQUESTING TO BE HEARD

Suzie Patcher, Deer Run Road - requested that her road be paved.

Lula Green, Spring Meadow -requested assistance to allow her son to place mobile home on their property (6 acres)

Mr. McCord explained that Ms. Green's property is designated as AG-2 property. The subdivision in which she lives is an unrecorded subdivision. However, other parts of it are designated as RR. There are already two homes on the six acres which she owns so there is a technical violation presently. Putting three houses on a six-acre tract would be in violation of the Comprehensive Plan. To remedy the situation, he proposed an administrative land use change to at least change it to AG-1 designation. However, in order to do what Ms. Green wants to do, the land use must be changed to RR. He said that there are options available to her, but immediate family exemption is not on of them.

Mr. McCord was directed to write up a proposal for Ms. Green and bring it back to the Board at a later date.

Ms. Green was directed not to allow the mobile home to be placed on the property until such time as the Board can hear the proposal when it comes back.

Sam Hawkins made comments regarding the Chamber of Commerce. He encouraged the Board to start their own chamber that would be responsible solely to them.

DISCUSSION ITEMS BY COMMISSIONERS

17. Commissioner Lamb

Commissioner Lamb asked Mr. Presnell to look at Tall Timbers Road because it appears that the road is failing.

Mr. Presnell said that he is aware of the problem and the road is under warranty by Peavy and Sons.

Commissioner Lamb then asked where the three paving crews are currently working.

Dave Clemmons Lane (D-2); Mt. Hosey Church Road (D-4); The third crew is in D-4 north of Quincy doing a number of smaller roads.

Commissioner Lamb then asked why two crews are in one district.

Mr. Brown explained that there were a number of roads on the old list (road paving priority list) that were not yet completed when the new list was approved. In an attempt to get the old list completed more expeditiously, he asked Mr. Presnell to move one of crews which was in District 1 to District 4. He then said that once the old list has been completely finished, the crew will be moved to another district.

Commissioner Watson had nothing to report.

Commissioner Price had nothing to report.

Commissioner Holt reminded the other commissioners to take their questions regarding the roads to the county manager first before going to the public works director.

She then reported that the Rural Economic Development Initiative (REDI) meeting she attended was very effective and she learned a lot about funding programs.

Commissioner Dixon followed up on Commissioner Holt's remarks about REDI meeting.

He said, "Let me piggy-back about their REDI program. They were here yesterday. That is a confluence, if you will, of all the state agencies looking out for small counties. They came here yesterday and we tossed out a project. Basically, we said, "Look, Greensboro is getting a new school, but they have this problem with water and they don't have any kind of central water system or sewer system to work with."

Greensboro has been literally told, "You must find a new water source because we will no longer continue to allow you to tap into this one."

REDI looked at it and said, "This is a good project. We will look at the new school and we will look at I-10. It is within 3 miles from it. We could conceivably do just like we did in Midway. All the agencies will literally look at which parts they are responsible for, then those agencies will help walk through that program."

They talked about everything from infrastructure to health care to Workforce issues and so on and so forth. But, there

are issues that they have been able to work with - the issue with Midway came up.

Mr. Pillar was here and we talked about how we are going to go about that extension under the interstate and accessible to those folks. He brought up the issue. She answered and said, "Look, those are very technical things. We'll have the people here in the first meeting and we will figure it out."

And, that is where we are and that is where we need to be - figuring things out. It is not good enough to just come in here and argue about them. We need to fix them and move on to the next project. There are a lot of projects out there for us to do as we found out tonight. And we need to be about the business of doing those."

Legislative update:

We appeared in the Senate last week. The manager went over today. The fiscally constrained bill which will bring to Gadsden County roughly \$1 million in new general revenue passed both those committees that it appeared before unanimously. We don't think we will have any trouble in the House. Last year, it was held up in the Senate, as we know. This year, I think, last night, Senator King, who used to be Senate President, joined in and I think he is now a co-sponsor, which is a very good thing. So, that is sailing right along. I certainly hope, lady and gentlemen, that you will find it in your time to join us on these issues as they come up. They mean a lot of money to the County. But, you've got to put in your time to follow them up.

You can bet, the whole Jefferson County Commission was there saying, "Yes, we want our piece of the pie." The state foresees a billion more dollars than they budgeted for. \$4 billion, I'm sorry. Why shouldn't Gadsden County get her piece of that. The people around this table are duly authorized to go get it. We ought to go get it and there should be no reason that we don't walk away with our money. Our piece of the pie, so to speak.

When I was in Washington, they said, "Money is tight." And I said, "Yeah, but, somebody is going to get some money. We need our piece...It is diligence that pays off in this game, lady and gentlemen. We have to go in and get our piece."

Chair Dixon then recognized **Don Wheat, Middle Creek Road** in the Sycamore community. He spoke about paving and non-paving of roads. He said that he likes living on a dirt road and would rather not have his road paved. He humorously suggested that if the county wanted to save some money, they could leave his road unpaved.

Solid Waste Committee

Chair Dixon asked each commissioner to submit names of people from their districts who would be willing to work on the solution for solid waste collection in the county. He concluded by saying, "Commissioners, please. We want to get this started and get that group to meeting so that we can get some public input and advice on how to proceed with this issue."

RECEIPT AND FILE

18. Letter from Public Defender - Office Space Needs
Resignation of Stuart H. Johnson from the Gadsden County
Tourist Development Council

Memo to Nicholas Thomas, Clerk from Edward J. Dixon, BOCC
Chairman (in response to following memos)

Memo to BOCC from Nicholas Thomas, Clerk - late vendor
payments

Memo to BOCC from Nicholas Thomas, Clerk - County Attorney's
Budget

Memo to BOCC from Nicholas Thomas, Clerk - Piggly Wiggly
Infrastructure Funding

Application by Patricia F. Vice to the Gadsden County
Tourist Development Council

The following meetings were noted for the record:

April 2006 Meetings Scheduled

Regular Meeting - Tuesday, April 4, 2006 - 6:00 p.m.

BCC Workshop/Special Meeting - Tuesday, April 11, 2006- 6:00
p.m.

Regular Meeting - Tuesday, April 25, 2006 - 6:00 p.m.

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR
DECLARED THE MEETING ADJOURNED AT 8:35 P.M.

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON APRIL 4,
2006, THE FOLLOWING PROCEEDINGS WERE
HAD, VIZ.

PRESENT: Edward J. Dixon, Chair
Brenda Holt, Vice-chair
Eugene Lamb
Sterling L. Watson
Derrick Price
Thornton Williams, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

Invocation and Pledge of Allegiance

Commissioner Price opened the meeting with a prayer and Attorney Williams led in pledging allegiance to the US flag.

Amendments and Approval of the Agenda

ADD Approval to amended agreement allowing the addition of
21(a) Victor Patel to the existing sewer agreement between
Gadsden County, City of Quincy, Talquin Electric and
Peter Patel

ADD Approval to pursue grant funding from DCA, Florida
21(b) Communities Trust program to acquire property owned by
the Gadsden County School Board and to request a "Willing
Seller" agreement from the School Board

ADD Approval to sponsor the first place winner of the Florida
21(c) Commission on Human Relations "One World, Many Neighbors"
poster contest in recognition of Fair Housing Month

ADD Appointments to the Solid Waste Committee
21(d)

REMOVE Wetumpka Volunteer Fire Station (to be brought back at a
24 future date by the attorney)

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

CONSENT AGENDA

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA, TO WIT:

1. Approval of Minutes of March 7, 2006 Regular Meeting
2. Ratification of the Approval to Pay the County Bills - Warrants dated March 24 and 31, 2006; Payroll dated March 30, 2006
3. Approval to Solicit RFP for Consultant/Consultant Firm to Conduct Facilities Space and Needs Study or to piggyback on a competitively solicited proposal/bid. Also, authorize staff to find the funding within the current budget to fund the project and give the County Manager administrative approval to approve other costs associated with this project.
4. Authorization of Budget for Community Development Block Grant (CDBG) Housing Funds - \$750,000 OMB-BA# 060012; Resolution 2006-016
5. Authorization of Budget for Community Development Block Grant (CDBG) Economic Development CDBG-06DB-3K-02-30-01-E08 \$489,986.00; Resolution No. 2006-017
6. Authorization Budget for Library Construction Grant - Chattahoochee OMB-BA# 060014 - \$500,000.00 Resolution # 2006-018 Grant Contract # 05-PLC-09
7. Authorization to Pay Expenses for Membership - Capital Regional Transportation Planning Agency - CRTPA \$10,205.14 OMB-BA# 060015; Resolution # 2006-019
8. Authorization of Budget for Use of Small County Technical Assistance Services (SCTAS) Funding \$5,000 OMB-BA# 060016; Resolution # 2006-020
- 9. Public Hearing - Library Funding Adjustments to Receive Donations and Complete the Quincy Library Project**

Chair Dixon opened a public hearing of the above referenced matter.

Mr. Brown explained that the item seeks authorization to receive and budget donations from the Friends of the Library and make other necessary funding adjustments to complete the Quincy Library project. The increased amount to be received from the Friends of the Library is \$40,000. OMB-BA#060018; Resolution # 2006-022

Chair Dixon opened a public hearing and called for public comment. There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE TO APPROVE THE ABOVE STATED RESOLUTION AND BUDGET AMENDMENT.

10. Public Hearing - Comprehensive Plan Amendment (CPA 2005-13 A-D)

County Manager Marlon Brown opened a public hearing on the above Comp Plan Amendment.

Growth Management Director Bill McCord gave a brief historical sketch of the proposed amendment. See the attached agenda report for details.

Mr. McCord stated for the record that the Department of Community Affairs (DCA) issued a report objecting to the Johnson Bluff Community in Gretna which will change the land use category from AG-2 to RR. However, he said that the property is already developed and the amendment only changes the map to reflect how the land is currently being used. He also stated that he is preparing a response to their objections and will present it to the Board before the next public hearing.

The Growth Management Department requested approval of several Future Land Use Map amendments to change the land use designation on parcels to reflect the actual or originally intended land use designation for properties and to establish a land use to provide consistency of the existing use of the property with the Future Land Use Map. The amendments would generally be considered large-scale plan amendments per Chapter 163.3187(c)1 and were transmitted to the FDCA for review and comment before adoption. The four properties subject to the proposed land use amendments are described as follows: Amendment A - south side of US 90 about three miles east of Quincy known as the Fregly site. Amendment B - on the north side of SR

12 approximately three miles west of Greensboro known as the Proctor property. Amendment C - on the north side of Hutchison Ferry Road between Glory Road and SR 267 known as Glory Estates. Amendment D - West side of Dewey Johnson Road between Bassett Road and SR 12 adjacent to and west of the City of Gretna known as Johnson Bluff neighborhood.

A number of findings are listed in the attached agenda report.

First reading of four ordinances - The ordinance titles were read into the record and described by Chair Dixon.

Chair Dixon called for public comment after describing each of the amendments.

Marion Lasley questioned whether the County should approve the land use for the Johnson Bluff community in light of the objections raised by DCA. She asked if there would be ramifications for the County if the septic tanks fail.

Mr. McCord said that he will respond to the objections raised by DCA. He said that he had confirmed with the City of Gretna that most of the area is on their water system and their sewer system. He also said that there are only a few homes on Chad Lane that are on septic tanks. He then said that he will refute DCA's comments based on an analysis performed regarding the soil types. He then said that the lots are at least 1 acre each and have sandy soils and septic tanks should not be a problem.

There was some discussion regarding the comments made by DCA relative to properties which might not be suitable for septic systems.

Mr. McCord answered by saying that he would be responding to those concerns to DCA for each individual property.

Chair Dixon asked, "Why wouldn't we impose on the developer to prove DCA wrong before we have another meeting to give him something that he can't use?"

Mr. McCord responded, "DCA, as well as what we are doing, DCA, in their ORC report, did not identify any particular type of soil that they thought was a problem on any of these land use amendments...or take into consideration the percolating characteristics of that soil. That is what we

are going to do in our response. We are going to get down to the details and use the best available data that we have to refute what they have..."

Discussion followed among the Board.

Commissioner Holt asked to clarify that the Board was not giving any guarantees that they would ultimately approve a certain number of lots for development simply by changing the land use. She stated again that she did not want the developer to be misled as to the Board's intention just because they might approve the ordinance.

UPON MOTION BY WATSON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE ABOVE STATED ORDINANCES.

11. Public Hearing - Variance Request V-2006-02 - Hampton Inn Sign Variance

Owner: Payal Hospitality, Inc.

Applicant: Transworld Signs, Representative

Location of Property: South side of I-10 east of SR 267 approximately 3.5 miles south of Quincy

TAX ID: 3-25-2N-4W-0000-00331-0700

Type of Hearing: Quasi-judicial

Growth Management Bill McCord was administered an oath by Muriel Straughn, deputy clerk.

Payal Hospitality, Inc. requested a variance from Subsection 5706.D. to allow an additional detached sign to be erected on the site of a hotel under construction which has only 453 feet of frontage along a single roadway and to permit an additional wall sign on the side of I-10 east of SR 267 approximately 3.5 miles south of Quincy within the commercial land use category adjacent to I-10.

Planning Commission Recommendation: March 6, 2006 - approval of the variance- based on the findings as listed in the attached agenda report.

Staff Recommendation: To make findings consistent with the criteria of Subsection 7301 of the Land Development Code and approve the variance as requested.

He gave testimony as contained in the attached agenda

report.

Chair Dixon called for comments from the owner or their representative. No one was present. He then called for public comments.

Marion Lasley was administered an oath by Muriel Straughn, deputy clerk. She called attention to the fact that there are two other hotels in the same location as this hotel. She suggested that the business owners co-locate their signs.

Discussion followed.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO CONTINUE THIS HEARING UNTIL APRIL 25, 2006.

12. Public Hearing - Wildflower Comprehensive Plan Amendment (CPA 2005-07) changing 101.16 acres from AG2 to RR Major Large Scale Land Use Amendment

Owner: Ron Bradford - Tallahassee Land Company

Applicant/Representative: Bill Thomas

Location: East side of SR 267, north of Salter Road and south of Old Philadelphia Church Road

TAX ID: 2-36-3N-4W-0000-00112-0000 AND 2-36-3n-4w-0000-00132-0100

Type of Hearing: Quasi-legislative Type IV Review under Subsection 7204.

Planning Commissioner recommendation: Approval based on the findings in the attached report.

Staff Recommendation: Approval based on the findings in the attached report.

Last review before the Board: September 6, 2006 - Transmittal hearing.

Mr. McCord noted for the record that the City of Quincy will provide water to the site instead of Talquin.

See the attached agenda report for further details.

Chair Dixon called for the applicant's representative. **Ms. Elva Peppers addressed the Board.**

Chair Dixon called for public comments.

Ms. Elva Peppers addressed the Board representing the applicant. She gave a brief presentation reiterating the facts found in the attached agenda report. She said that the plan proposes 77 lots on the 101 acres.

Chair Dixon called for other public comments.

Larry Ganus addressed the Board. He presented the following proposal for the Board's consideration.

1. Table all of the projects which DCA had objections to in the ORC report. (this one included)
2. Consider the application of the moratorium to these projects that are going to greater densities.
3. Extend the moratorium for another 6 months and appoint a Comp Plan/Land Development Revision Commission to make recommendations for revisions so that they work together. (3 members from the Planning Commission; 3 members at large of community citizens; 3 developers) Also consider a commission to revise the Future Land Use Map.

There was applause.

Commissioner Holt questioned the status of the visioning process.

Mr. McCord replied that the visioning process should be complete by the end of September. He suggested that the Board could go forward with appointing a commission to do exactly as Mr. Ganus proposed after that process is completed.

He also stated that he did not feel that DCA had done a very thorough job in reviewing the applications or the County's reports to them when they put their ORC report together.

Commissioner Holt stated that she felt that some of the work in responding to the ORC report should be put on the developer to let them refute their comments.

Mr. McCord replied that he had furnished the developers with a copy of the ORC reports and they are working to respond to the concerns as well. He said they hope to have the developer's specific responses (apart from the County's) very quickly.

Chair Dixon called for public comments once again.

Marion Lasley addressed the Board. She stated concerns about sewer service. She asked the Board to deny it.

Billy Don Grant questioned Mr. McCord as to how the 60-day adoption time frame was calculated. (60 working days or 60 calendar days.)

Mr. McCord answered that he thought it was just a straight 60 days.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE ORDINANCE DESCRIBED ABOVE.

13. Public Hearing - Highlands at Lake Talquin Comprehensive Plan Amendment (CPA 2005-10) Changing 369.3 acres from AG 3 to RR

Owner: The Highlands at Lake Talquin, Inc.

Applicant: Larry Witt

Location: South side of McCall Bridge Road east of Lakeview Point Road

TAX ID: 4-25-1N-4W-0000-00232-0000 & 4-26-1N-4W-0000-00340-0000

Type of Hearing: Quasi-legislative

Planning Commission Recommendation: Denial by 5 - 4 vote.

Staff Recommendation: Approval

Mr. McCord gave a brief description of the property surrounding the subject parcel. He reminded them that they considered this amendment last fall when they approved its transmittal to DCA after lengthy discussion about how infrastructure would be provided to this site. At that time, the developer agreed to build an on-site package tertiary treatment sewer system. That system may also serve subdivisions out of this area. He summarized that the subdivision will have central water (Talquin) and central sewer.

The ORC Report from DCA cited concerns about sewage treatment. He said that they apparently had not read the documents or the report submitted to them because it clearly described in detail, Talquin's willingness to operate a private system that would be constructed by the applicant.

Chair Dixon called for public comments.

Elva Peppers, Florida Environmental Land Services, addressed the Board to answer questions of the Board, but offered no testimony.

Marion Lasley spoke in opposition to the development. She questioned whether the Board could hold the developer to the commitment to install central sewer system.

There was a consensus of the Board that this proposed project will only become a reality if there is a central sewage treatment plant.

Chair Dixon asked if it was legal for the Board to reflect this property as being mandated as having central sewage plant.

Mr. McCord replied, "If you want to go that route, what you would want to do is not make it a condition. It would be a site-specific condition that would be built in similar to the Mortham Shaw land use amendment - it would be a site-specific condition applied to this property. If this property is developed, it would have to develop with a central sewer system. You can make it a site specific condition...but, keep in mind, that there are other properties immediately adjacent to this that are not under that umbrella."

Marion Lasley brought up the issue of making part of this development available for affordable housing. She opposed the development.

Larry Ganus, Planning Commissioner, noted the DCA concerns that were listed in the ORC report, particularly urban sprawl and demonstrated need. He said, "This leap frog and scattered development patterns that we see springing up all over our County - there is no rhyme or reason to where these developments are being placed. It is where ever there is land available for purchase by the developers. That is what the driving force is behind the development in our County which means that it is just going to be scattered everywhere. When we get through and everything is said and done, we are just going to have a hodge podge of development in the County with no hope of ever connecting to any kind of real infrastructure. Or, if we do, at a considerable cost.

So, I think that all these things need to be considered each time we allow a large development of this type."

Matthew Parker addressed the Board. He said, "I see you are going in a direction on this item that will affect all of us. I have the parcel adjacent to this, East Stoddard Phase II. Whatever the will of the Board is to go with sewer - that is the will of the Board. But, I want to make a suggestion - that we not pass land use amendments with an attachment of "This must be on water or sewer or whatever it is." This is a planning zoning phase where we set up a map with development patterns and what happens in the County. The more we complicate this process with special unique attachments for sewer, water or whatever, it only complicates the process for the Comp Plan. It complicates things when it goes back to DCA for review. It make the County's Comp Plan more cumbersome.

You will have two more shots at this subdivision - if you want to require sewer or whatever you want to require- at the conceptual and preliminary plat. I am just asking that you consider that. Wherever you place these conditions, from a purely administrative point, at this level of a reading for a land use amendment, it really complicates the process for what happens in the future."

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE ORDINANCE WITH THE STIPULATION THAT IT IS CONTINGENT ON IT BEING DEVELOPED WITH A CENTRAL OR PACKAGE SEWAGE TREATMENT PLANT.

14. Public Hearing - Drew, Buford, Mustain & Butler
Comprehensive Plan Amendment (CPA 2005-11) 12 parcels
containing 2,389.52 acres of AG3 to AG2

Owner: Sosalla Salley LLC; B & C Tree Farm, LLC; A. L. Buford, Jr. Family Trust; Mustian Farm LLC; Exchange Farm Partnership; A. L. Buford, Jr.; Drew J. Everitt; and Southgroup Equities, Inc.

Applicant: Thomas Osteen of Moore Bass Consulting, Representative

Location: South side of Interstate 10, east of Cane Creek Road (CR 274), west side of Pat Thomas Parkway (SR 267) and north of Old Federal Road and contains all or portions of Little River Survey Lots 42, 43, 44, 46, 47, 52, 53, 56, and 57

Type of Hearing: Quasi-legislative

Planning Commission Recommendation: Approval based on the finding found in the agenda report.

Staff Recommendation: Approval based on the findings as described in the agenda report.

Mr. McCord gave a brief description of the land use change. He noted that this is the largest land use change the County has ever considered. See further details contained in the agenda report attached.

This land use change first came to the Board a couple of years ago and was approved in a slightly different manner. It was withdrawn at the adoption stage.

It is noted here that there were no comments from DCA in the ORC report.

Chair Dixon called for the applicant or representative to come forward. There was no response.

He then called for comments from the public. There was no response.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE ORDINANCE AS DESCRIBED ABOVE.

15. Public Hearing - Stodard II Comprehensive Plan Amendment (CPA 2005-14) Major Scale Land Use Amendment Changing 27.21 acres from AG3 to RR

Owner: Darrell and Rhonda Stodard

Applicant: Matthew Parker, Representative

Location: South side of McCall Bridge Road and east side of Lakeview Point Road; southeast side of the intersection of these two roads

TAX ID: 4-25-1N-4W-0000-00340-0100

Type of Hearing: Quasi-legislative

Planning Commission Recommendation: Approval based on the findings as listed in the agenda report attached.

Staff Recommendation: Approval based on the findings as listed in the agenda report attached.

DCA ORC Concerns: Noted in the agenda report. (The staff is in the process of preparing a response to the ORC report.)

Mr. McCord gave a brief description of the proposed amendment. This property is adjacent to the Highlands at Lake Talquin. It is the south portion of a larger parcel of land which the applicant changed last year from commercial to rural residential. They would also like to include the remainder of their parcel within the rural residential land use classification so that it can be included in their subdivision which they are proposing.

Chair Dixon called for the applicant.

Matthew Parker addressed the Board to answer questions. He gave a brief historical description of the proposed development. He said they are proposing to install sidewalks all along Lakeview Point and internal to the subdivision at the request of the Commission. The proposed subdivision will include site built homes deed restricted to a minimum of 1200 sq. ft.

As to the DCA ORC report, Mr. Parker stated, "In the years that I have done this, this is probably the strangest work that I have seen from them. I have never seen such a disingenuous review of a document. There were clearly things that were stated in our submittal and others that DCA commented on as if they did not read it. We have completed soil borings by an independent geotechnical for storm water design and roadway design and we have also completed the Department of Health borings. We found the parcel to be suitable for septic and to be a good storm water perk for our storm water system."

Chair Dixon then called for public comments. There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE ORDINANCE.

16. Public Hearing - Schnepf Comprehensive Plan Amendment (CPA 2005-17) Major Land Use Amendment changing 86.37 from AG2 to RR

Owner: Clifford J. Schnepf

Applicant: Elva Peppers, Representative

Location: East side of SR 267 (Bainbridge Highway), north of Salter Road and south of Old Philadelphia Church Road (CR 272) just north of and adjacent to the Wildflower land use

amendment

Type of Hearing: Quasi-Legislative

TAX ID: 2-25-3N-4W-0000-00320-0000 AND 2-25-3N-4W-0000-00331-0000

Planning Commission Recommendation: Approval based on findings listed in the attached agenda report.

Staff Recommendation: Approval based on findings listed in the attached agenda report.

Mr. McCord gave a brief overview of the project as described in the agenda report attached. He added that there have been no assurances on this property as to how the property would be developed or what type of utilities would be provided. He said that if the Wildflower property develops ahead of this property, this property would be contiguous and be within a quarter of a mile of an existing water line and they would be required to extend water. However, there is a Talquin water line that lies about 1 mile north of this site and water could possibly be extended from Talquin.

Vice-Chair Holt called for the applicant.

Elva Peppers addressed the Board as the representative. She said, "This piece of property is just north of the Wildflower amendment. There are about 6.5 acres of wetlands. There are some slopes on the property, but, if it goes to subdivision, those environmental issues will be avoided. The water, as Mr. McCord said, either from the City of Quincy or from Talquin. Worst-case scenario would be private wells, but then there would be the restriction of clustering. You could not cluster. That is only if those lines are not extended.

Just a little comment about what Mr. Parker said about the DCA ORC Report. I, too, was taken aback by the report that was received on these. I have never seen one the way this one was written either. I just wanted to let you know that I felt the same way. In every one of our applications, we put soil data with maps. It lists the soils, it described the soil and that one item in particular, for them to just say "they are not suitable" blanket statement on every project was a little odd. So, I just wanted to let you know that the report itself was a little different."

She affirmed that the homes would only be site built homes.

Commissioner Watson asked Mr. McCord, "What does DCA

consider, what is their definition of urban sprawl?"

Mr. McCord responded, "Generally, the idea is unregulated development that is not physically contiguous to other similar types of development. The term that is used in our comp plan is "leap-frog" or "scattered pattern." If you think that rural residential is sprawl or is consistent with sprawl and perhaps DCA does. Then, if you look at our land use map of the county as a whole, then it is a classic example of encouraging sprawl. This is something that I have been trying to get to ya'll in previous meetings. This is something that we need to take a serious look at - this land use map - because it is very inappropriate in many cases to have rural residential to look like somebody just threw a paint can at it and just wherever it landed is what it looks like. Some of those areas are appropriate and some are not. But, that is generally what they are concerned about. Providing what they called higher density in areas where there is no infrastructure of any sort available."

Commissioner Watson asked, "With some of these future meetings that we are going to have recommend getting away from rural residential in some of these sprawled areas?"

Mr. McCord replied, "Most certainly. That is what I have mentioned in the past. This is going to be a tough decision for ya'll to make because it is going to essentially take somebody's development rights that they have now at perhaps 1:1 and bust it down to 1:10. But, then on the other hand, for somebody who has a water line in front of their house and has very good soils or even a sewer line and give them rights that perhaps they don't have now. It may give them 1:1 where they may be AG3 now. So, it will totally, and we are looking at a lot of detailed layers. We are looking at soil types, location of existing and the size of water lines that are out there, natural features, flood plains, wetlands, all of these layers that were not available in detail descriptions and spatially. We now have all these data and we can reconfigure the map, if you will, to represent not only what is already out there and what we would want to encourage, but, even what is out there that we do not want to encourage anymore. There are many places out there in the middle of nowhere that have one-acre lots that have been created - whether it is family or some other way that should not have been done that way knowing what we know today. So, yes, there could be a whole big change to this map. That is going to be real tough. That is going to be

tougher on ya'll than us. It is going to be more fun for us."

Watson:

I know that this Board has never gone in that direction since I have been on it. We have never gone from more dense to less dense. My question for the attorney or anybody, Have other parts of the State done that?

McCord:

Yes, they have, particularly in coastal areas.

Watson:

Has it withstood? Is there a "taking" issue there?

Williams:

I am not sure. But, when we get to that point, we will look at it and we will look at it closely as we have done on other issues.

Chair Dixon called for public comments. There was no response.

Commissioner Holt asked if they would be willing to get their water from the City of Quincy if the other development gets water from them.

Ms. Peppers answered affirmatively.

Commissioner Holt asked them to have some kind of commitment for central water before the project comes back for the second reading.

Ms. Peppers said that they already have a letter of commitment from Talquin in the event the City of Quincy will not commit to extend the lines. However, the Wildflower Subdivision, which lies north of this proposed site, already has a commitment from the City of Quincy to extend the lines. She felt it would not be a problem to get the same commitment.

Chair Dixon:

I do this simply because we are talking about densities. I know that we have to let some go that are already in the system, basically. But, we have found a starting place to start looking at new development. It is going to come fast and come heavy. But, I think that we have a framework in

place to handle it. That is going to be the big problem - just handling it. A lot of rural folk don't want major subdivisions coming up beside them. So,

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0 , BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE ORDINANCE FOR THE SCHNEPF COMP PLAN AMENDMENT CONTINGENT ON A COMMITMENT FOR CENTRAL WATER AND SITE BUILT HOMES.

17. Public Hearing - Mortham-Shaw Comprehensive Plan Amendment (CPA 2005-18) Major Land Use Amendment changing 325.57 acres from AG2 and AG3 to RR

Owner: C.R. Shaw III et.al and Rebecca Shaw

Applicant: Florida Environmental & Land Services, Inc.

Location: North side and south side of Soloman Dairy Road (CR 268) approximately 203 miles northwest of Quincy. It is bordered to the west by the Farms of Quincy Subdivision and to the south by the Golf Club of Quincy.

Type of Hearing: Quasi-legislative

McCord:

Similar to the other ones, this is quasi-legislative and is a large-scale amendment to change the land use on a 376-acre parcel of land, 365, I believe, acres of land.

As you recall, there is a site-specific condition that ya'll applied to this one. In that case, the development, even though they are requesting rural residential land use, that there is going to be a site specific condition that ya'll approved at the transmittal hearing that essentially no more than one unit per two acres can be developed on the property. So, they are going to be limited to 160 units on the total property, which is generally 2-acre lots, which is much larger than the rural residential land use classification and more in line with some of the lot size patterns that you have at the adjacent Farms of Quincy. So, that, in itself, essentially just reduced the density on the properties by half. Now, they might be able to cluster down to as small as two acre lots so they could be able to put most of their development down in the higher portions of the property and then preserve other properties so that the northerly portions or other areas where there are streams and wetlands and so forth will be in common areas. Of course, with the two-acre lot that they will be providing, then you are looking at less concern about the density of

septic tanks on the property.

Water is within one quarter of a mile of the site. Water lines will be required to be extended. The water line extends down to the intersection of Glory Road and Hardaway Highway. So, they will simply extend that line and then develop lines within the area.

DCA provided us with an ORC report as well with this application. We are responding to that ORC Report.

This is a public hearing and it is open to the public on this.

Staff is recommending approval. The Board has recommended approval and transmitted this with a site-specific condition and if this Board approves this at this first reading, then it will be heard at a second reading on the 25th. Again, the staff recommendation is for approval with the site-specific condition.

Chair Dixon:

Will the representative come forward.

Peppers:

Elva Peppers with Florida Environmental & Land Services. I actually had a question for Mr. McCord because a little bit of what he said, I didn't recall as being what was specifically agreed to in that the Mortham Shaw amendment. What I recall being the agreement was the stipulation that there would be a maximum of 160 lots on the property. But, I don't believe that there was a stipulation attached to it that the lots had to be a minimum of two acres. So, I don't know if you can.

There was?

Are you looking at the minutes, Bill?

Watson:

I remember stating it myself. I mean, I specifically remember saying it. It was in my motion, I think.

McCord:

Yeah.

Williams:

It is on page 11 of the minutes at the bottom. It is a part of the motion.

Chair Dixon:

Do you want to read it for us so that those people who don't have it can hear it. Mr. Attorney, will you?

Williams:

It reads as follows: Upon motion by Commissioner Watson and second by Commissioner Price, the board voted 4 - 1, by voice vote, to approve the land use change to rural residential with the stipulation that it will be developed with 160 lots on this parcel site specific parcel and they are to be developed as close to two acres as possible."

Peppers:

O.K. I just didn't remember it that way.

Well, this piece of property is about 320 acres, 160 lots, and water by Talquin with septic tanks for sewage treatment.

Does anyone have questions?

Dixon:

You are getting shorter and shorter.

Peppers:

You requested that at the beginning of the meeting.

Dixon:

If Are there those to speak for or against, please come forward.

Grant:

Billy Don Grant. We went through all of this back in December, so, I don't if I can just say, - Can you take my last minutes and submit it into these minutes or not. That will probably be easier.

Dixon:

Do you just want to give us the gist of those minutes?

Grant:

I own the Golf Club of Quincy here and I also have a home here south of this property. I might have misunderstood Mr. McCord, but, I believe he said that it is possible for them to do clustering at the bottom, but, that was done away with

by the 1:2 that ya'll approved. I think we were all hoping for a 1:5 and no clustering out there in the area. Not to have it shrunk down land size and not to have clustered in the south part.

Basically, everything is still the same as what I said at the last meeting and what I said at Planning and Zoning. I am totally against this. I don't think the area is ready for this yet.

Dixon:

Thank you. Will there be others?

Lasley:

Marion Lasley. I'm not going to tell you that the map is incorrect in the paper. The map is a picture of the Highlands. This area needs to be the first on the list for sewer extension. I am not sure how it is going to happen, but it needs to happen.

Dixon:

Repeat what you said for me.

Lasley:

It needs to be first on the list for sewer extension somehow. This has to be part of the visioning process. This is also, I believe, the property that drains into Quincy Creek. I just want to make sure that the attorney verifies that the County is protected on those issues that might come up with that should this development goes forward. So that we are not liable for anything in the future.

Thank you.

Poppell:

Ed Poppell. I am adjacent to the property and adjacent to Mr. Grant's property. I am against this, too. I would like to see it 1:5 mainly because of the septic tank systems and the septic tank problems and the slope on the property.

I would like to ask - How many of you have been out and looked at the property? Have all of you commissioners been out and just actually been out and looked at any of these properties? I know Mr. Watson has because he has lived out there all of his life. I appreciate you trying to get the 1:2 acres. I remember you saying that, too. I was part of the record. But, I would also like to know how to get a

copy of the last minutes? Is this meeting under the sunshine law? We have asked a couple of times for the minutes to the meeting and couldn't get them, so?

Straughn:

They are on the web site.

Poppell:

You have a web site with the minutes on there? O.K.

Ken, when you get that back up, I think you had it upside down before, too, by the way. O.K.

The drainage from those septic tanks is going to be a problem even on the north side. Where that little submerged - where that little pond was - it was dried up - there was a permanent drainage put in there, so it is going to drain up underneath 268 and come right down into Quincy Creek. I hope somebody went out and looked at it.

I would like to thank Ms. Lasley for her efforts to make the pleas to the public and the citizens of the County. Our questions should be, when any of these issues come up, "What is in the best interest of the public, of the citizens of the County?" I hope you are asking yourselves that question on everyone of these things that come up.

I have seen some change in the meetings and I would like to commend you for those changes that I have seen tonight. I think this is some "leap-frogging" and I think this is some urban sprawl. We are by-passing some lands right here in Quincy that could be developed. I see some apartments going up right behind Winn Dixie.

Frankly, all of these lands that are being developed and all these parcels that are being bought up and are getting ready to be built - Where are all these people going to come from that are going to fill these things up? I don't see it.

It looks like we have just one or two developers going out finding all these parcels that are zoned agricultural and they say let's just bring them in here and get these things changed and get us some rural residential out here in the middle of nowhere and we can make a lot of money. That is what appears to be what is going on to me. So, I just ask you to take a good hard look at it.

Dixon:

Thank you, Mr. Poppell.

D'Entremont:

Good evening, Commissioners. I am Cindy D'Entremont. I am the president of the Homeowners Association for the Farms at Quincy. It is 145 acres directly west and continues to this property which is suggested for a land use amendment. I also testified against this last November 15 when it came before you last time when you came up with the two acre minimum. And that was a compromise that I was very much in favor of. I, too, have been unable to get a copy of the minutes of that meeting and have asked several times for them. I am glad to know there is a web site, but, I need to get that so that we can get those out.

For the same reasons that I set forth last time, they are equally valid today. Very briefly, I will touch on them.

The first is water. The fact that you are going to have septic systems out there is a really big problem. There is a lot of water at the north end of that property. The water shed flows directly into the Interlocking Lakes area which has been proposed to be future water use for the City of Quincy. I understand that the City of Quincy, that for the foreseeable future, they will continue to use the wells that are up north toward the City of Chattahoochee and probably will not use this. But, it would be a fine mess if that was all polluted when they decide they might need it. So, that is a very large issue.

Then we have the issue of the road, the traffic. All those new homes with an average of two cars per household is going to create a very large traffic concern. You can see from the map that as you are turning into that area, there is an "S" turn. I am speaking specifically right now of 268. As you come into that "S" turn, there is proposed, and I understand that the plat that we got from the developer is not the official plat, but, at least it is an idea of how they are going to move traffic into and out of the area, and they have already, of course that can change, but, there is already some preliminary access roads that are pointing in there. But, as you are coming from Quincy out to the Farms going west, as you first get into that area, there is a drive way to the north side, then you go into the middle of that "S" turn, there is another road coming out of the north side onto 268 directly across from another road entering

from the south side. So, you actually have an intersection right there in the very middle of that "S" turn. Then, as you continue on west, there is one last road coming out from the south side. So, there are a total of four roads proposed by their documentation that enter into that "S" turn that is currently a two lane road.

It was suggested last time that "Oh, we can widen the road there." Well, maybe you can widen the road there, you can put in a turning lane or whatever it takes, but, again, you still have a lot of traffic and it is a very bad area and the visibility is not great. I don't understand how DOT would allow such a thing. But, anyway.

The third thing is schools. Right now, the currently student capacity for the public schools that support that area are running between 69% and 112% of capacity. And, these numbers I got from the Gadsden County School District. These numbers, truthfully, are the ones I got last November. I haven't check with them again, but I can't believe that they have improved greatly. As time goes on, all the rest of the growth that we've got anticipated, up to and including High Hopes Farms, which you have approved 1100 acres just north of the Farms on Glory Road, which is 379A, which is going to have tentatively 281 homes. That is a lot of capacity in the schools.

The last is density. We have discussed that at great length. But, I do have a clarification I need to ask of Mr. McCord.

When you introduced this tonight, you said something about 370 acres. What is the actual acreage of this parcel that they are trying to change?

McCord:

Let met get the site specific policy that we proposed. Let's pop it up there. I want to read that because it describes it.

D'Entremont:

I am talking about the gross amount of land.

Dixon:

325.57 acres.

D'Entremont:

O.K. Then I guess I misheard because I thought you said 372. That is the number that was on the last set of documentation from this committee and the owners. So it is still 326, but because of the wetlands they have set aside a portion of that and they are talking about 305 acres which will be the developed portion.

These people come before you and they give you all these good ideas and they promise these promises and you make your decisions based upon all of the (inaudible) loopholes that they have to go and everything. My concern is these approvals are being given and in some cases, I think that there are some false pretenses here. Because in the case of High Hopes farms, that very night that one of the principles, Mr. Graves Williams, stood up here and talked about how he wasn't going to encourage something to be built that might deter from the area, because he is an immediate neighbor, and he talked about this project as his own. The week before, he had already attended a closing whereby he divested himself of his interest of that. So, any promises or any statements that he made were no longer valid. And it has come to my attention that this particular issue is equally the same. Because you are talking about 326 or 305 acres, however you want to do, I know for a fact that the north 104 acres of that has been sold to Mr. Fred Harris who stood up here at the last meeting in November and said that he is in favor of this plan. He owns 300 acres contiguous again to the east side of this. He thought it would be a fine thing, he wasn't worried about it.

He is the president of the Habitat for Humanity for Leon County. He has bought 130 acres and he has told myself as well as other residents out at the farms, that his purpose for doing this is to put it in conservation.

Now, if you are going to approve this which includes this land, cause I have spoken with him about this, and he has said that he is going leave this 130 acres in this development proposition that has been put before you, that if he is, in fact, holding it for conservation, he won't want homes to be built on it, because he's got the northern part where most of the water sheds into the wetlands anyway. But, if you take the 130 acres out of the calculation, you end up with 196 or 194 acres that can be built on. I don't see how they are going to be able to put 160 houses in that, especially running by the 2 acres per house. That is something that is going to have to be worked out. But, the

point is, local people come in, they pitch their best story to you, you honor their wishes, you grant them this license, then they turn around and sell it. I understand the business side of it and it is making money. It is making money for a few, but not for many. But, we will all suffer for this because we are losing. The County is sprawling all out.

I am so glad that you did the moratorium. I concur wholehearted with Mr. Ganus that this moratorium needs to be extended. I bet you dollars to donuts, that you are going to have a bucket load of stuff in two months. People have just been waiting for that six month deadline to go by. And, you've got more that you can handle right now. We are hitting and trying to fix everything with a shotgun and it is not working. It is scattered everywhere and there is no consistency.

Anyway, I am most definitely against this and I really think that when people come up here and propose something, they ought to be part of it and they ought to stand through the course of it.

Thank you for your time.

Dixon:

Thank you.

Mortham:

Commissioners, Allen Mortham. I am the property owner. Couple of things need to be addressed. For one, Fred Harris, he absolutely has purchased the 130 acres on the northern portion of this project. I spoke to him as early as 10:30 this morning as to his conversation with (I don't even remember her name) but, he is absolutely staying on with the project. He is in favor of the project. He had a Habitat for Humanity meeting tonight in Tallahassee and could not make it here. But, again, the issue with Fred Harris is mute. He spoke previously and said that he was in favor of the project. I think that his future use of the property will be more so as a conservation. That makes sense. If you look at it, it is the northern 130 acres and if you look at that creek line, about right where that is at there, that would delineate that 130 acres. It is the furthest from the road and would require an exorbitant amount of infrastructure and quite honestly, it was worth more to him than it was to me. It makes sense.

Dixon:

Mr. Mortham, we are not really interested in who owns the property. We've got a lot of things on our agenda tonight.

Mortham:

Absolutely. The other thing that I feel like I do need to address is the lot count. When he read the lot count, and I think Bill has the actual stipulation up there, what we agreed to was 160 single family units, the average lot size which would be two acres. That is to my understanding what we agreed to. I don't think that we ever agreed to a bare minimum two acre lot. We never said that we weren't going to any clustering on this particular project. There is no way to make any project out there with paved roads and even doing septic tanks viable if I've got to do two acre lots. This stuff along the road, the stuff on the southern side of the road. It was absolutely, positively planned to be smaller than two acres. The average lot size will most certainly be two acres, which is what we agreed to. But, I don't think that you will find in any of the minutes that we agreed to not cluster or to an absolute minimum of two acres. The project is totally unviable at that point. So, I would like to try and clarify that. I think that is pretty much what it says. That the average lot size shall consist of lots of approximately two acres. That is what we agreed to. The bare minimum black and white two acres, no.

Dixon:

We will clarify it.

Watson:

I think that Mrs. Cindy's concern was, if I am, because Mr. Harris is going to take the 130 acres, her concern was that she didn't want the density that would have been in that area moved down to the remaining property. That can't happen.

Mortham:

The agreement that I had with Mr. Harris is that on the entire piece of property were allocated 160 lots. As of right now, my agreement with him is that he gets 59 of those lots. I get 101. If he puts that in conservation, you just totally blacked out 59 of those lots. So, on the remaining property, you would only have 100 lots. That is why I am saying that it is totally unviable for me to say 59 lots just got black lined and now we are going to be a two acre

minimum, it is just a totally unviable project at that point.

Watson:

But, that is what we agreed. That is what we intended that night. I remember saying, scattered throughout the property.

Mortham:

Sure, yeah, the average lot size would be two acres.

Watson:

I meant that each house would be sitting on two acres. That is what I meant when I made my motion. I think that is what we all understood. I think that was pretty apparent.

Mortham:

I think that when he read it, it said that it would be as close to two acres as possible. Did it not say that in the minutes when he just read them?

I can't just tell you. I am not going to sit here and lie to you and tell you that I am going to do all two acre lots. I can't bring a project to you that will be remotely viable at two acre lots. I mean, I've got to pave those roads, I've got to put in sidewalks according to Mr. McCord.

Dixon:

Mr. Mortham, we have your words here and you do say that you would have a problem with a minimum of two acres per lot, but you would agree to as close to two acres as possible.

Mortham:

And we will try to do that. I am not going to sit here and tell you, it would be disingenuous of me to say that they are all going to be two acres, because that is not my plan. When I come to you at conceptual plat and it doesn't look like that, I don't want you to say you never said that.

Watson:

But, you don't have plans to come in here with clustered lots of ½ acres, I hope.

Mortham:

No. We do not.

Watson:

I hope not even a one acre.

Mortham:

Possibly along the paved road of the golf course.

Watson:

That is specifically what we wanted to get away from with this project. That was Mr. Grant's concern. When the compromise, let's say, tried to give you close to the density that you requesting of trying to satisfy the clustering along the highway concern, too. That is where the 1:2 came in.

Mortham:

That is where I am saying, that when you get off the highway, that we would be into probably a five acre category, where the lots will be five acres and the further back you get, the bigger they may be. But, I have to make the project financially viable and the only way to do that is, you know, along Soloman Dairy Road, to have some smaller lots that when I go through and put linear feet of asphalt down, I can get some decent number of lots. On a two acre lot, if the lot becomes 250 feet wide, I think that it is generally accepted that at \$275 a foot times 250-300 ft. wide, that lot just became a \$140,000 lot. How many of those in Quincy have sold recently? Not many.

So, to make it remotely possible, yes - 160 lots; yes - we will try to keep it as much a rural community as possible, but those lots that are going to be what I would consider to be the high dollar lots, are going to be smaller lots. It is just the way it is. We are going to try to have an affordable housing component in this. How do I do an affordable housing component in this if my cost in the lot is \$80,000 - \$90,000? It is fiscally not possible. So, while I am trying to stay with what was agreed to - 160 lots - and my comments were that I can't agree to a black and white line. I will do everything I can. You are going to get to look at this again when I bring a plat. I would certainly expect that if I brought you a plat that showed 100 lots within 100 yards from the road, then you would probably say, "You are crazy."

But, at the same time, there has to be some type of project liability here.

Williams:

Chair and Commissioners, just for guidance, when I read this, it seems to me that he expressed a concern and the motion by Commissioner Watson seems to want to give him the opportunity to present something back to you to look at the appropriate time and determine whether or not he got as close to two acres as possible. It is pretty clear in the motion. It says as close to two acres as possible. He has got to submit something to you to review and at that time, make a determination to see if he has achieved what you have in the motion. It seems that the motion was trying to balance the interest. So, until he comes back and submits a preliminary plat, then you have an opportunity whether he complied with the motion. I don't know if it is appropriate for you to reconsider the motion at this time. The directions were pretty clear. He, from what I recall, agreed to those conditions of as close to two acres as possible. So, as guidance, I think it may be appropriate to allow him to go forward. If, at that point, he does not achieve what was outlined in the motion, I think it presents a point of order for discussion.

Watson:

I think I made it pretty clear by my comments that night, though, that I intended the density to be spread out throughout the property and not clustering along the highway with five acre lots on the backside. I don't think this motion that I made is in agreement with what he just said - One acre lots along the highway and five acre lots along the back. I don't think my motion reflects that.

Williams:

I don't think it does either.

Watson:

When I made that motion, my intent was and I think I made it pretty clear that night, I intended for the density to be spread out over all of the property - not just in front of the highway. What you just stated, your intent is to cluster on the highway.

Mortham:

To some extent. Not to the extent permissible by law. I am not trying to say that permissible by law within the 1:1 rural residential would be ½ acres. That is not what we are trying to do here. But, to some extent, yes.

Watson:

But, the discussion that night and the reason for the quote "compromise" was to give you the number of lots. But, to satisfy the neighbors concerns about the clustering along the highway.

Mortham:

I don't recall it that way. However, I can't, I don't have insight as to what your intent was, but if you say that is what it was, then, that is what it is.

Dixon:

Mr. Mortham, let me make it very clear for you. You are not going to walk out of here with a yes tonight, unless you figure out how to.

Mortham:

Oh, I understand. And, as to what your county attorney said, I think that the appropriate time is when I submit a conceptual plat. If you don't believe that I have submitted to you a conceptual plat that fulfills what his intent was, I would expect you to deny it.

Dixon:

You can count on it.

Mortham:

That seems fair. I will do my best, to the extent possible, to get to those two acres. That will be a judgment call on this commission.

Dixon:

Do you have a rebuttal, Mr. Grant?

Grant:

Yes, sir. This will be short. I think, Commissioners and counselor, that maybe ya'll should look at this a little further. But, I think what Mr. Watson said was (trying to make everything compromise, because he came out with it himself) one per two acres. Where the close to as possible came in was when they started talking about roads and sidewalks. There is an area in there where the two acres include the roads and sidewalks or is the two acres outside the roads and sidewalks. So, I think that now is the best time to look maybe at another page or two and see what else was conversed in this to get down closer to what really discussion was made four or five months ago or however long ago it has been.

Also, do we have a traffic count, Mr. McCord on that road recently?

McCord:

Yeah, as a matter of fact, I just got some traffic counts in today from the RPC.

Grant:

You don't remember roughly?

McCord:

I didn't look through the material.

Dixon:

It is not near capacity. It is probably an "A" or "B."

McCord:

The summary in the report that we had is that we have no roads operating at below the adopted level of service. My guess that this one is operating at level service "A" like most of them are.

Dixon:

Commissioners, I am inclined to look at it. We can turn him down if it doesn't look at it. The language does say approximately (inaudible). What is the will of the Board.

McCord:

I just want to point out that in the adoption ordinance, it is as we discussed before, this site specific condition. The way that is worded is important in how we would enforce it at the time of some development review request if you approve this. We are going to look at this specific policy and unless you want to change this to provide that greater flexibility in lot sizing and clustering and whatever the term is that you want to use, then you are going to be bound by that policy which talks about lot sizes of two acres each. So, we would need to change that language if you want to allow for that clustering option or variety of lot sizes, if you will. You can still keep it at 160 lots which will be roughly a density of 1 unit per 2.2 acres. The way it is written now, is that those 160 lots would all be two acre lots, roughly as opposed to allowing something as small as ½ acre which is allowed in rural residential and then of course, come may be up to 5 acres or whatever.

Dixon:

I don't think it was the intent was to allow half acres. I think the intent was to allow him the opportunity to present us something as close to two acres as possible.

McCord:

Well, this is pretty specific site policy. It is a site specific policy which limits it to two acres. So, if you want to allow him to have some lots at 1.5 acres, you might want to establish a range that he would be allowed to have on these parcels of land. You might want to go down to 1.5 acres perhaps or even 1 acre. Right now, it is 2 acre lots.

Dixon:

I am comfortable with as close to two acres as possible.

McCord:

But, again, you are bound by the policy that you adopt. If it is under two acres, then you can't go to 1.5 acres later on without a land use change.

Mortham:

I am just - if there are any additional questions, but the other thing that I would point out is that when we brought this to you originally, it was 291. We mitigated that down significantly to try and placate some of the neighbors. Some of which, I believe, are disingenuous at best.

Dixon:

Mr. Mortham, we are aware of the compromise that you made.

Mortham:

I am trying to work with everybody involved. That is all I am trying to say.

Dixon:

Thank you very much.

Commissioners?

Watson:

Just to make sure, now, Mr. Chairman. We are going to rural residential with this site specific stipulation that the lots are two acres.

McCord:

That is the way I read it.

Dixon:

That is the way it is written.

Watson:

I MOVE APPROVAL.

Dixon:

We have a motion for approval as written.

Is there a second?

Holt:

SECOND.

I have a question, though. Is that with him bringing it back with as close as two acres as he can?

Dixon:

No, that is with two acres minimum.

Commissioners, I am inclined, simply because he did give up a lot of potential rights. Potential rights I say because it is still up to this board to give it to him. But, he voluntarily walked away from them. I would like to find a way to give the two acres or less flexibility with the understanding (I think he clearly understands) that we don't want to see half acre lots up in here or clustering that gets you to half acre lots. But, I don't want to lock in at two. I don't know how to get there. Mr. McCord, can you give me some help here.

McCord:

I'm helping. I'm helping.

Dixon:

I don't know because I don't want

Price:

So, he won't know until he gets to that point?

Dixon:

We've got to have something in the ordinance that will

McCord:

I don't know how far you want to go with this, but, if you want to provide that flexibility, if that is the way you

want to lean, you can stipulate that in certain areas of the property, that they will be allowed to have lots of less than two acres. Certainly, we can limit it. I think we have come to agreement that 160 lots on the acreage is what is agreed upon. But, then you may want to say that any lots of less than two acres, you would allow lots between one acre and two acre but only, let's say, on the south side of the road or adjacent to certain areas, some of these lots over here, to 1.5 to 2 acres, but you would not allow anything less than 2 acres back in here or perhaps in other areas. You can get real detailed if you want to. It certainly ties the hands of the applicant, but it might be enough to sway him to agree to

Dixon:

Give me something that addresses Mr. Watson's concern about the clustering along the frontage.

McCord:

Well, we would not allow any lots to be platted where driveways would enter onto and from the street. Only roadways, public or private roadways. So, you are not going to get a number of driveways up and down the roadway. But, I don't think that was the intent even with the 300 some odd lots that they had indicated. But, what you could do is have limited locations, probably one or two, depending on the number of lots they would put in there, access points, and then of course, you would back lots up to the golf course which probably is very desirable. And you might have smaller lots adjacent to the golf course away from the wetland areas, perhaps. There is a little creek that runs back up into that area. So, you could have some larger lots adjacent to that creek. And lots would back up, the back yards would be to the roadway. Perhaps those lots could be smaller. $\frac{3}{4}$ or 1 acre or whatever.

But, then you get up here with those large lots that are 4 - 5 acres, even though they are in rural residential, you might want to limit those to 2.5 to 3 acres. Anywhere you have environmentally sensitive lands or you are adjacent to environmentally sensitive lands, you might want larger lot sizes. In areas where it is high and dry, you might want to put up with smaller lot sizes. But, either way, we would be limited to no more than 160 lots and you can create whatever range you want to.

Dixon:

Is there a simpler way to get out of this?

McCord:

Probably not.

Holt:

Mr. Chairman, may I? I want to ask a question about that. So, you are saying if it is an average two lots, and you look at it, you have more options as to where to put those lots than you would if you cut the property up and all two lots. Or, are we looking at something that is less invasive to the people that are concerned if we did an average instead of two lots. Is that what you are saying?

McCord:

You could. You certainly could. I don't know what the position of all of these people are here who have developed property adjacent to this site. I don't know what their concerns might be. My guess is that they would prefer a lot no smaller than what they have. Hopefully, they would not require a lot size larger than what they have. But, the only other process is, particularly in this area down here next to the golf course where you don't really have neighbors, immediate neighbors, that you might be able to entertain smaller lots. That is also being closer to the highway as opposed to the back area where you would want larger lots.

The crux of this issue now is whether you want to tolerate some sort of clustering and what minimum size lot do you want with that clustering.

Williams:

Mr. Chairman and commissioners, you are right back to where you were before if you do that. You are basically doing a new ordinance. You can do that obviously, but, it kind of takes the process and turns it around.

Watson:

The question is, do you want the minimum two-acre lots as is here, or do you want to say average? To me, that is the decision to be made here tonight. The motion is two acre minimum.

Dixon:

The motion is two-acre minimum.

Watson:

Right. To get to where you wanted to go, you would say an average of two acres. That is not what was discussed and agreed to, I believe, on November 15.

Holt:

But, what I wanted to say is - If we go two acres, and I don't have a problem with it, but, what happens when you don't have the flexibility to move those homes as you would if you just say two acres. When you cut that property up into two-acre lots, you don't really have the option to move those homes back on this side or that side. There is no flexibility in moving that arrangement around. Even the neighbors are saying, they may say, O.K. I don't really want this, and this isn't necessarily their choice, but, you have no say-so then. You cut it up into two acre lots, there are two acre lots all over everywhere. Where you are looking at, you may have some flexibility in how you do the development if you have an average. So, you may end up getting something you really don't want if you stay staunch at two acres.

Dixon:

Let me just bring this to a head and by doing that, what I really would like to do is offer an amendment to the motion that is on the table. I hope it is friendly. Instead of saying "minimum" of two-acre lot size, we say "average" lot size and let that go forward with the understanding from the developer that we are looking - I think he gets what we are looking for - to see in a plat that comes before this Board. If, at that point, we don't like it, I will be the first one to make a motion to turn it down because I think we know what we are looking for. I want to give him some flexibility because I think that is what I heard in the last meeting. I offer that as an amended motion.

Holt:

If he will amend his motion, I will amend my second and we can look at it.

Watson:

It is not what I envisioned and agreed to in November.

Dixon:

Let me put it to a vote, the amended part of the motion.

Watson:

Why don't you carry the original motion first.

Holt:

I will withdraw my second.

Dixon:

Well, you do the amendment, if it passes, then you carry the motion.

The main motion is what Commissioner Watson says is the language that he believes was approved is a minimum of two acre lots. We have a motion and a second for that language. It is now put to a vote. All in favor of that motion, say "aye."

Watson, Lamb:

Aye

Dixon:

All opposed, say "Nay."

Dixon, Holt, Price:

Nay.

Dixon:

The motion fails.

Now, if one of you commissioners will offer the language that says "average" of two acres. If one of you will motion, I would appreciate it.

Price:

I offer a motion that says "average."

Dixon:

Can you have a second, please?

Holt:

I'll second it.

Dixon:

And it just says average, just to get it back before us.

Commissioner Watson, I know it doesn't -

Holt:

That is just to bring it back with a plan and that is it.

Mortham:

When I go back to the engineers, I am going to do everything I can to get you what you want the first time.

Williams:

Mr. Chairman, if you want to move that motion, I would recommend that you keep the language consistent with what you have which is "as close to two acres as possible." Only because it keeps you consistent with what the original motion was based on what the minutes show. And, if for some reason, it deviates significantly, you will have him at a higher standard than the "average." The average allows you to do real small lots and really big lots by using the term average. But, if you use the term "as close to two acres as possible" it drives the smaller lots bigger.

Dixon:

Will the motion maker so amend to as close to two acres as possible.

Watson:

So, we are really going back to the original.

Dixon:

The original language.

Holt:

What you had the first time.

Dixon:

But, that is not what is in the ordinance. Our problem is that it is not in the ordinance like that. The man says that the ordinance says "a minimum of two acres."

Watson:

We've got to adopt it as it is written.

Dixon:

That is the question about changing it.

McCord:

I would hope that you would not use "as close as possible."

Williams:

You are right. I wasn't thinking. You are actually right.

I wasn't thinking about the ordinance.

Watson:

You can't change the ordinance at this point and vote on a different ordinance. You've got to vote on the ordinance that was approved earlier, correct?

Dixon:

Everybody, stop.

Williams:

No, you can amend the ordinance on the first reading.

Dixon:

How shall we amend the ordinance to accomplish that goal?

Williams:

Mr. Chairman, can we continue this to the end of the meeting and maybe between the agenda items, Mr. McCord and I can get together and come up with some language. Keep it on the agenda, but give us some time to work on some language.

Dixon:

Any member opposed to that?

If not, we will continue this to the end of the meeting. At the appropriate time, we will bring it back up again.

We will move on to the next issue. Let's take a five-minute break. We will come back in five minutes.

18. Public Hearing - Saranac Vineyards Comprehensive Plan Amendment (CPA 2005-19) Major Land Use Map Amendment changing 376 acres from AG3 to AG1

Owner: Saranac Vineyards LLC Gerald Dodd and Mark Penfield

Applicant/Representative: Creative Planning Group, Inc.

Location: east of Point Milligan Road (CR 161) and Jessica Lane, south of Salem Road (CR 159) and northeast of Chaff Chason Road in Township 3 North, Range 2 West, Sections 18 and 19

TAX ID: 2-18-3N-2W-0000-00320-0000; 2-19-3N-2W-0000-001230-0000-; 2-19-3N-2W-0000-00231-0000; AND ALL BUT THE WESTER 40 ACRES OF 2-18-2W-0000-00340-0000

Type of Hearing: Quasi-legislative

Planning Commission Recommendation: Approval based on the

findings as found in the attached agenda report.

Staff Recommendation: Approval based on the findings as found in the attached agenda report.

Mr. McCord gave a brief description of the above stated land use amendment. He said there was no ORC report issued on this project DCA. He noted that there is a private airport on the property.

Chair Dixon called for the applicant or representative to come forward.

Mark Penfield addressed the Board. He said that the entire parcel is 445 acres with a portion already designated AG1. He said that it is the intention to not have a lot of less than two acres.

Larry Ganus, who lives in the vicinity of this development, addressed the Board. He said that he and some of the other neighbors are concerned that the area will soon become a small town in the "not too distant future." He noted the leap-frog and scattered development. He called attention to Comp Plan Policy # 1.10.3 (scattered development); 1.10.12 (preserving the character of the neighborhood). He maintained that this proposed development is not in keeping with the character of the surrounding properties. He also contended that there is no demonstrated need for this land use change. He was opposed to the heavier density and asked that it be amended to AG2 instead of AG1.

Billy Don Grant was recognized for questions regarding the ability for clustering on the property and the size of the lots if clustering is allowed.

Mr. McCord stated, "You can cluster in AG1 down to two acres."

Commissioner Dixon stated, "I am looking at this and I know that I voted to approve it, but, there is nothing to suggest to me that this actually needs to be changed. This is the first one that just doesn't suggest to me that anything needs to be changed."

Commissioner Holt was recognized for questions of the developer.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER

HOLT, THE BOARD VOTED 4 - 1, BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE ABOVE STATED ORDINANCE. COMMISSIONER DIXON CAST THE LONE DISSENTING VOTE.

19. Public Hearing - Suber Comprehensive Plan Amendment (CPA 2005-21) Major Land Use Amendment changing 362 acres from AG3 to RR

Owner: Suber Family Trust

Applicant/Representative: Creative Planning Group, Inc.

Location: South side of US 90, south and east of the Pat Thomas Law Enforcement Academy and northwest of Lanier Road/US 90 intersection approximately three miles northwest of Midway in Township 2 North, Range 3 West, Section 25

Type of Hearing: Quasi-legislative

Planning Commission Recommendation: Approval based on findings found in the attached agenda report.

Staff Recommendation: Approval based on findings found in the attached agenda report.

TAX ID: 3-30-2N-2W-0000-00323-0100; 3-25-2N-3W-0000-00300-0000

Mr. McCord gave a brief description and history of the proposed project as outlined in the attached agenda report. He noted that DCA did issue some comments and concerns in the ORC report regarding the land use change. He said that he was in the process of responding to that report and the response would be available at the next meeting for this project. He noted that there is central water and sewer by Talquin adjacent to this property. The applicants will tap into those systems when development proceeds.

The applicant was not present.

Chair Dixon called for public comments.

Pamela Stephan was recognized for questions.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE ABOVE DESCRIBED ORDINANCE.

20. Public Hearing - Eakin Comprehensive Plan Amendment (CPA 2005-03 Small Scale Land Use Amendment changing 5.66 acres from AG3 to RR

Owner: John Eakin

Applicant/Representative: O. Sean Martin

Location: At the northeast corner of the intersection of McCall Bridge Road (CR 65C) and Bear Creek Road

TAX ID: 4-25-1N-4W-0000-00212-0100

Type of Hearing: Quasi-legislative

Planning Commissioner Recommendation: Approval based on the findings as described in the attached agenda report.

Staff Recommendation: Approval based on the findings as described in the attached agenda report.

Mr. McCord reported that this amendment was not part of the transmittal package sent to DCA. He described the project as detailed in the attached agenda report. He explained that the applicant would like to divide the property into two lots and sell the second lot to allow for two homes.

Mr. McCord noted that public hearing notice originally stated that the applicant proposed to have 47 lots. That information is erroneous. He emphasized that the applicant is only requesting two lots.

He called attention to correspondence from an area property owner stating that he doesn't object to the land use change if there will only be two houses on the property.

John Eakin addressed the Board. There was a cordial and humorous exchange of words between Mr. Eakin and Chair Dixon as this property is in close proximity to Chair Dixon's home.

Commissioner Watson asked for clarification that there will only be two lots on the parcel.

Mr. Eakin agreed that there would only be two lots.

Mr. McCord suggested that if Mr. Eakin is stipulating that there will be only two lots, the ordinance should contain language making it a site specific policy in the ordinance itself.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE ORDINANCE DESCRIBED ABOVE WITH THE UNDERSTANDING THAT THE BOARD WANTS TO CREATE A SITE SPECIFIC POLICY IN THE COMP PLAN IN WHICH NO MORE THAN TWO LOTS SHALL

BE CREATED FROM THIS SINGLE PARCEL WITH THE LAND USE AMENDMENT.

MORTHAM SHAW AMENDMENT REVISITED

Attorney Williams:

Chairman and Commissioners, the only way there seems to be for us to get the issues that we have before us so that we can move forward is this. I have talked to Mr. McCord and DCA has informed him that all of these items that were transmitted have to be approved tonight at the same time. So, we can't continue this item. The other issue is whether or not the developer can present something to you as a body that you are comfortable with. So, the recommendation that I have for you is this. On the policy, the site specific policy, strike the word "each" after the word "two acres." That keeps the general intent of the commission in place, but it does leave the developer some flexibility to bring something back to you at a later date. That is the recommendation that I can offer.

Dixon:

How should the motion read, Mr. Attorney?

Williams:

The motion should read "to modify the ordinance to strike the word "each" and prepare the revision for the second reading at the next meeting."

Dixon:

Will this get us to where we need to be?

Williams:

I think so. You may want to get testimony from the developer and maybe any other interested parties.

Dixon:

Does the developer or any one else want comment since we have something new before us?

Mr. Grant, please.

Grant:

Will you restate that as to how it is going to read?

Williams:

The way it reads right now, why don't I just cut through the

chase, "the average lot size shall consist of lots of approximately two acres each." And it goes on. What we are doing is taking the "each" out which will allow the developer to bring back a development that will give us flexibility. Then the Commission can then decide whether or not it is acceptable. If it says the word "each," then the lots, let's say 1.8, for instance, 1.7, you couldn't bring back a lot at that size. So, we are trying to give some flexibility. The problem is that the ordinance has to be passed tonight or it can't be continued to give them an opportunity to come back and bring something different for Mr. McCord. So, we are striking the word "each."

Dixon:

Ms. D'Entremont?

D'Entremont:

I just have one clarification I want to make.

By Mr. Mortham's own statement, that 60 lots, that 60 acres at the top is going to be, out of the 130 that has been purchased, 60 of that is to be set aside for conservation. How is that 60 acres going to enter into the computation of the average lot size? Will that be eliminated from it or a part of it?

Dixon:

That is not before us.

D'Entremont:

If you are using the word "average," that requires a computation. Is that the average of the whole two hundred or three hundred.

Dixon:

No, the average is for the entire parcel.

D'Entremont:

O.K. Which parcel? There is technically three parcels.

Dixon:

The parcel that we see as a whole which is inclusive of the three separate parcels.

D'Entremont:

So, you are saying then, that the conservation area is totally mute as far as the computation.

Thank you.

Poppell:

My only question is - Will the public have a chance to look at this plan before it is approved?

Dixon:

Yes, sir.

Mr. Grant?

Grant:

It really doesn't say average, does it?

McCord:

Yes, sir, it does.

Grant:

"Average lot size shall consist of lots of approximately two acres."

Dixon:

We are going to take that "each" out right there.

Grant:

But, you are going to leave "average" in. So, that is still clustering.

Dixon:

That is the flexibility. But, I think that he understands very clearly what we do not wish to see.

Grant:

So, we won't know until next week.

Williams:

No, it won't be next week. You won't know until he brings a preliminary design.

Grant:

Which will be the 25th?

McCord:

It may be a year or two. Who knows how long it will take. But, the people who got notice of this haring will also get notice of when the preliminary plat comes to us.

Poppell:

My name is Sue Poppell. How will the wetlands figure into the average?

Dixon:

Tell her how that works, Bill.

McCord:

The wetlands, in areas such as rural residential, wetlands, you take that acreage out. Then whatever you have left over as your upland area is the density that you get. So, if you have 400 acres of property and 200 of those acres is wetlands, then you get 200 one-acre lots. When you cluster, you can't use that to cluster. You can cluster in some other way and usually they do because you have other common open space and roadways, but you don't include wetland areas as part of your density. You don't get 400 lots clustered on 200 acres.

Dixon:

Other questions, comments, concerns?

If the motion as worded by the attorney is acceptable to the Board, the chair will entertain a motion.

Price:

So moved.

Dixon:

We have a motion, will there be a second?

Holt:

Second.

Dixon:

We have a second. Is there further discussion from the Board?

Watson:

That is just not what we agreed to last November.

Dixon:

All in favor, sign of "aye."

Dixon, Holt, Price & Lamb:

Aye.

Dixon:

Opposed?

Watson:

No.

Dixon:

Next issue please.

Ginger Kelly - Apalachee Center

Ms. Kelly stated that Apalachee Center is the public receiving facility for individuals who are Baker-acted or Marchmont-acted. In doing that, she explained that they operate a crisis stabilization unit as well as a detoxification unit. Both units are funded by the State and those funds require local match.

Ms. Kelly then stated that the Florida Legislature gave them additional funding to increase the number of beds from 18 to 28. That funding also requires additional local match.

She said that she had notified the BCC chairman of the additional required match as well as the county manager.

She said that the Board included in it's 2005/06 budget the increased match. However, at a meeting earlier in the year with the budget director, she learned that the additional match for the 2004/05 will not be met by the County.

She reminded the Board of the packets she provided to them at the July budget workshops which spell out the Statutes that require the local match as well as court issues that have determined that local match must be met by the local governing body.

She asked the Board for a definitive answer as to whether the local match will be met for the 2004/05.

OMB Director Davin Suggs stated that he did not dispute paying them the additional match if it is deemed that they should be paid. However, he was not certain that the Board could pay them for last year's services with the current year's money.

Chair Dixon asked Mr. Suggs to research the matter and bring

back a proposal to resolve the dilemma by the next meeting.

GENERAL BUSINESS

21. Authorization to Establish a New Planner I Position for Growth Management, Budget Amendment OMB-BA#060017, Resolution 2006-021

Mr. Brown explained that the Department of Growth Management was in dire need for an additional planner in addition to the one position which was authorized last November.

****THE BOARD VOTED 5 - 0 TO APPROVE AUTHORIZATION TO ESTABLISH A NEW PLANNER I POSITION FOR THE GROWTH MANAGEMENT DEPARTMENT.**

**The recording clerk did not hear a motion in the meeting or on the taped recording upon examination. However, the details attached with the agenda item in the agenda report included a resolution, budget amendment and authorization for the establishment of the position. It is assumed by the affirmative unanimous vote, it was clearly the intent of the Board to approve all of the items, even in the absence of a stated motion and second.

Commissioner Watson asked how the position will be funded.

Mr. Suggs replied, "If you remember, a few months ago, the Board voted to increase the EMS fees in early January or late December. The Board voted to increase the EMS fees. The EMS fund is currently subsidized with general fund monies. General fund monies also subsidize the planning department. So, with this unanticipated increase in EMS fees, what we are doing is reducing the subsidy to the EMS fund, and thereby - the fiscal impact of this position for the rest of the year is - ...We have now reduced the subsidy by a net amount of \$100,000. And so, what we have done as an agenda item is to provide the subsidy for this position from that money and then we put the remaining \$75,000 back into reserve for contingency in the general fund. If you remember, two months ago, we reduced the general fund reserve to pay for the jail doors. So, we have been able to restore some of that funding back to the reserve for contingency."

Approval to Add Victor Patel to an Existing Sewer Agreement with the City of Quincy, Talquin Electric, Gadsden County and Peter Patel

See the agenda report for details of this agenda item. The attorney was instructed to bring an agreement back to the Board for final approval.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, TO APPROVE AND EXECUTE THE ADDENDUM TO THE EXISITNG SEWER AGREEMENT WHEREBY THE COUNTY WILL PAY SYSTEM CHARGES ON BEHALF OF VICTOR PATEL UNDER THE SAME TERMS AND CONDITIONS GRANTED TO PETER PATEL.

Approval to Pursue Grant Funding from the Department of Community Affairs, Florida Communities Trust (FCT) Program to Acquire Property Owned by the Gadsden County School Board and to Request a "Willing Seller" Agreement from the Gadsden County School Board

Mr. Brown explained that the School Board was unable to use the first piece of property which it purchased for the citing of the West Gadsden High School and it has been put up for sale. (A grave site was discovered on the property which rendered it inappropriate for the use as they intended.) He went on to say that there has been some interest raised in that community in trying to preserve the site as well as developing some type of recreational use on a portion of it.

The Parks and Recreation Division asked the Board for the authority to do the following: 1) Approach the School Board and attempt to purchase the land. 2) Seek grant funding to acquire it. 3) Request a "Willing Seller" agreement from the School Board.

Attached to the request was a proposal to look at the possibility of building a regional multi-purpose shelter on the site which could be used in conjunction with the other proposed uses.

Mr. Brown recalled the presentation by Charles Chapman some months ago. At that time, Mr. Chapman presented a conceptual plan of a similar type shelter in Jupiter, FL. That facility serves as an evacuation shelter as well as recreation facility. He said there a number of agencies which provide this type of grant funding.

Commissioner Lamb asked if there would be opposition to building on the site since it is a grave site.

Mr. Brown explained that part of the plan would be to re-create the "back in the day" uses when those grave sites were initially placed there. The grave sites would be preserved.

Commissioner Watson questioned the accessibility to the site as an evacuation shelter.

Commissioner Holt pointed out that this site is in close proximity to I-10 which would make it desirable as a evacuation site. She said that she had talked with several commissioners from coastal counties who were looking for shelters close to but away from the interstate. Part of the evacuation strategy is to get people off the interstate and further inland to safe shelters. This site would be a good distance inland from the Interstate. The site could be accessed from SR 12 and from Flat Creek Road. It has been the past experience that evacuees have left the coast via Highway 65 and Highway 20 and I-10 into this area.

Chair Dixon commended the concept as being "very forward thinking."

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE AND AUTHORIZE THE STAF TO PURSUE GRANT FUNDING FROM THE STATE OF FLORDDA, DEPARTMENT OF COMMUNITIES TRUST PROGRAM TO ACQUIRE PROPERTY OWNED BY THE GADSDEN COUNTY SCHOOL BOARD AND TO SEEK A WILLING SELLER AGREEMENT FROM THE SCHOOL BOARD AS WELL. (THE COST TO THE COUNTY WOULD BE APPROXIMATELY \$5,000. FOR FINALIZING AND PRODUCING MAPS AND SURVEY, BUT THERE WOULD BE NO MATCH REQUIREMENT FOR THE GRANT TO PURCHASE THE LAND.)

Approval to Sponsor the First Place Winner of the Florida Commission on Human Relations "One World, Many Neighbors" Poster Contest in Recognition of Fair Housing Month

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE SPONSORSHIP OF A CERTIFICATE RECOGNITION OF THE GADSDEN COUNTY FIRST PLACE WINNER OF THE "ONE WORLD, MANY NEIGHORS" FAIR HOUSING POSTER CONTEST. THE FISCAL IMPACT SHALL BE THE

COST OF THE AMOUNT OF THE AWARD.

22. Approval of Dedicated EMS Stand-by for High School Football Games

EMS Director Brian Beasley told the Board that in order to cover the high school football games with a dedicated ambulance, he will have to bring in extra people to provide the coverage. He said that they have provided the service without charge in the past. However, in light of the hospital closing, the department is experiencing a very high call volume making such demands of his staff that he would have to bring in additional help to cover the games. He said that they would not be able to keep an ambulance at the football games without bringing in additional personnel. He asked for permission to impose a charge of \$225 per game to pay the additional personnel required with providing the service.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE IMPOSING A CHARGE OF \$225.00 TO OFF SET THE COST OF PROVIDING A DEDICATED AMBULANCE AT THE HIGH SCHOOL FOOTBALL GAMES.

COUNTY MANAGER

Dates to Remember:

Ground Breaking Ceremony at Robertsville Fire Station on Friday, April 7, 2006 at 11:00 a.m.

BCC Workshop on April 11, 2006 at 6:00 p.m.

The regular meeting of April 18, 2006 moved to April 23, 2006.

Public Hearing for Deer Ridge Subdivision was set for May 10, 2006.

COUNTY ATTORNEY

24. Wetumpka Volunteer Fire Station

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

25. Tourist Development Council Issues

Mr. Williams reported that he had been instructed by the Board to do research on several issues dealing with the Tourist Development Council. He responded to the following specific questions.

What is the relationship of the Council to the County Commission?

The Council will make recommendations to the government body as to the use of funds received from the tourist development tax.

Does the Tourist Development Council have independent authority to spend money without the approval of the BCC?

No, the BCC has to authority to determine how the monies are spent.

Does the BCC have the authority to regulate the Tourist Development Council or are they independent of the County's control?

The Council is subject to BCC control as it relates to spending, but not in terms of its recommendations to the Department of Revenue about whether they think the expenditures by the Board are appropriate.

Mr. Williams stated, "The ordinance that we adopted...is simply an ordinance that provides for the adoption of the Council. The Statute provides that you can provide additional direction if you choose as to the relationship between the County Commission and the Council which we have not done. So, in answering your questions, there are a lot of options for the relationship between the Council and the County Commission. Whatever you decide to do as a policy has to be adopted pursuant to an ordinance."

26. Gadsden Medical Center Lease Agreement

Mr. Williams explained that the above named lease expired in July 2005. The County has been in negotiations with the North Florida Medical Center, Inc. about the language of the new agreement because there was no indemnification language

in the agreement.

Mr. Williams stated, "The modified language basically says that you will be responsible for any fault that the County is involved in...In this type of arrangement, we do a lease that is pretty ironclad and it says that they are responsible for all acts that happen while they have the lease...This language was not acceptable and the county manager asked that I bring this to you for your direction."

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO CONFIRM THE COUNTY'S POSITION AND APPROVE THE LEASE WITH PARAGRAPH 15 REMAINING IN THE LEASE.

Solid Waste Committee Appointments

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER WATSON, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE FOLLOWING PEOPLE AS THE SOLID WASTE COMMITTEE:

District 1 - David Watson
District 2 - Richard Thompson
District 3 - Frank Rowan
District 4 - Leon Alexander
District 5 - Keith Williams

CITIZENS REQUESTING TO BE HEARD ON NON AGENDA ITEMS

Elaine Hall, 1360 Merritt Lane, Havana, FL (Alshultz Subdivision)

Ms. Hall addressed the Board. She explained that she is a widow with a "special needs" son for whom she continues to provide care at home. But, she also said that she is now 75 years old and needs help from her family to help her. She said that she would like for her daughter to build a home near her on the 2.48 acres at the corner of Paradise Road and Merritt Lane. However, she has learned that her property is zoned AG2 which will not permit another home on the parcel. She asked for help from the Board. She said that she had statements from her neighbors saying that they have no objections to another home being placed on the property. She asked for a variance of the land use designation to allow her daughter to build a home there.

Mr. McCord stated that the property was purchased in 2001 and it is not eligible for immediate family exemption. It would be a

violation of the Land Use Element of the Comp Plan. He did say that most of the lots in the subdivision are smaller than what is required in an AG2 land use. He thought it could possibly be addressed with an administrative land use change for the entire subdivision so as to make it as conforming as possible to the Future Land Use Map. However, this particular lot is substantially smaller than most of the lots in the neighborhood. He suggested that perhaps there had been some improper or illegal parceling of the properties in the past that accounts for the smaller lots.

Chair Dixon stated that there are a number of folks present that are in a similar situation. He asked the Board to set a workshop on this issue so as to bring clarity to this type subject.

Commissioner Lamb stated, "We are here to try to help people, we are not here to look at the rules and say "This can't be done." The rules are here for us to look at and see if we can possibly help people with their situations. I think they have a good reason to be here to ask us to do this. We need to put our hearts out there to try and help somebody when they need help. We are not here to say no to them. I think we really need to think about it. I understand about the rules, but, I also think that we are here to help."

Chair Dixon directed the County Manager and Mr. McCord to set a workshop to discuss either changing the policy or to create an opportunity to enforce the policy.

Rhonda Samford addressed the Board.

Mr. McCord explained that the Samfords live in Mossy Oaks Acres Subdivision. They own 4 lots which they acquired at different times over the years. By the time the Comp Plan was adopted, they already owned 4 lots which were contiguous to each other representing about .83 acres. He then went on to explain that there is a specific policy in the Comp Plan that says that at the date of the Comp Plan adoption, if you owned 4 contiguous lots together, they are considered as one development lot.

The Samfords have a single wide trailer on the property and they desire to allow their daughter to put a mobile home on their lot due to a family medical hardship.

There was a consensus to discuss this matter as part of the workshop discussion dealing with family exemptions.

Nola Green was recognized for questions. She was instructed to contact the Growth Management Department with her questions.

Lola Murphy addressed the Board. She said her family bought property in 1986 on which her parents lived until 1994. She and one brother purchased the land from her mother and two brothers. She now owns 5.05 acres of her own and desires that her son live on the property near her.

She was instructed to come back to the workshop when it will be discussed at length.

Pamela Stephan said that she wanted to address Item # 10 which was heard earlier. She said that she lives adjacent to the parcel on Blue Star Highway. She had several questions and the Chair directed her to call the Growth Management Department.

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Lamb

Commissioner Lamb asked for an update on "G Stars Program."

Jon Brown reported that he met with Rick Frazier from Tallahassee Community College (TCC) and Kimberly Moore from Workforce on this date. He said he would be disseminating information to the commissioners as to the results of that meeting. He also stated that an orientation is set for April 15.

The other commissioners had nothing to report.

RECEIPT AND FILE

28. **Award of additional Emergency Management Funds - Agreement #06BG-04-02-30-01-074**
Letter of Appreciation to County Manager for Participation in Extension Stakeholders Meeting

Note: April 2006 County Commission Meetings

- BCC Workshop/Special Meeting - Tuesday, April 11, 2006
- Public Hearing on Deer Ridge May 10, 2006
- Regular Meeting - April 25, 2006 (Not April 18)

May 2006 County Commission Meetings

- Regular Meeting - May 2, 2006
- BCC/Workshop/Special Meeting - May 9, 2006
- Regular Meeting - May 16, 2006

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, CHAIR DIXON
DECLARED THE MEETING ADJOURNED.

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A SPECIAL MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON APRIL 11,
2006, THE FOLLOWING PROCEEDINGS WERE
HAD, VIZ.

PRESENT: Chairman Ed Dixon
Brenda Holt, Vice Chair
Sterling L. Watson
Eugene Lamb
Derrick Price
Rick Davison, Assistant County Attorney
Arthur Lawson, Assistant County Manager
Muriel Straughn, Deputy Clerk

CALL TO ORDER:

Vice-Chair Holt called the meeting to order and turned it over to Assistant County Manager Arthur Lawson.

Mr. Lawson gave a brief overview of the purpose of this special meeting/work shop stating that policy and certain policy revisions would be discussed as outlined in the agenda. Mr. Lawson turned the meeting over to OMB Director Davin Suggs at that time.

Mr. Suggs gave a review and updated the Board on priorities and management initiatives as adopted by the Commission several months earlier pertaining to FY 2007-2011. In explaining the operating guidelines and policies, Mr. Suggs covered the establishment of "priority and initiative teams," identifying each team with the lead and alternate commissioner. He said that the other team members would also assist with the guidance and direction toward meeting the goals and initiatives of the county policymakers and management. Also discussed were methods of accountability, member input, commitment of all parties, and desired results.

Team (1) - Comprehensive Planning/Physical Environment -
(garbage, planning & zoning issues, water/sewer infrastructure)

Chairman Dixon as Lead Commissioner & Commissioner Watson
as alternate Commissioner

Team (2) - Economic Environment (economic development and affordable housing, along with housing rehab, creating a successful environment for business developments, and continuing youth development resources)

Commissioner Holt as Lead Commissioner & Commissioner Dixon as alternate Commissioner

Team (3) - Human Services (development of a comprehensive health care system within the county and issues pertaining to and the re-opening of the hospital, as well as looking at the possibility of internally, within our organization, creating more staff to help with human services)

Commissioner Lamb as Lead Commissioner & Commissioner Holt as alternate Commissioner

Team (4) - Public Safety (fire protection, law enforcement, law enforcement correctional and judicial facilities and emergency medical services, general purpose shelter,)

Commissioner Price as Lead Commissioner & Commissioner Lamb as alternate Commissioner

Team (5) - Transportation (development and maintenance of our local road system, enhancing sidewalk facilities, possibility of rural transportation shuttle system and transportation conductivity

Commissioner Watson as Lead Commissioner & Commissioner Price as alternate Commissioner

Team (6) General Government - (determine feasibility of charter government, management issues).

Management Initiatives,

County Manager Marlon Brown & OMB Staff

Mr. Suggs stated that the issues to be addressed came about as a result of a survey taken of county employees. They were asked to share their concerns/issues with day to day internal management in terms of reaching the county's goals. The areas identified were revenue enhancement and financial planning, grant funding/grant processes, NWBE & purchasing policies, facilities, employee compensation and financial planning.

Mr. Suggs then explained the operating guidelines and protocols for each teams, identified team member's role & function, objectives and overall goals for a desired outcome. With this explanation came the description of an action plan report which would provide progress and status of accomplishing & achieving desired goals, as well as the tasks assigned to each team and it's priority. The action plans will be provided to the County Manager and Board on a quarterly basis.

Assistant County Manager Arthur Lawson asked that Mr. Suggs go over the priority levels again.

Mr. Suggs explained there were basically two levels of priorities:

- 1) The first would be the **Board's Priorities** which consists of policy & establishment which the Board voted on in January of 2006.
- 2) The second being a broader type policy for issues from throughout the county and not just the Board itself, and would include input from the **5 other constitutional and 3 judicial members.**

Mr. Suggs stated the necessity and addressing the level of importance and the productions of accurate/precise minutes. He said that in his experience in working with other States on this type of program, some states had been very successful and others had fallen flat on their face. He further emphasized the importance of the lead commissioners embracing this process and leading their team to specific issues. He said that this concept is new to Gadsden County and the County will go through a lot of changes. He reiterated the importance of our lead commissioners providing being the role model and offering input and direction to the rest of the team. The department head's role is also key to the outcome. They have been chosen for their expertise or knowledge in their particular departments.

Mr. Suggs stated that it is his hope that all commissioners and department heads can work together and produce a quality outcome that will help move the decisions on through revenue and the budget so that they can become a reality.

Going back to management initiatives, Mr. Suggs explained the issues as follows:

- 1) Revenue enhancement and financial planning;
- 2) Employee compensation and staffing,
- 3) Vehicle and equipment replacement,

- 4) Facilities planning and maintenance
- 5) County-wide technology enhancement.
- 6)

Mr. Suggs explained how the members of the Board volunteered or assigned themselves as lead team members. He then explained that in addition to the lead commissioner, there was also a lead department head, administrative staff member, a member of OMB assigned to each team. In addition, he said other members might be added to a team because of their expertise - possibly even some outside individuals from the community - as subject matter experts. An organizational chart of each team was presented to the Board members showing recommended members to be a part of the comprehensive teams.

Mr. Suggs gave some insight on how they intend to move forward with these teams. stating that under revenue enhancement OMB staff would lead, for employee compensation and staffing, human resources will lead by the Assistant County Manager and on vehicle and equipment replacement and management, public works will lead, on facilities master planning and maintenance, this also will be under the direction of the Assistant County Manager and the county-wide enhancement will be lead by OMB staff.

There was a discussion regarding the importance of protocol and guidelines for standards for addressing these issues. He strongly suggested that the meetings be held monthly with the time and place to be determined by each team in coordinating a schedule. He further recommended the meetings be one hour in length and to be conducted as a formal meeting with agendas and precise minutes of each meeting in order that accurate information is available. He said that it is important that the Board be given a level of comfort as these teams meet and that the actions and decisions of these teams are not the final word of the County, and that it is the intent to follow typical county protocol with all recommendations or actions being brought back before the whole Board for any final decision.

He said that each team needs to develop an action plan which is a list of goals and strategies as they begin to meet on their issues with a detailed task of how to achieve their goals as an overall priority. Mr. Suggs included an outline of an action plan for each member and what the plan would entail. He stated he would visit each team as they begin to meet to make certain things start smoothly and the teams can get to the first goal which is very important because without an action plan it is difficult to say what resources are needed to implement the plan. Once the plan is established, then a realistic view of

how long it will take, where we are going and what end results should be expected. It is also important that some type of reporting mechanism be established in order to keep the Board in the loop. It was suggested by Mr. Suggs that a quarterly or consistent reporting system be established for coming back before the Board with each team's progress.

Mr. Suggs stated that as soon as the County Manager is back and they have the next department head meeting, they will be moving forward and trying to set the dates for the initial team meetings. Mr. Suggs then stated he would take any questions from the Board at that time.

Revision and Addition of Management and Financial Policies.

At this point, Commissioner Watson raised a question to Mr. Suggs as to where the high speed internet expansion and cable would fall. He said that he had not added that as one of his priority items initially, but he would like to have it added. Mr. Suggs responded by stating this issue has been up in the air the past two weeks and that he had a conversation two days earlier with someone about it. He said it would be unfair and would not give justice if it was put in county wide technology because it is an internal issue. He said he would like to think about where it would fit in -on the board side priority or as a service to the citizens or like a utility. Mr. Suggs further stated it could be looked at in two ways, as a utility vs. franchise in terms of revenue for the County or just like the water or utilities which is a service to the citizens.

Commissioner Watson stated there is more out there now pushing current providers (Comcast Media Company) to expand their services when their contract comes up. There was more discussion on the high speed internet being provided further out into the county as DSL is only 5 miles outside the City limits of Quincy. Mr. Suggs stated that it was his understanding also that there were some areas within the county that are in hit and miss service areas. Commissioner Watson requested that Mr. Suggs see where this issue could be added in the framework or priorities.

Commissioner Holt stated that in reviewing the cell phone service providers, she found that the franchise fee is paid to the local government on the towers. (\$1.00 on something.) She asked that Mr. Suggs check into this as she feels the County may be missing some revenue in several areas .

Mr. Suggs explained that the only real franchise revenue the County receives is from Waste Management in terms of dollars. The communication service tax replaced the franchise fee the County was getting from cable providers. He further stated that for 911 purposes, the county receives fifty cents per land line and fifty cents per cell phone. He said there could be other revenues the county is missing in terms of moving violations money that could help with communications in terms of the towers and emergency services.

Commissioner Holt stated that in her review of some of the companies billing processes, she found that other local governments are getting monies that Gadsden County is not getting. She said that the same thing is true with internet and cable services. She requested that Mr. Suggs look into the issue so as to make certain that the County is getting the franchise payments if they are in fact due.

Information Technology

Mr. Suggs updated the Board on his efforts to bring a technology plan to them. He explained the process his office is currently going through to interview vendors to ascertain cost estimates. As an example, he gave TDS, the City of Quincy and many other vendors who all want to provide the internet services for the County. He said there is a growing trend in wireless and wire technology also to be considered.

County Travel Policy

Moving back to the agenda, Mr. Suggs explained the three segments of item 2 as first being the county travel policy. Mr. Suggs stated the Assistant County Manager has some minor revisions and Mr. Suggs requested the board take action on this item tonight for adoption or amendment of the policy.

Purchasing Policy,

Mr. Suggs explained that the Assistant County Manager has some changes to the purchasing policy which was before the Board for adoption at this meeting, but it would be brought back before the Commission at a later date as some of the items in the policy are tied to the county ordinance. The purchasing policy will be reviewed by the county attorney prior to the next presentation to the Board to make certain all areas are legal as the wording of the ordinance will have to be changed. Mr. Suggs stated action by commission is needed and that it will come back

at a later date before the commission as a higher level priority.

Financial Policies

The third segment included the financial policies. and this item will be a discussion item only for purposes of this meeting as there are a lot of new policies. He requested that they give him a sense of whether they were ok with what he will present, and, if so, the policies will be brought back at a future meeting to be adopted via a resolution. Mr. Suggs assured the commission he was not trying to rush them on this issue and they are open for discussion as to what is good for Gadsden County.

Travel Policy

Mr. Arthur Lawson discussed the travel policy and the recent major revisions made to the policy. He explained that after working with the revisions for a while, the staff discovered areas in it that needed to be "tweaked." As an example, he said that under the current policy, the county manager must authorize the travel of all staff. The proposed change will basically allow the county manager to designate to his department heads the authority to approve travel for their employees. **The new language states "The county manager's designee will have the authority to approve travel for authorized persons."**

Also, in reviewing the policy, he said a question was raised as to who approved the commissioner's travel. **He explained that the new language states the board approves all travel for the commissioners.** Mr. Lawson stated that the commissioners would have to get approval from the board for all travel. Other language in the policy explains the process of requesting advance travel funds and documents needed to get reimbursement.

Commissioner Sterling Watson questioned what brought about the proposed change. Mr. Lawson explained that when the policy was implemented last year there was not provision for the department heads to approve travel. The County Manager has been required to sign off on every county employee's travel for this past year.

Commissioner Eugene Lamb raised a question as to how the process works once a department head approves an employee's travel. Mr. Lawson explained that the paperwork would go directly to the Finance Department if they would be asking for advance travel funds. (The County Manager would still have to sign off on

that, but the department head would have the authority to approve the travel as long as he has funds in his department's travel budget if this proposed change is adopted.) Mr. Lawson also stated that the County Manager would still have to approve all travel for the department heads.

Commissioner Holt asked if a motion was needed and Mr. Lawson explained that the type of motion needed would be that since the policy was adopted by resolution, this would be a new resolution, Resolution # 2006-022 in lieu of Resolution # 2005-14.

Commissioner Price raised the question as to who approved the county manager's travel. Mr. Lawson answered that policy 1B 1.06 (1) (b) states that **the county manager must obtain approval from the Board chairman or vice chairman when the chairman is out of town.** He said that there is no change to that policy. It already exists in the policy.

A MOTION WAS MADE BY COMMISSIONER HOLT AND SECONDED BY COMMISSIONER PRICE TO APPROVE RESOLUTION # 2006-022 ADOPTING THE CHANGES TO THE TRAVEL POLICY DESCRIBED ABOVE. THE BOARD VOTED UNANIMOUSLY (5 - 0) IN FAVOR OF THE RESOLUTION.

Purchasing Policy

Mr. Lawson proposed several changes to the purchasing policy. He explained that the current policy has basically been in effect for 20 years and not in keeping with current purchasing trends and thresholds. He said that it often causes problems for conducting the county's business in efficiently and effectively. The proposed changes included the department manager's authority to approve field purchases up to \$500.(previously \$200); small purchases orders up to \$1,000. He also proposed raising the bid limit from \$10,000 to \$25,000.

Chairman Dixon raised a question as to the level of fairness in the bid process. Mr. Lawson explained that language could be written into the policy requiring "x" number of bids. There would be the possibility that a particular vendor will be called each time if that vendor appears on the State vendor list. Chairman Dixon reiterated the importance of fairness in the policy process.

Commissioner Holt expressed concern with the manner in which bids are awarded. She said that, in the past, it has been practice to say, "they did a good job on this or that," and with

it being the same vendor, there is really nothing to use for comparison. She said that she would like to see some of the money "spread around" to other vendors so as to validate comparable services. Then the Board could see who was doing a good job & who was not.

The other item of concern raised by Commissioner Holt was the sealed bid process itself. She questioned the element of accountability in the receipt of and processing of those bids. She also stated her concern over who is holding the bids and where they are being held.

Commissioner Holt also stated that if a company gets a contract all the time and is the best qualified, then the Board should have some language in that contract stating the company must hire "x" number of employees from this county or "x" number of minorities to work on the job. She said there must be some way to find jobs for the citizens

Mr. Lawson responded to Commissioner Holt's concerns and assured her that any sealed competitive bid that comes into the county is held by his office and all bids are received sealed and stamped and if a vendor is not considered for a job on which he bid, that bid is returned to the vendor unopened. He told her that he, himself could vouch for the confidentiality and custodial handling of the sealed bids. He did state that quotes are different than sealed bids and quotes are kept as purchasing quotes and anyone can look at them as they are public record.

Chairman Dixon raised a question about how to prevent the same vendor from getting two \$10,000 bids within a year, or if there was information in the policy to prevent that from happening. He also asked if you could take a \$30,000 contract and circumvent into two \$15,000 contracts.

Mr. Lawson explained that there is information contained in the procurement process to address such concerns and that he would be glad to show those to the Chairman.

Commissioner Watson asked how they happened to decide on \$25,000 as the threshold for requiring the sealed bid process to kick in. He suggested that it was too high.

Mr. Lawson stated his office had conducted a survey with other governments of similar size to Gadsden County. He said that the City of Tallahassee's limit is \$25,000; Leon County is \$20,000 & \$50,000 with everything over \$50,000 being bid. The county

manager can sign anything up to the \$20,000, but the board must approve anything over \$20,000 up to the \$50,000.

Commissioner Lamb asked how a vendor is notified when the amount is under the \$25,000. Mr. Lawson stated that a list of vendors is kept for different products and an informal solicitation would be made and bids could be sent out to the vendors for informal bids - not a sealed bid process.

Commissioner Lamb asked if this would allow more fairness for county business to be spread around. Mr. Lawson stated that it would and that the county manager would have the authority to approve everything up to the \$25,000.

Chairman Dixon discussed the process involved for notifying vendors on the informal bids. He stated he wanted the staff to be aggressive in getting people on this vendor list. He said it would insure that everyone would have an opportunity "to get in the ball game. " The same company may still get the award, but, at least the other vendors would have had the opportunity to participate in the bid process.

Mr. Lawson stated he would work with the county's local information office toward that end.

Commissioner Holt suggested other forms of notification such as the internet and the local newspapers. She said the county is losing out on vendors. She re-iterated again her concerns that the lowest bid may not always be the best for the County. She asked if there were guidelines or qualifications specified for the various vendors, such as license, expertise, experience, insurance, etc.

Mr. Lawson replied that there are requirements which must be met for doing business with the county and he assured the Board that each vendor's file is reviewed for compliance.

Mr. Suggs advised the board that he and County Manager Brown are already working on the technology plan which will make the county's web site easily accessible to vendors.

COMMISSIONER PRICE MADE A MOTION, SECONDED BY COMMISSIONER HOLT, TO APPROVE THE PROPOSED CHANGES TO THE PURCHASING POLICY. THE BOARD VOTED UNANIMOUSLY (5 - 0) BY VOICE VOTE, IN FAVOR OF THE MOTION.

Comprehensive Financial Management Plan.

Item 3 of the agenda covered the comprehensive financial management plan. Mr. Suggs explained that there were no established financial policies collectively for the county. He said there is a mixture of ordinances dictating how to use revenue as well as some stand-alone policies. He stated that during the past seven months, he had witnessed action on some issues whereby that action served as policy.

He advised and encouraged the Board to work toward developing solid framework for operation, giving the county one vehicle where policies can change, adapt and grow as the board or the business of the County grows. He explained that it will add stability and credibility to the way the county handles budgeting and finances in conjunction with the Clerk's office.

He went on to say that there are a lot of the current policies recommended by the GFOA and the National Advisory Council on state and local budgeting. He further stated that no collective policy existed before now and it would have been impossible to cover all policies at this meeting. However, it would be a start and it can be amended and revised as the Board sees fit.

He said that once these are nailed down and operational, it will provide stability to the long term goals and objectives for the County. He explained that the policies are broken down to achieve three main objectives, the first being financial planning and budgetary process. The second is county stability with regards to management resources and revenue and third, fiscal stability and accountability.

Mr. Suggs presented a brief screen presentation explaining each of the policies as follows:

"Policy 1.01 is the system and adopted in January/February of 2006 by the Board showing what the plans are, how resources will be allocated as covered in the January/February workshop. This is a formal policy and it will let everyone know this is our policy, this is how we operate.

Policy 1.02 covers the operating capital budget which dictates how a budget becomes adopted. FL Statute 129, which is the government process of how we as a county government should adopt a budget. The first and most important thing by law is that any budget we adopt must be balanced with the revenue and expenditures.

Some of the main issues of Fl Statute 129 were covered by Mr. Suggs, one being that any revenues estimated must be done at 95%; the funds or cash balances must be brought into the budget at 100% each year. "This does not mean the funds will be spent, but they must be shown. Expenditures by departments are to be itemized and any capital expense item must be itemized by specific project... One thing we will be working on this year is to beef up and enhance the capital side of the budget."

Policy 1.03 on the capital improvement program policy, sets standards for improving the capital improvement program with guidelines and it defines what a capital asset is in terms of dollars and useful life and defines for our capital budget that something with a useful life of 3 or more years and a value of \$10,000 is an asset. Mr. Suggs explained, "In budgeting, there is a difference between capital project and capital outlay and that a capital improvement program for the operating budget which generally ties into the comprehensive plan, and this is the direction we are trying to get the county headed in... A five year capital plan would allow the board to see where the county stands on capital projects and show the revenues in more specifics on the capital projects."

Policy 1.04 - A long range financial planning policy. He explained, "It will take some time because of staffing and workload issues, but the county needs to move forward with getting a long range plan and we need to begin with a 5 year plan."

Mr. Suggs responded to a question from Chairman Dixon as to where the county should be in five years. He explained, "We need to look at the financial trends i.e., if staffing is going up, then expenditures are going up, if property values are going up then revenues are going up. The 5 year plan gives time and warning signs. If debt ratio is increasing and revenues are decreasing, It allows time for corrective measures to be taken."

He then explained his goals with the financial plan and the time that will be needed to pull the financial plan together before the county can begin operating from it.

Policy 2.01 Revenue Policy deals with diversity in revenue which will bring stability. A lot of revenue is received by the county from the State and enhancing revenues will bring more stability. Policies dealing with local fees and user charges need to be addressed. "Since this is not a charter government,

we still have some power from the state Constitution to set some of the local fees and charges. I want the Board to get in the habit of adopting an annual fee ordinance which will get everyone looking at adjusting fees as needed. Fees need to be reviewed in relation to what they are being charged for."

Mr. Suggs requested the board to set a goal for recovering a percentage of planning expenses.

Commissioner Holt raised the issue of impact fees.

After discussion on the impact fees, Mr. Suggs stated, "Looking at diversified and increased revenues, setting fees and charges will probably be one of the largest avenues for the county to get additional monies." Mr. Suggs assured the board that he is trying to get the building and planning fees looked at and a recommendation for adjustments to the board as quickly as possible.

Policy 2.03 - Use of non-recurring revenues. Mr. Suggs strongly recommended that the board follow this policy. One time revenue or one time money or non-recurring money be applied only to non-recurring expenditures which usually means a capital project or one time purchase. Mr. Suggs stated it is bad policy to take non-recurring money and subsidize or use it for recurring expenditures and could get us into trouble.

Policy 2.04 - Development and maintenance of a revenue manual. Mr. Suggs explained that this policy is a sort of a dictionary or explanation as to what revenues are and the source of all revenues. Mr. Suggs stated there is not at manual at the present time. He said it would have to be developed and kept current.

Policy 2.05 Application of new and existing resource policy - Mr. Suggs explained the importance of this policy as Gadsden County is going through many changes. He suggested that the board may not wish to provide some of the services previously provided, and they may wish to provide new services. This will require looking at the issues within existing resources.

Policy 2.06 Discretionary Revenue Policy- Mr. Suggs stated, "It is important that the county not restrict itself with discretionary funds as it limits flexibility use of these funds in possibility of providing other services or getting more product out of the resources the county has." He explained the importance of this policy using the 1% sales tax as an example.

Policy 3.01 - Debt Management - Mr. Suggs explained, "This is nothing but a place holder and it is the hardest one to do and get it right as Ft. statutes does not set limits, but rather guidelines and leaves the counties to themselves as to how much debt they can incur. This will require deeper analysis on what our debt limit should be. Debt is an important one and I will work with the county attorney on this to get the policy right and not constrain ourselves. Being a small county - one of our greatest resources will be protecting our ability to borrow and do things and the county's ability to borrow and have good credit is a giant resource. So, the policy needs to be written to protect and maintained but it also allows use if needed.

Policy 3.02 Reserves and Funds Balance - As explained by Mr. Suggs, "This is separated into reserves for contingencies. General fund has reserve for contingencies ceiling limit which means you cannot have more than 10% aggregate in reserves for contingency. But it does not tell you how much you should have. The policy would give OMB the ability to establish a % which would not exceed the State limit but allows for a limit to be recommended to the board along with the budget based on some sort of analysis. This would be presented to the board for their approval each year along with the budget. On the issue of funds or cash balance which comes from balances created by excess of revenue over expenditures, the State cap balance is 20% so we must make certain of our cash needs and stay under the State limit. Mr. Suggs stated we must remain liquid and it is the hope and intent of OMB that we do not have to borrow money to cover the gap from October - December and this must be closely reviewed. In reserves for special projects it is important to begin working on reserves for our debt. The law allows reserves for debt in an amount equal to one years principal and interest pmt which assures our ability to pay our debt in the event of economic emergency.

Policy 3.03 on Budget Management & Amended Policy, Mr. Suggs advised this policy says two things - one is that we will manage the operating capital budget at a departmental level and project level. When controlling at line item level it creates a larger amount of paperwork and even though you are trying to be accountable, you become less efficient and it is very difficult to control on line items and keep the budget in balance on a daily basis. This also requires a lot of budget amendments so this policy states we will maintain the budget at the department level and will not let the departments become out of budget. Budget amendments will be done in line with Fl Statute 129.06

which dictates how and when you amend your budget throughout the year. Language has been added to allow for the intra-departmental budget amendments within a department by the board giving the county manager or his designated budget officer the authority to sign off on the budget amendments. The last part of this policy addresses accountability from the office of OMB to the board and establishing some type of reporting to the board. By 2007 there will be a quarterly report to the Board of standard of major revenues, expenditures and special issues.

Policy 3.04 Expenditure Accountability and Policy states as board members and staff, there will be accountability to the public as to how money is spent for public expenditures. This will be consistent with the federal, state and local laws.

Suggs:

One thing that is not in the policy and I need to ask the Board's opinion on the will of the Board. I have no problem with the Clerk exercising his authority. It has been proven in court that he had pre and post audit authority to deny improper expenditures. The only thing that I would like to ask is if we can put it into policy or work out something that when they deny expenses, that they provide some type of legal reference rather than opinion that will make it easier for us, the budget office, and the county attorney to address the issue in terms of what is improper and not proper.

I can give you an example right now. The last thing that was denied was when we had the leadership retreat with Dr. Gross at the Library. That was a working meeting for the Board. We submitted a bill for the lunch that I believe was eaten during the retreat. They were denied by the Clerk and it has not been paid. We have since forwarded it to the county attorney's office.

There is another bill for the T-Shirts. There is going to be an issue with the T-shirts for the Bass Tournament that the Department of Rec is sponsoring - there is going to be an issue with how those T-shirts are getting paid for.

I don't have a problem with the clerk doing his job. I just need when they deny something, when the office sends something back, I need a legal reference. Number one, it keeps it on a professional level, it keeps it on a legal level. Because, if it is illegal, I would tell you not to do it, too. O.K.

Dixon:

How do you suggest that approach that?

Suggs:

You see, I don't know. Maybe I should ask the county attorney. If we put something in our policy, I don't know if that binds the clerk to operate in that manner. Or is there something that you, as the chairman, or the board members, should work with the clerk from an elected official to an elected official thing. Say, we recognize your authority to do pre and post audit stuff. It's when you deny something, please give us a legal reference - something so that we can go back on.

On the food thing, I forwarded it to the county attorney because when they denied it, they did not give a legal reference. So, that makes it hard for me to advise you. Then, when we go back to the staff, it is a staff opinion rather than an elected official position. That is not good position for me to be in and it puts you in a bad position also. So, we had to send it to the county attorney.

Rick, I don't know if something in our policy can bind the clerk or if this is just something that needs to be negotiated amongst elected officials, but, I am open to suggestions.

Lamb:

Is it possible that you could ask before you act?

Suggs:

In terms of, do you mean should we ask before we submit a bill or ask before what?

Lamb:

When you know that there is something of this nature is coming up and you are not sure that this is binding, can you ask the clerk or ask his office?

Suggs:

Do you mean that we should ask, "Can we buy T-shirts with this?" The problem is

Lamb:

Right now, you are saying that you don't think that is going to be legal.

Dixon:

No, he is saying that as far as he is concerned, it is legal.

Holt:

He wants a legal opinion.

Suggs:

My issue with the T-shirts is that the State provides an account for promotional items. I view the T-shirts as sponsoring an activity as a promotional item. The issue is that TDC gave the money to Department of Rec in terms of marketing it. The T-shirts - I can get them paid for - we might have to tell TDC to keep the money and let TDC pay for them because the clerk's office will not pay for them out of the general fund. But, I can't get any legal documentation as to why. It is the same thing with the food for the commissioners' retreat with Dr. Gross. I need legal documentation and not - I mean, I respect the clerk's office, they work hard. I respect their professional opinion. But, in terms of denying expenses of the Board, it is a big deal to me and I need legal reference.

Holt:

Mr. Chairman, may I? Because I sit on the TDC. We award, we have given grants to several municipalities and organizations and we have never had this problem before. I have never heard of this problem. \$5,000 went to the City of Quincy. We gave money to the City of Chattahoochee for the boat race. We have given money to Havana. I don't see it.

Suggs:

The issues with cities - cities are a different beast. Cities have home rule and cities have their own charter. So, a city can do whatever they want to do within their charter.

Holt:

I understand what you are saying, but, what I am saying is that was county money.

Suggs:

Correct.

Holt:

And so,

Dixon:

But, once it goes out of the county's hands, they don't have any say in it. They don't have to account for it.

Holt:

Right. I know what you are saying. I am just trying to say, look at it this way, So, we are collecting funds. We are saying that we are going to use it for a county event. Are we saying that those funds should go to another organization or come back to fund county activities. It doesn't make any sense - the way it is going now. That means that if we wanted to have a promotional activity for the county - whatever it is - to get vendors to come in here - to get things to go in our county because we want people to come in here to spend money and rent those rooms, once we get hotels up. But, we don't have anything in place to say that this is legal. This is what the State says we can do. If the clerk decides that he is not going to pay it, then whatever county plans, our promotional tourism activities, is off.

Suggs:

The issue that I need to do my job for the Board is to get to some consistent process.

Watson:

Just don't mix general revenue funds with other revenue. I mean, the tourist development money would have paid for the T-shirts, correct?

Suggs:

Correct.

Watson:

But, you tried to submit it under the general revenue. There are just some things that you shouldn't do.

Dixon:

But, that is not the argument. The argument is "Give me some statute that you are using to deny the county's ability to do this." It is not - What he is saying is "The Clerk is just saying, "I don't think so.". We had the same problem with buying T-shirts and uniforms for the volunteers of the Fire Department. I mean, you can ask people to volunteer, but, you can't buy them uniforms to dress out.

It is something that has got to be answered, but, it's got to be answered in the law and not in "how I feel about it."

Suggs:

Right.

Watson:

I have seen where he has given us an attorney general's opinions.

Suggs:

What I am looking for is getting the law - consistency in giving me the exact law. Sometimes, she will quote specific statutes and

Dixon:

We can't do that here tonight. You need to get on it. While you've got a lot of financial policies you are putting into place and it seems to make a lot of things clear from the county's positions, you've got to go further and clear whatever those situations are up.

Suggs:

Right. I want to advise you in the most legal way. I want the Board to be compliant with all the laws. But, we need a consistent process. Once we agree on what is consistent and how we are going to operate and how we are going to treat the law, then nobody will have any problems with being consistent and staying within the law. I want to put us in that environment where there is no guessing game and everything is spelled out very clearly.

Dixon:

So, share with the Clerk's office your rationale and the law on which you are banking your decision on and let him respond likewise. If that doesn't do it, then you go to the next step. But, you've got to say, "Here is what I think says that we do have the authority to do it." Then let him rebut what you have to say. That is not being done now.

Suggs:

Correct.

Dixon:

Make sure that it gets done.

Suggs:

Yes, sir.

Dixon:

We have a policy before us, do we need to take action on it?

Suggs:

Only if you have any major comments and revisions or changes, if not, I will bring it back to the Board officially with a resolution at a regular board meeting.

Dixon:

Then we don't need to do anything?

Suggs:

No, sir.

Dixon:

If you have some questions, please get with Mr. Suggs. Good stuff. Good stuff. Boring as all get out, but good stuff.

Holt:

It is not boring. It is too good.

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, CHAIR DIXON
DECLARED THE MEETING ADJOURNED.**

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A REGULAR MEETING OF THE BOARD
OF COUNTY COMMISSIONERS HELD IN
AND FOR GADSDEN COUNTY, FLORIDA ON
APRIL 25, 2006, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

PRESENT: Edward J. Dixon, Chair
Brenda Holt, Vice-chair
Eugene Lamb
Sterling L. Watson
Derrick Price
Thornton Williams, County Attorney
Paul Sexton, Deputy County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

CALL TO ORDER

Chair Dixon called the meeting to order. Commissioner Holt led in the invocation and Commissioner Price led in pledging allegiance to the U.S. flag.

Amendments and Approval of Agenda

Awards, Presentations and Appearances

ADD

1a. Recognition of Mr. Jerome Robinson, Public Works Employee

County Manager Marlon Brown told the Board that Public Works Director Robert Presnell had received an e-mail from Ms. Deborah Bates on April 13, 2006 commending Mr. Jerome Robinson. Mr. Robinson found a wallet belonging to Ms. Bates husband while he was on duty in the Coonbottom area. Mr. Brown recognized Mr. Robinson for his honesty and sincerity which resulted in his outstanding performance above the call of duty. On April 11, 2006, Mr. Robinson found the wallet while working as an Inmate Supervisor. There was no identification in the wallet, but there was a business card. Mr. Robinson took the time to telephone this person to see if they could help him contact the owner of the wallet.

There was applause.

1. **County Government Week - April 23 - 29, 2006 - Resolution 2006-023**

Mr. Jon Brown announced that a number of events have already taken place in recognition of County Government Week. He named the re-development ground breaking ceremony at St. Johns Park and the EMS substation dedication ceremony in Havana. He then said there would be a re-development ground breaking ceremony at Robertsville Park later in the week. He announced the first annual "Meet and Greet Ice Cream Social" to be held on the grounds of the Courthouse on Friday. He said that the public has been invited to meet their public servants for the ice cream social.

Mr. Brown then read Resolution 2006-023 into the record and asked the Board for its formal adoption.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE RESOLUTION AS READ.

CONSENT AGENDA

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED TO APPROVE THE CONSENT AGENDA AS AMENDED. (Item # 9 was removed from the consent agenda and placed for discussion under the County Manager's Agenda as Item 27a. at the request of Commissioner Holt.)

2. Ratification of approval to pay account payable warrant registers dated April 7, 13, and 21, 2006; payroll register for April 13, 2006
3. Approval of Minutes for November 8, 2005 and March 21, 2006
4. Approval of 2006 Appointments/Reappointment to the Apalachee Regional Planning Council: Eugene Lamb with Edward Dixon as Alternate; Delores Madison with T.J. Davis as Alternate
5. Approval of Justice Assistance Narcotics Task Force Grant Certificate of Participation Agreement -(JAG) \$53, 926.00 with no match dollars required
6. Approval of FDOT Litter Control and Prevention Grant Agreement for Keep America Beautiful (\$19,150.00)
7. Special Assessment Liens - Latoya Winbush; Nakia Brady;

- Pamela Henry - SHIP down payment assistance and closing costs.**
- 8. Special Assessment Lien and Rehabilitation Contract for Daisy Anderson**
 - 9. Approval of Material Short Hauling Bid (06-02)-** At the request of Commissioner Holt, this item was removed from the Consent Agenda and placed for discussion on the County Manger's Agenda as 27b.
 - 10. Approval of Interlocal Agreements for Road Maintenance with Local Municipalities**
 - 11. Approval of Projects for Small County Assistance Program (SCRAP)**
Submittal of C.R. 270 (Sycamore Road) and Luten Road as two candidate projects for the FDOT SCRAP program. Other road improvement projects for this fiscal year (not SCRAP projects) include Old Federal Road; Juniper Creek Road; Lanier Road; Atwater Road; Iron Bridge Road; Dodger Ball Park Road; Smith Lane; Blount Road; Ball Farm Road
 - 12. Approval of Hanna Mill Pond Road as a candidate project for the FDOT Small County Outreach Program (SCOP)**
 - 13. Approval of New Road Names:** Mystic Warrior Trail; Chisholm Trail; David Club Road

PUBLIC HEARINGS:

- 14. Hampton Inn Sign Variance Request - continued from April 4, 2006**

Owner: Payal Hospitality, Inc.

Applicant: Transworld Signs, Representative

Location of Property: South side of I-10 east of SR 267 approximately 3.5 miles south of Quincy

TAX ID: 3-25-2N-4W-0000-00331-0700

Type of Hearing: Quasi-judicial

Payal Hospitality, Inc. requested a variance from Subsection 5706.D. to allow an additional detached sign to be erected on the site of a hotel under construction which has only 453 feet of frontage along a single roadway and to permit an additional wall sign on the side of I-10 east of SR 267 approximately 3.5 miles south of Quincy within the

commercial land use category adjacent to I-10. They have requested a variance of 47 feet of frontage along the Interstate. (The code requires 500 ft. - they have 453 ft.) The cumulative square footage of all signs that are permitted on site would be 400 sq. ft. In this case the hotel would have a cumulative sq. ft of substantially less than 400 sq. ft.

Planning Commission Recommendation: March 6, 2006 - approval of the variance- based on the findings as listed in the attached agenda report.

Staff Recommendation: To make findings consistent with the criteria of Subsection 7301 of the Land Development Code and approve the variance as requested.

Chair Dixon called for public comments. There was no response. He then called for discussion by the Board. There was none.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE VARIANCE AS REQUESTED.

15. **Public Hearing - Wildflower Comprehensive Plan Amendment (CPA 2005-07) changing 101.16 acres from AG2 to RR Major Large Scale Land Use Amendment Second Reading of Ordinance 2006-004**

Owner: Ron Bradford - Tallahassee Land Company

Applicant/Representative: Bill Thomas

Location: East side of SR 267, north of Salter Road and south of Old Philadelphia Church Road

TAX ID: 2-36-3N-4W-0000-00112-0000 AND 2-36-3n-4w-0000-00132-0100

Type of Hearing: Quasi-legislative Type IV Review under Subsection 7204.

Planning Commissioner recommendation: Approval based on the findings in the attached report.

Staff Recommendation: Approval based on the findings in the attached report.

Last review before the Board: September 6, 2006 - Transmittal hearing; April 4, 2006 - First Reading of the Ordinance.

Mr. McCord noted for the record that the City of Quincy will provide water to the site instead of Talquin. He noted the

following things as well:

- The applicant filed a Department of Health (DOH) report with the Department of Growth Management on this day. The report indicates that the soils on site are conducive to septic systems on individual lots. One report said that one lot would require a mounded system. Further evaluation will be conducted at the development stage.
- Since the first reading of the ordinance on April 4, 2006, the Growth Management Department has completed a response to the objections noted by DCA on this project. It included detailed explanation of a number of things. The applicant also made several responses to their objections.
- DCA was encouraged to see Gadsden County committed to the visioning process.

See the attached agenda report for further details.

Chair Dixon called for public comments.

Marion Lasley addressed the Board. She had concerns relating to the fact that this area is outside of the available central sewer and water infrastructure. She said that this project will have impact on the visioning process that may not be favorable. She opposed the land use change.

There were no other comments.

UPON MOTION BY COMMISSIOENR WATSON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ADOPTION OF ORDINANCE 2006-004 FOR THE WILDFLOWER LAND USE CHANGE.

16. Public Hearing - Highlands at Lake Talquin Comprehensive Plan Amendment (CPA 2005-10) Changing 369.3 acres from AG 3 to RR Second Reading of the Ordinance 2006-0005

Owner: The Highlands at Lake Talquin, Inc.

Applicant: Larry Witt

Location: South side of McCall Bridge Road east of Lakeview Point Road

TAX ID: 4-25-1N-4W-0000-00232-0000 & 4-26-1N-4W-0000-00340-0000

Type of Hearing: Quasi-legislative

Planning Commission Recommendation: Denial by 5 - 4 vote.

Staff Recommendation: Approval based on findings in the attached report.

First Reading and Approval of the Ordinance was held on April 4, 2006. It was approved with a site specific special condition that it must be developed with central sewer.

Mr. McCord gave a brief description of the property surrounding the subject parcel. He reminded them that they considered this amendment last fall when they approved its transmittal to DCA after lengthy discussion about how infrastructure would be provided to this site. At that time, the developer agreed to build an on-site package tertiary treatment sewer system. That system may also serve subdivisions out of this area. He summarized that the subdivision will have central water (Talquin) and central sewer.

The ORC Report from DCA cited concerns about sewage treatment. He said that they apparently had not read the documents or the report submitted to them because it clearly described in detail, Talquin's willingness to operate a private system that would be constructed by the applicant.

Chair Dixon called for public comments.

Marion Lasley addressed the Board. She had questions about the description in the ordinance "less the southwesterly portion..."

Mr. McCord explained that the property described is already rural residential land use.

Ms. Lasley asked the Board to require the 45 acres that are already designated as rural residential be included with the requirement for central sewer.

She then asked what would happen if the developer should decide not to install central sewer and if that would affect the kind of land use designation.

Chair Dixon stated, "This Board has made it very clear that there will be no project."

Commissioner Watson stated that he thought it would revert back to what the former designation.

Mr. McCord stated, "Whatever happens, you will still have rural residential land use. But, if they can't satisfy the other Comp Plan policy for central sewage, then they would be precluded from developing that property. So, they are tied to it now. If the developer wanted to come back and request that you rescind that specific policy, that would be necessary to develop property with septic systems."

"You can revert it back, but you would have to go through the same process that we are doing right here to actually change the use. It is not a contract... You can do that administratively if you decide after 2 - 3 years that no action was taking place and you wanted to simply (as you can any parcel in the County) change the land use to whatever you think is appropriate."

Ms. Lasley referred to an article in the Tallahassee Democrat on March 19, 2006 in the Real Estate Section - "Evans Construction and Development Company is currently building homes at the Highlands of Lake Talquin." She said that, "This does not bode well with me as far as my rights as a citizen. It does not make me feel like the Board is impartial to a project."

Commissioner Watson asked if there was construction on the property.

Chair Dixon said that he resides near the property and he has not heard or seen anything. He said, "That is the first I have heard of that."

Commissioner Holt stated that the Board doesn't have any control of their advertising.

Ms. Lasley concluded by saying, "It makes me feel like ya'll are being pressured to certainly support this project and I feel like as a citizen of the County that my rights are being suppressed."

Chair Dixon called for other comments.

Richard Sprinkle, property owner to the south of this parcel, addressed the Board. He said that he had concerns about the project. He called attention to the fact that this property is a natural habitat for the gopher tortoise (a species of special concern and expected to become a threatened species within the year) and they will have to

make special consideration before development can occur.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE SECOND READING OF THE ORDINANCE WITH THE SITE SPECIFIC POLICY REQUIRING THAT THE PARCEL MUST BE DEVELOPED WITH A CENTRAL OR PACKAGE SEWAGE TREATMENT PLANT.

Public Hearing - Drew, Buford, Mustain & Butler
Comprehensive Plan Amendment (CPA 2005-11) 12 parcels
containing 2,389.52 acres of AG3 to AG2

Owner: Sosalla Sallew LLC; B & C Tree Farm, LLC; A. L. Buford, Jr. Family Trust; Mustian Farm LLC; Exchange Farm Partnership; A. L. Buford, Jr.; Drew J. Everitt; and Southgroup Equities, Inc.

Applicant: Thomas Osteen of Moore Bass Consulting, Representative

Location: South side of Interstate 10, east of Cane Creek Road (CR 274), west side of Pat Thomas Parkway (SR 267) and north of Old Federal Road and contains all or portions of Little River Survey Lots 42, 43, 44, 46, 47, 52, 53, 56, and 57

Type of Hearing: Quasi-legislative

Planning Commission Recommendation: Approval based on the finding found in the agenda report.

Staff Recommendation: Approval based on the findings as described in the agenda report.

First Reading was approved on April 4, 2006.

Mr. McCord gave a brief description of the land use change. He noted that this is the largest land use change the County has ever considered. See further details contained in the agenda report attached.

This land use change first came to the Board a couple of years ago and was approved in a slightly different manner. It was withdrawn at the adoption stage.

It is noted here that there were no comments from DCA in the ORC report.

Chair Dixon called for public comment.

Corey Deets addressed the Board to answer questions from the Board.

There were no public comments.

UPON MOTION BY COMMISSIONER HOLT AND SEOND BY COMMISSIONER LAMB, THE BOARD VOTE 5 - 0, BY VOICE VOTE, TO APPROVE THE ORDINANCE 2006-006 ADOPTING THE DREW, BUFORD, MUSTIAN AND BUTLER LAND USE AMENDMENT.

18.

Public Hearing - Comprehensive Plan Amendment (CPA 2005-13 A-D) Second Reading of Ordinance 2006-007; 2006-008; 2006-009 known as the Administrative Land Use Change

County Manager Marlon Brown opened a public hearing on the above Comp Plan Amendment.

Growth Management Director Bill McCord gave a brief historical sketch of the proposed amendment. See the attached agenda report for details.

Mr. McCord stated for the record that the Department of Community Affairs (DCA) issued a report objecting to the Johnson Bluff Community in Gretna which will change the land use category from AG-2 to RR. However, he said that the property is already developed and the amendment only changes the map to reflect how the land is currently being used. He said that he has responded to the DCA objections and they no longer have objections to it.

The Growth Management Department requested approval of several Future Land Use Map amendments to change the land use designation on parcels to reflect the actual or originally intended land use designation for properties and to establish a land use to provide consistency of the existing use of the property with the Future Land Use Map. The amendments would generally be considered large-scale plan amendments per Chapter 163.3187(c)1 and were transmitted to the FDCA for review and comment before adoption. The four properties subject to the proposed land use amendments are described as follows: Amendment A - south side of US 90 about three miles east of Quincy known as the Fregly site. Amendment B - on the north side of SR 12 approximately three miles west of Greensboro known as the Proctor property. Amendment C - on the north side of Hutchison Ferry Road between Glory Road and SR 267 known as Glory Estates. Amendment D - West side of Dewey Johnson Road between Bassett Road and SR 12 adjacent to and west of the City of Gretna known as Johnson Bluff neighborhood.

A number of findings are listed in the attached agenda report.

UPON MOTION BY LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE STATED ORDINANCE ADOPTING THE ADMINISTRATIVE LAND AMENDMENTS AS DESCRIBED ABOVE AND IN THE ATTACHED AGENDA REPORT.

Public Hearing - Stodard II Comprehensive Plan Amendment (CPA 2005-14) Major Scale Land Use Amendment Changing 27.21 acres from AG3 to RR Second Reading of Ordinance 2006-011

Owner: Darrell and Rhonda Stodard

Applicant: Matthew Parker, Representative

Location: South side of McCall Bridge Road and east side of Lakeview Point Road; southeast side of the intersection of these two roads

TAX ID: 4-25-1N-4W-0000-00340-0100

Type of Hearing: Quasi-legislative

Planning Commission Recommendation: Approval based on the findings as listed in the agenda report attached.

Staff Recommendation: Approval based on the findings as listed in the agenda report attached.

DCA ORC Concerns: Noted in the agenda report. (The staff has responded to DCA concerning their objections.)

First Reading of the Ordinance approved on April 4, 2006.

Mr. McCord gave a brief description of the proposed amendment. This property is adjacent to the Highlands at Lake Talquin. It is the south portion of a larger parcel of land which the applicant changed last year from commercial to rural residential. They would also like to include the remainder of their parcel within the rural residential land use classification so that it can be included in their subdivision which they are proposing.

Vice-chair Holt called for public comments.

Matthew Parker addressed the Board to take any questions, but offered no testimony.

There were no other public comments.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE SECOND READING OF THE ORDINANCE ADOPTING THE STODDARD II LAND USE AMENDMENT. (Chair Dixon was not present for this

vote.)

20. Public Hearing - Schnepf Comprehensive Plan Amendment (CPA 2005-17) Major Land Use Amendment changing 86.37 from AG2 to RR ORDINANCE 2006-012

Owner: Clifford J. Schnepf

Applicant: Elva Peppers, Representative

Location: East side of SR 267 (Bainbridge Highway), north of Salter Road and south of Old Philadelphia Church Road (CR 272) just north of and adjacent to the Wildflower land use amendment

Type of Hearing: Quasi-Legislative

TAX ID: 2-25-3N-4W-0000-00320-0000 AND 2-25-3N-4W-0000-00331-0000

Planning Commission Recommendation: Approval based on findings listed in the attached agenda report.

Staff Recommendation: Approval based on findings listed in the attached agenda report.

First Reading of Ordinance was held on April 4, 2006 and approved.

ORC Report Response attached in the agenda report.

Mr. McCord gave a brief overview of the project as described in the agenda report. He added that there have been no assurances on this property as to how the property would be developed or what type of utilities would be provided. He said that if the Wildflower property develops ahead of this property, this property would be contiguous and be within a quarter of a mile of an existing water line and they would be required to extend water. However, there is a Talquin water line that lies about 1 mile north of this site and water could possibly be extended from Talquin.

Chair Dixon called for public comments.

Elva Peppers, representative, provided a commitment letter for water services. She entered it to the Growth Management Director for the record.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5-0, BY VOICE VOTE, TO APPROVE THE ORDINANCE ADOPTING THE SCHNEPF LAND USE AMENDMENT.

21. Public Hearing - Mortham-Shaw Comprehensive Plan Amendment (CPA 2005-18) Major Land Use Amendment changing 325.57 acres from AG2 and AG3 to RR Second Reading of Ordinance 2006-

013

Owner: C.R. Shaw III et.al and Rebecca Shaw

Applicant: Florida Environmental & Land Services, Inc.

Location: North side and south side of Solomon Dairy Road (CR 268) approximately 203 miles northwest of Quincy. It is bordered to the west by the Farms of Quincy Subdivision and to the south by the Golf Club of Quincy.

Type of Hearing: Quasi-legislative

First Reading of Ordinance was held on April 4, 2006 and was approved with site specific condition that limits 160 lots on the total of 325 acre parcel.

Mr. McCord gave a brief description of the land use amendment and historical sketch of previous board actions. He stated that the staff has satisfactorily addressed the issues listed in the DCA ORC report.

Chair Dixon called for public comments.

The following people were recognized for questions and comments:

Cindy D'Entremont - opposed to the land use amendment. She raised concern about contaminating the ground water, increased traffic issues, increased burden to local schools, urban sprawl, whether or not the restrictions to the number of lots will be enforceable

Marion Lasley - noted that the map in the newspaper advertisement was not correct. She quoted FL 125.66.

It was noted by staff for the record that the proper mail notices were sent to all parties within 1,000 feet of the parcel.

Ms. Lasley challenged whether or not proper notification was given.

It was established by the record that the Gadsden County Times did have the wrong map in their advertisement. However, the other local papers were correct as were the mailed notices to affected parties.

Attorney Williams stated, "Generally, the law is that if the mistake that was made is not material defect, it is considered a minor irregularity and you can go forward."

Attorney Paul Sexton stated, "If you have proper mail notice, it may not be a major material irregularity. But, standing here at this moment, I can't tell you by comparing the published notice and the mail notice where we are on the category. The Havana paper has it in the proper location and the mailed notices. The question is whether it's a wrong map in a different paper, whether you have a flaw."

Williams:

What the law generally says in this area is that if the person who could be adversely affected is not properly informed of what the area is or the concern, then the notice is defective and you have to start over again. Generally, what the courts have done routinely is a person is in the room to raise their objections about the concern, the Courts have said that meant you were noticed properly. So, I don't think I'm going out on a limb. I think we can say that this is a minor irregularity because the person who has the concern is actually in the room tonight to raise her concern. So, they are aware of it. They are aware of what the location looks out and they have pointed out their concern. All the affected property owners were properly notices. So, I don't think it is a major concern in terms of what direction the Board wants to go in tonight."

Dixon:

Are there any members of the Board who want to delay this?

Watson:

What would be the harm to delay it?

McCord:

Keep in mind that if you elect to delay this or table it for that purpose, DCA will not recognize the amendment that you adopt that is not adopted all together in the same cycle. They want to see all of these items - what we call Fall Amendments - adopted on the same date at the adoption hearing. If you delay this one, DCA has warned us and that is one of the reasons that we bring them all together. DCA says that they do not want us to provide them with ordinances adopted on different dates as part of a single large scale submittal package.

Sue Poppell - opposed to the land use change; had questions regarding the drainage of the wetlands which was brought to the Board's attention but was not addressed at the last

hearing. (Staff was directed to explore her wetlands concern.) She also asked what the Board could do to insure that her pond is not further contaminated by this development.

Ed Poppell - opposed to the land use change because of the number of septic tanks that will be allowed. He had questions about the 309 acres (page 4 of the agenda report) versus the 325 acres. He asked for confirmation about the number of lots being considered. He also called attention to the fact that clearing has already begun. He also asked that it made perfectly clear that the lots can not be half acre lots, that they must be close to two acre lots.

Mr. McCord explained that a portion of the property is already designated as rural residential.

Commissioner Watson asked Mr. Poppell to demonstrate exactly where the wetland was that was drained via a pipe.

Commissioner Holt had questions about the drive way in the "S" curve.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 - 1 TO APPROVE THE ORDINANCE ADOPTING THE MORTHAM SHAW LAND USE AMENDMENT. COMMISSIONER WATSON CAST THE LONE DISSENTING VOTE.

22. Public Hearing - Saranac Vineyards Comprehensive Plan Amendment (CPA 2005-19) Major Land Use Map Amendment changing 376 acres from AG3 to AG1 -Adoption Reading for Ordinance 2006-014

Owner: Saranac Vineyards LLC Gerald Dodd and Mark Penfield

Applicant/Representative: Creative Planning Group, Inc.

Location: east of Point Milligan Road (CR 161) and Jessica Lane, south of Salem Road (CR 159) and northeast of Chaff Chason Road in Township 3 North, Range 2 West, Sections 18 and 19

TAX ID: 2-18-3N-2W-0000-00320-0000; 2-19-3N-2W-0000-001230-0000-; 2-19-3N-2W-0000-00231-0000; AND ALL BUT THE WESTER 40 ACRES OF 2-18-2W-0000-00340-0000

Type of Hearing: Quasi-legislative

Planning Commission Recommendation: Approval based on the findings as found in the attached agenda report.

Staff Recommendation: Approval based on the findings as found in the attached agenda report.

First Reading of Ordinance was heard and approved on April 4, 2006.

Mr. McCord gave a brief description of the above stated land use amendment. He said there was no ORC report issued on this project DCA. He noted that there is a private airport on the property.

Chair Dixon called for public comments. There was no response.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ORDINANCE ADOPTING THE SARANAC VINEYARDS LAND USE AMENDMENTS.

23. Public Hearing - Suber Comprehensive Plan Amendment (CPA 2005-21) Major Land Use Amendment changing 362 acres from AG3 to RR

Owner: Suber Family Trust

Applicant/Representative: Creative Planning Group, Inc.

Location: South side of US 90, south and east of the Pat Thomas Law Enforcement Academy and northwest of Lanier Road/US 90 intersection approximately three miles northwest of Midway in Township 2 North, Range 3 West, Section 25

Type of Hearing: Quasi-legislative

Planning Commission Recommendation: Approval based on findings found in the attached agenda report.

Staff Recommendation: Approval based on findings found in the attached agenda report.

TAX ID: 3-30-2N-2W-0000-00323-0100; 3-25-2N-3W-0000-00300-0000

FIRST READING OF THE ORDINANCE WAS HEARD AND APPROVED ON APRIL 4, 2006.

SEE THE DCA ORC REPORT AND RESPONSE IN THE AGENDA REPORT.

Mr. McCord gave a brief description and history of the proposed project as outlined in the attached agenda report. He noted that DCA did issue some comments and concerns in the ORC report regarding the land use change. He said that he was in the process of responding to that report and the response would be available at the next meeting for this project. He noted that there is central water and sewer by

Talquin adjacent to this property. The applicants will tap into those systems when development proceeds.

Chair Dixon called for public comments.

Harvey Sweeney addressed the Board. He had concern regarding the criteria the Board would use in the future in dealing with land use changes.

Attorney Williams assure Mr. Sweeney that everyone would be treated the same within the laws.

Bryan Rowe asked for clarification as to the requirement to connect to the sewer.

Mr. McCord replied, "The Comp Plan and the Land Development Code require you to tie into that when it is available within a quarter mile of your property."

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTE 5 - 0, BY VOICE VOTE, TO APPROVE THE ORDINANCE ADOPTING THE SUBER FAMILY TRUST LAND USE AMENDMENT.

24. Public Hearing - Eakin Comprehensive Plan Amendment (CPA 2005-03 Small Scale Land Use Amendment changing 5.66 acres from AG3 to RR Ordinance 2006-016

Owner: John Eakin

Applicant/Representative: O. Sean Martin

Location: At the northeast corner of the intersection of McCall Bridge Road (CR 65C) and Bear Creek Road

TAX ID: 4-25-1N-4W-0000-00212-0100

Type of Hearing: Quasi-legislative

Planning Commissioner Recommendation: Approval based on the findings as described in the attached agenda report.

Staff Recommendation: Approval based on the findings as described in the attached agenda report.

FIRST READING OF THE ORDINANCE WAS HEARD AND APPROVED ON APRIL 4, 2006.

Robert Presnell, presiding, introduced the item and announced the public hearing. He then turned it over to Mr. McCord.

Mr. McCord reported that this amendment was not part of the transmittal package sent to DCA. He described the project as detailed in the attached agenda report. He explained that the applicant would like to divide the property into two lots and sell the second lot to allow for two homes.

There was some discussion at the last hearing about imposing a site specific condition to this amendment. However, Mr. McCord stated that it could not be done as part of a small scale amendment because it would be essentially be an amendment to the Comp Plan. He assured the Board that he would impose the spirit of the Board's wishes with regard to this amendment until such time as an administrative comp plan amendment can be accomplished later.

Chair Dixon called for public comments.

There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ORDINANCE ADOPTING THE AIKEN LAND USE AMENDMENT.

25. Funding for Special Assessment Paving Projects: Quail Roost Drive and Ames Barineau Road Resolution 2006-024 and OMB-BA#060020

Robert Presnell announced the opening of a public hearing on the above named item then turned the meeting to OMB Director Davin Suggs.

Mr. Suggs introduced Resolution 2006-024 and Budget Amendment OMB-BA#060020 recognizing funds in order to allow the paving projects described above to move forward. He said he would come back at a later meeting to begin the process to recoup the funds and the residents along those roads will reimburse the County for a portion of the costs. He explained that the funds will be taken from the fund balance in the Transportation Fund and Fund 112.

Mr. Suggs explained that the Board approved doing these projects in 2004. However, it has taken this long to secure the rights-of-way from all of the property owners. He reported that all of the deeds have been recorded in the

official records and the projects can now proceed.

Commissioner Lamb asked if this amount will impact the Public Works budget for this year.

Mr. Suggs explained that he will not take any money from the current budget. The funds will come from the fund balance and it will be set aside in a separate budget for these projects and future projects of this type. The money will not be co-mingled with any other public works projects. The money will be recouped from the residents as an assessment on their tax bill.

Commissioner Watson stated, "We ought to be able to come up with an assessment roll that has the property owner plus the number of feet. Then it will just be simple math to plug in how much each person will owe according to how much the program will cost. We should already have the names and we ought to already have the linear feet that each one will be responsible for of that project...I just don't want there to be a big delay between the construction completion and the date when we start collecting the money."

Mr. Suggs said that he anticipates that the assessment will appear on the tax bills in November of 2007. The residents along Quail Roost will pay the entire assessment upon receipt of their 2007 tax bill. He was not certain how the residents along Ames-Barineau want to handle their assessment.

Chair Dixon reiterated that recouping the funds quickly will become important because it will hamper further paving projects of this type until those funds are recovered sufficiently to move to the next project.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE BUDGET AMENDMENT AND RESOLUTION DESCRIBED ABOVE.

GENERAL BUSINESS

26. Discussion Item on Proposed Burnett II Minor Subdivision (MSD 2006-002) (Staff desires direction as how to review this request.)

Mr. Brown introduced the above item. He said, "This is one

of the items where you have previously seen where tracks have been before the Growth Management Department as a Minor Subdivision. Years later, the parcels in that minor subdivision have come back for another minor subdivision."

Owner: Mr. James Burnette

Applicant: Mr. James Burnette

Location: 38.48 Acres located on the north side of SR 12 approximately 2.5 miles west of Havana.

Mr. McCord reported that at the time of the Comp Plan adoption, Mr. Burnette owned a large parcel of land that has been subdivided through the minor subdivision process which is an administrative review process. He has come back now after several years and desires to subdivide the property into four more lots which will essentially make the development a major subdivision as opposed to a minor subdivision. He questioned whether or not the developer might be subverting the major subdivision process by doing a series of minor subdivisions.

Mr. McCord called attention to the agenda report which contains a number of citations from the Code and a more thorough description of the concern he has about this type of development. He asked for directions.

Staff Recommendation: Require a Type II review of the proposed subdivision to be platted per Chapter 177, Florida Statutes, and comply fully with procedural and design requirements of the Code.

The applicant was unable to attend this meeting and requested that the Board postpone discussion until he can appear.

Commissioner Watson said, "How I though we corrected this problem after the Butler Subdivision problem - What I thought we did was - correct me if I a wrong, Mr. Chairman, In order to prevent the Butler situation, minor subdivisions could not share the same infrastructure. Because the Butler situation was like 7 minor subdivision all on the same road. What we did was change the wording where you could have a series of minor subdivisions, but you cannot share the infrastructure. That is what I remember. And, I remember you asking me if I had stayed at the Holiday Inn last night. You thought it was a good idea."

Mr. McCord stated that it is not written like that in the Code.

Commissioner Watson stated, "What we decided to do was require each minor subdivision to have its own road. There could be no sharing of roadways between minor subdivisions."

Commissioner Holt had no problem in postponing the discussion, but she wanted to make certain that the developers of minor subdivisions who develop with dirt roads are aware that the county will not accept the roads for maintenance.

Mr. McCord stated that there is a provision in the Code that says that if a developer develops a subdivision with private roads, they must erect a sign that says that the road is not a county maintained road.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO POSTPONE DISCUSSION OF THIS AGENDA ITEM.

9. Approval of Material Short Hauling Bid (06-02)

Commissioner Holt proposed that the bid award be split between the two low bidders if the next lower bidder will share it at the lower bid price. In doing so, the County can then determine who offers the better service. If the vendor chooses not to share it at the lower price, the contract can be award solely to the lowest bidder.

Commissioner Watson asked how the low bidder would feel about it.

Public Works Director Robert Presnell said that the second low bidder is Charlie Walker and the low bidder was Nonka Trucking and they work together hauling for the County anyway.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO AWARD THE

BID TO THE TWO LOW BIDDERS TO BE SHARED. THE MOTION ALSO PROPOSED THAT THE TWO BID AMOUNTS BE ADDED TOGETHER AND DIVIDED BY TWO TO DERIVE AT THE CONTRACT PRICE.

County Manager

27a. Update on Deer Ridge Subdivision

Mr. Brown recalled that the Board had directed him to meet with Mr. Dan McClellan, the developer of Deer Ridge Estates. He reported that he had met with him on two occasions and went through the list of deficiencies and reviewed them. He also reported that most of the items between the developer and the County have been resolved. He called attention to the letter from the Department of Environmental Protection (DEP). The letter states that DEP is ready to approve the Consent Order.

Mr. Brown reported that he also met with the homeowners. They still have some issues and concerns about the development which will have to be verified with the Growth Management Director and the site inspector. However, he said he feels that the conclusion is very close - about 90% complete. The big outstanding issue is the roadway.

He proposed that the Board and the developer share the cost of repairing the roadway 50/50. The cost will be approximately \$37,000 making each party responsible for \$18,500. The developer has stated that he is willing to place liens on the properties that are still within his ownership. As soon as they are sold, if he has not already paid off the roadway obligation, the liens will insure that the County will get reimbursed for the developer's portion.

Mr. Brown said that the attorney needs to prepare a legal document to reflect the negotiated settlement. He also said that the attorney advised that the County not release the CO's until an agreement is signed by both parties and that the Board has approved that agreement before the CO's are released. He said that he will continue to work with all parties to make certain that all issues are resolved and verified by staff.

Dan McClellan addressed the Board. He said that he would

reimburse the County for the road improvement within six months. He said that there are seven properties tied up - two finished houses, one of which is owned by a third party (lot 14) who is still being deprived of his home. He asked the Board to conduct the inspections on April 26 and allow things to proceed so that the homeowner can get into his home.

Mr. Williams advised that, generally, it is not in the best interest of the County to compromise the legal position that it has. He said the reasons would be more appropriate to discuss in a closed session. He went on to explain that there is usually a lump sum payment that goes to the developer at the time of the CO - it is 10% - 20%. He suggested if Mr. McClellan would agree to put that lump sum payment into an escrow under the control of the County subject to be transferred back to him at the time the agreement is signed, it would solve both concerns. The home owner can move into his home and the County would be protected.

Mr. McClellan agreed to that proposal if it could be done quickly within the next day.

Mr. McCord stated that he could complete an inspection by Friday, weather permitting.

Mr. Brown said that the homeowners shared some issues with him that he would have to verify with Mr. McClellan.

Commissioner Holt asked why the County should pay for half of the road.

Mr. Brown said that the deeds for the road have already been transferred to the County. Regardless, the damages were caused by the developer and therefore should be responsible for the repair. However, in an effort to avoid a very protracted litigation, it seemed prudent to negotiate.

Chair Dixon stated that he did not want to take a posture that would make it appear that the County is responsible in any way for the damages at Deer Ridge.

Mr. Brown stated, "I don't think that the County's position is that we are taking any responsibility for any damage to the roadway. The issue we are putting before the Board is

that there is a signed agreement that the County has accepted the roadway and as a result, if we have accepted the roadway, and Mr. McClellan has shown us a signed document that someone signed on behalf of the County that says now that the roadways are now in the public domain, therefore, we are the owners of the road."

Mr. Williams explained, "Mr. Chairman, part of the things that happen when you get to this stage and you settle is that the litigation postures are not fully developed. One of the things that guides the manager is that there may be other legal defenses that could arise. I think your point is correct as it presently looks. If they make the argument that we accepted the road and they damaged to the road, we can sue them to pay us for the damage that they did because they put improper equipment on the road. That is what your position is. The problem is that as we go forward with the litigation and we respect their counsel. We have litigated against them in the past. He will develop arguments that may create an uncertainty as to the outcome. So, I gave the manager an assessment of the litigation costs.

Chair Dixon responded, "We have delayed going to court for six months in hopes of working this thing out. We delayed because they kept asking us and kept asking us while the home owners pushed us to go to court. Here we are again saying that things aren't all the way that it should be, but, let's do something warm and fuzzy for the developer.

I am not there. When did we all become very nice and on the same page? That is what I need to know. As I have heard from the homeowners, what I heard in our last briefing, was that we aren't getting any cooperation. That is certainly what Mr. Theriaque said in his last letter. They haven't been nice in those letters. They have all been threats and demands about how we are the problem."

Williams:

Mr. Chairman, Mr. Theriaque is not here tonight and I think that is a good sign. No disrespect to him. I think that the developer thinks that it is better to bring this in for a landing. I think that everything you said is absolutely 100% accurate. I think we could have gotten here a lot sooner and I think that the County has been in awkward situations unnecessarily. One of the early signs for me was the fact that he spent about \$100,000 with the Consent

Agreement with DEP. He moved slowly on it, but, once he had some direction from DEP as where to go, he did put that money in place. We could make the argument that there were delays throughout this and I am there. He did put the money in at a certain point in time. And he did not have to do that if it was merely just -

Dixon:

He did that for DEP, he didn't do it for the County. He wouldn't meet with the County. He wouldn't talk to the County. Don't tell me what he did for DEP. We are talking about the County. My concern is nothing that we have agreed to has Mr. McClellan or his outfit come in on time. "We'll have you a letter in two weeks." A month would go by. Nothing. So, why this deal? Why is this going to be any different than any deal? You tell me a deal that they brokered that we agreed to that they came in on time. Name one. Mr. McClellan, you name one. Somebody, tell me one.

Brown:

Mr. Chairman, you are exactly correct. There have been no deals

Dixon:

So, why all this so warm and fuzzy about getting it done? Give us a 100% and we will release them.

Brown:

But, Mr. Chairman, again, you know, we took directions from the Board to meet with Mr. McClellan.

Dixon:

If the Board wants to give it to him, now is the time.

Watson:

My question to the attorney is how is the lien process going to work? This lien on five vacant lots?

McClellan:

We will continue to build the subdivision out. As we take those lots down, I probably take two or three down and when we are to that point, that money will be immediately released and the balance would be due no later than six months. That is the way we discussed in the meeting.

Watson:

What are the lots worth a piece?

McClellan:
\$40 - 45,000.

Watson:
How will that work?

Williams:
That is a good question, Commissioner.

Watson:
I thought I asked about liens earlier and you told me we couldn't do that.

Williams:
I don't remember right now having that conversation, but the concern I've got about a lien, if we can do, is the priority state. And, if you've got those lots out there, then whatever financial institution is, already has a recorded lien against the property because you had to finance it. The question becomes, if the worst thing happens and you foreclose on those lots, the way the law works is they wipe out the second position. So, I am not sure that a lien would work.

But, what would work, and again I am just thinking out loud here, if the CO - It's \$18,500 that we are looking at - If the amount available in the CO for the home that we are talking about is in the neighborhood of \$10-12,000, that protects the County substantially. So, we have to negotiate out to make sure that the County is protected for the remainder. Most of the money would be covered under the CO if he is allowed to execute and go forward and complete the closing. But, not if it is \$5,000.

The lien would be something that we might want to

Watson:
Why can't we get a firm figure on that, Mr. McClellan?

McClellan:
A firm figure on proceeds at closing? You can. That has just been brought up tonight.

Watson:
What is the number? 10%?
McClellan:

I believe that my draw, it is 5%. I believe that is all that is left in the draw.

Watson:

On the lot and house together?

McClellan:

I am being honest, I don't know. But, I do recall that the amount of the check is closer to \$10,000 than \$5,000. It might be around \$12,000.

Watson:

So, the home is less than \$200,000.

McClellan:

Around \$170,000 or \$175,000.

Williams:

So, you would have about an \$8,000 deficit between the agreed to amount on what is remaining on that house.

If that is the will of the Board, I think we can figure out a way to get there to protect the interest on the trade-off on the other improvements.

Holt:

Question, Mr. Chairman.

Mr. McClellan, why not just pay the \$18,500 if we agree to that and everything is settled out there and you get to do whatever you want to do with those seven lots? Why should we be going through this for \$18.500.

Would it not make more sense, when we are settled and out of the way and the citizens out there are happy, then you go ahead and do what you want to with those seven lots.

McClellan:

Through no ones fault, the ability to earn any income off this subdivision has been basically taken away for at least 12 months. To go back to the Chairman's concern about nobody wanting to do anything, and I don't want to start anything, but, this has not been a normal change of events and occurrences. These haven't been selective delays. There has been weather contributed by four hurricane events. If you really want to go back and do a dateline on what caused things to happen. I was on vacation when the

newspaper descended on Deer Ridge and I was unable to respond. I was out of town and didn't even know what was going on. When I came back, this had happened.

Getting back to your question. If it is as close as - Will you do this if we do that? I would say yes. Let's bring this to closure. Absolutely. If we get the (inaudible) when we sign it, I'll write you a check for \$18,500.

Holt:

If you are willing to do that. It makes no sense to do a percentage. You can get the percentage yourself and not even have to go through us.

McClellan:

Of the \$18,500, you would have the bulk of it on this one closing.

Williams:

Just so the Board is clear, what I am hearing Mr. McClellan say is that based on the questions from Commissioner Holt, if he is allowed to go forward with the one individual, you will allow us to hold that money until the agreement is signed. Upon execution of the agreement, he will then write a check for the balance and that will resolve the issue of the road improvement.

McClellan:

Simultaneously, all the permits will be issued and you are back to business.

Dixon:

Will we be at 100% at that point?

Brown:

We will still need verification from Bill McCord to make sure that the minor things that are still outstanding other than the roadway are taken care of. We would like for Mr. McClellan to complete those items before we actually have an agreement. So, the agreement will only address the road issue and his payment of the outstanding fees to us to complete the roadway.

Lamb:

That will include the concerns that the citizens have?

Brown:

We would want those addressed before we have an agreement.

Watson:

One more time. He's going to put in \$18,500? We are going to front \$18,500.

Williams:

This is my understanding. This is sequential order. He's got a home owner that wants to move in because he wants to lock in his interest rate. He wants to get that done sooner than later before the agreement is done. He wants you all to approve that portion and we will escrow that money until an agreement is executed. If it not executed, that money is going to be held by the County pending any litigation occurs. If and when the agreement is executed, the concerns will be resolved between the homeowners association, the developer and the County. At the time the agreement is signed, the only thing that will be remaining is the road improvement. Half of it is \$18,500. He will write a check at the time of execution of the document to the County for that amount of money or the difference in what is in escrow. The total amount of the road is \$37,00.

Watson:

When the road is improved, \$37,000 will have been spent and we will have spent all of it.

Williams:

We will have spent it all, but, if this agreement is done within the next two weeks, the road improvement may be done a month or two out. We will have the money in before we actually do the road improvement.

Now, before with a lien arrangement, we may have already spent the money before we got his payment. But, with this arrangement, we are going to have his money before the road improvement is done.

Dixon:

Homeowners, are you here?

Share with us.

Cyr:

My name is Arthur Cyr and I reside at 320 Deer Ridge Circle. I had a brief meeting with the other home owners and Marlon Brown before the commission meeting. I want to

immediately thank Marlon Brown. I think he put together a good plan. From what I heard at the meeting, my understanding coming into this one was that he would present the information he had to ya'll for your considerations. After you have reviewed the information and Bill McCord and his crew had gone out and verified that the corrections have been made, then and only then, would you release the CO for the building permits.

I am of particular concern simply because of past history. I would really like to put my faith in every one sitting at the table. But, going back in my notes, I see where the County and homeowners patience has been tried time and time and time again for over a year now. This issue could have been readily resolved if all the defects in the subdivision have been corrected and no one would have to be waiting on a CO to move into their home. I do feel for the individual's situation, but, I also feel that if the County caves in to these types of scenarios, it will open up a feeding frenzy for other situations to occur. I also feel that if we were to drop someone unknowingly into the situation that exists out at Deer Ridge, I honestly couldn't do that in good conscience.

So, whatever ya'll decide, I am hoping that you take the time to go through the details with Bill McCord and his concerns and not rush to judgment this evening. I personally would love to have the public hearing. I think this entire scenario, this debacle at Deer Ridge, needs to have a good public airing out.

Thank you, Commissioners for your time.

Dixon:
Will there be others?

Ferguson:
I am John Ferguson. 180 Deer Ridge. I personally don't have a problem with someone getting their CO. One person getting their CO. We have been through a lot, but this guy, I mean, put yourself in his place a little bit. You know, he trying to get into his house, and he is paying. I can just imagine what it is like to have your interest rate keep going up and having to pay for that house and pay for another place to live. As long as Dan comes in and finishes everything that needs to be finished, I personally, don't have that problem with letting him have

that one. But, on the other hand, this guy should have been here also to speak his mind about his house and his property. But, again, I don't have a problem with that. I know it would be tough to have that kind of money out there.

I think that Dan has come out and shown some improvements and we should lighten up a little bit. But, we do need to make sure it is 100% like you said, Mr. Chairman.

Thank You.

Laurel:

I am Dixie Laurel. I live at 140 Deer Ridge Circle. I met ya'll before and probably have shaken all your hands.

I truly empathize with the gentleman that is waiting for the Co. I have never met him in person, I have never seen in at any of these meeting, I have never seen him at any of the get-togethers at Deer Ridge. I do not think that we should give the CO. I'll just be blunt about it.

We have lived in our homes ever since this started. I locked my interest rate in because I wasn't sure when the construction would be done. No one went to bat for me. When I moved in and started having problems and we started going the normal channels. We were sort of led to be individuals in our neighborhoods until we started getting out and meeting each other. The strange things that we were all experiencing started coming out. Then all the hurricanes came. Then we weren't individuals, we were a neighborhood with major, major, infrastructure problems. We were not getting call backs from the developer. Not just once or twice. We were not getting a call back from the person who sold us our home and walked us through everything and was so excited. When we started to get call backs, we were told that it was our own fault and that we had created these problems. We needed to have sodden our yards, we should have gutters on our homes. It was very offensive when the builder held his hand out for the price of my home, he got all of that money. I was not able to negotiate a penny with him. But, now that I am in my home and I am having problems, we are here at the County Commissioners asking for help. We have spent hundreds of hours as homeowners, as property owners, we have spent thousands of our own personal dollars, as ya'll know, to walk us through this stuff. You can't imagine what it has

done to certain individuals and all of us to a degree.

We have unfortunately learned a lot this last year and half.

Only one homeowner has sold their home and moved out of Deer Ridge. The couple that bought that home came to a County Commissioner meeting and were given (in my opinion) full disclosure about what was going on at Deer Ridge. From ya'll and from homeowners. They decided to stay with us and they are still with us. I believe that is what is owed this gentleman - the PPD officer. Does he know everything about Deer Ridge? Do I take him the photograph that I have of a dump truck on his drain field? Once he moves in and starts flushing his toilets and taking his showers, is somebody going to call him back when he has a problem on the weekend? Or maybe somebody will tell him like they told us - Don't use your bathroom until Monday. Don't take a shower or wash clothes at the same time in a brand new \$200,000 home. Is there not some problem there? I feel sorry for him. I truly do. He is as far as I know, Dan has arranged for him to live somewhere, so he is not paying a mortgage and rent and loan expenses and all that good stuff.

I know when we closed, it was 20% that was left. I keep hearing 5%, 10%. That is the problem here. That is what we have all experienced time and time again. "We will do it this way." It doesn't get done. "I'll call you back." We don't get a call back. "I'll send an engineer out." The engineer doesn't come.

We have come so far. We are so appreciative of all that ya'll and your staff have done. Truly, you just don't know. If you haven't been out there lately, it definitely looks better. But, we want it to function properly. We are basically in a draught. How do we know that all of these things are going to work until we get some serious rain? I am not trying to be obsessive, but the record shows that if we give him this, he is gone - in my opinion.

Don't do that. We've come so far. We are so close. We love it in our neighborhood. We walk, we are out all the time. We've got lots of new people coming through the neighborhood. We want to be able to say "yes, come on over here to Gadsden County. This is a great place to live." That is what we want. I don't see why we can't wait until

May 10. I am sorry for the TPD officer. I think that once he gets into that house, he will be appreciative of all the hard work that ya'll have done.

Dixon:

Mr. McCord has said that he can go out later this week and him and his team and complete his assessment. For a moment, let's forget about the lien. What if on Tuesday night, Mr. McCord completes his assessment. If the assessment checks out, Mr. McClellan hands us a check for \$18,500 and we sign off on Tuesday night. That way, everything is clean. Have I covered all the issues?

Watson:

The CO would be given Tuesday night, then?

Dixon:

If we have an agreement and Mr. McCord verifies that everything is ready to be signed off on.

Lamb:

I concur with you Commissioner Dixon. I want to make sure though, that when Mr. McCord goes out, the homeowners association in Deer Ridge is satisfied. If they are not satisfied, I am not satisfied. I want them to make sure that they approve when Mr. McCord goes out there.

Dixon:

He will have to approve things on a technical nature. I don't think they will be mad about that.

Lamb:

No, but he has been working very closely with them. I think they will cooperate and communicate with him. I think that Mr. McCord will make sure that he levels with them on his findings.

McClellan:

First of all, in defense of the police officer, he works at night. He has been here twice. He slept through one of them. He is very aware. He can't believe that he has been treated this way.

Dixon:

Mr. McClellan, you are not winning yourself anything. Just cut to the facts. Will you? Won't you?

McClellan:

We sat yesterday and had an agreement to present to you guys of which items were discussed. It seems now that the manager has now met with the Deer Ridge unofficial homeowners association and has been given another list of some things which I am not aware of.

Dixon:

Mr. McClellan, we are not aware of them either. We don't know what they are. That is something that if it is a technical issue, Mr. McCord will make that decision. It won't be a feel good issue from the home owners. We have carried them through every position, and we were interested in what they have to say. But, we will not let just the fact that Dixie doesn't want it, stop it. If Mr. McCord checks off on it and it meets his standards, that is the standard that we are going to use. O.K.?

McClellan:

I would say again, because Mr. McCord has gone out and inspected, he may need to re-inspect, but, based on what we have discussed to come to this agreement, and that agreement being brought forward next Tuesday and the proper (My attorney told me that is the proper way - maybe we put the money into escrow until we sign it, then you get it all.) I don't know all the proper mechanics for that check, but, until it is all signed, adopted and sealed, yes, as far as theory. Writing a check for \$18,500 and everybody signs off on it, yes, I am for that.

Dixon:

Mr. McClellan, you are making this very difficult.

McClellan:

I thought I was agreeing with you.

Dixon:

I am not sure what you agreed with.

Here is what I expect on Tuesday night. Mr. McCord, if things are proper, and the attorney will bring to us an agreement that says things are proper, for you to sign and for this Board to sign. At that point, once the signatures are done, you will have for this body a check for \$18,500 - your end of the paved road. At which point, being that all business has been finished, we will release all of the CO's to you Tuesday, if you want. If not, we will see you another Tuesday night and another Tuesday night.

Williams:
The check has to clear first.

Dixon:
Cashiers check.

McClellan:
My point is, the proper protocol.

Watson:
I will take cash in five separate envelopes.

Large laughter.

Dixon:
Don't even joke like that.

McClellan:
I don't have counsel with me here tonight. But, I hear what he is saying and I would agree with that. If we all agree, there will be a check written for that amount. How about that?

Dixon:
I think he just subverted what I just said.

Williams:
Mr. Chairman, if I may?

Dixon:
Can you talk in his language?

Williams:
Yes, sir. He is saying that he doesn't have a lawyer. He thinks it sounds right and he is o.k. but, he is worried that when he talks with his lawyer, his lawyer may tell him that it is not o.k. But, if his lawyer says it is o.k., he's going to write you a check. How did I do?

Dixon:
Very good. Is there anything else to come before us on this. Thank you, Mr. McClellan. I appreciate your cooperation on this.

Next issue, please.

Presentation to County Attorneys

Chair Dixon asked the attorneys to stand and be recognized. He told the Board and the audience that the firm was featured on the cover of the Florida Transportation Monthly for being pioneers in the field of Transportation Law. He thanked them for their service and diligent work.

Website Agenda Paperless Agenda

Mr. Jon Brown introduced the agenda and the backup documentation in PDF format that will be available on line at the BCC website.

Mr. Marlon Brown stated that since the on-line agenda is now available at no cost, the office will begin to charge citizens when they requests a paper agenda.

28. COUNTY ATTORNEY'S AGENDA

Mr. Williams thanked the Board for their support and recognition.

CITIZENS REQUESTING TO BE HEARD

Mr. David Medley and Daniel Anderson addressed the Board. Mr. Anderson explained that Mr. Medley's mobile home burned in November and he has purchased another home to replace it. Mr. Medley believes that he is entitled to a replacement permit. However, he was told by Planning Department that he could not. He has health issues that require him to live close to family.

Mr. McCord recalled that the property is on Penny Lane. It is in an AG2 land use. There is a non conforming use on the property. The Code is very clear that when a non-conforming use is destroyed by fire or acts of God, that you do not go in and recreate the non-conforming use. That non-conforming use is then lost. There is no provision in the Code to allow for what Mr. Medley has requested.

Discussion followed.

Mr. McCord was directed to bring back a proposal for a Code change for the Board to consider. Mr. Williams was directed to work with Mr. McCord.

Lola Murphy addressed the Board. She asked when the immediate family exemption workshop would be held. She also would like to split her property to allow for a family member to live near her.

Bryan Rowe stated that he thought the agreement that the County is entering into with Dan McClellan is a mistake. He is the developer for San Bonita Estates and he stated that he would expect to repair any damages that he makes to a development.

Mr. Williams stated, "I reserve the right to raise every factual difference at the time if there is anybody who is going to try to hold the County hostage in the future. Based on this arrangement that we make at this time, it is in the best interest of the County. Cases are resolved on the law and the facts of the case at that time. I will so advise you in that regard and no other way, notwithstanding, you have the right to answer. But, at the moment, I have to protect my commissioners, sir."

Chair Dixon called for other public comments. There was no response.

Discussion Items by Commissioners

Commissioner Lamb was not present at this juncture.

Commissioner Watson asked the Board to consider continuing the moratorium on rural residential land uses unless they can provide infrastructure.

Commissioner Price had nothing to discuss.

Commissioner Holt asked how many land use changes are still in the waiting.

Mr. McCord stated that there is the Thompson Amendment, Administrative Text Amendments in the Comp Plan, River Oaks Plantation. Other than those there is only one other application that is "hanging in the rack" pending the outcome of the moratorium.

Chairman Dixon spoke to the legislative issues. He said things are going really well for Gadsden County.

Receipt and File Agenda

- Public Works Outside Funding Information 1999-2006
- Letter to Florida Housing Finance Corporation -
Verification of targeted areas census tracts
- Letter to USDA Rural Development - Gadsden County U.S. 90
Roadway & Stormwater improvements MCD04QUI
- Clerk's Cash Report as of 03/31/06
- Clerk's Fund Summary Reports as of 03/31/06

ADJOURNMENT

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIRMAN
DECLARED THE MEETING ADJOURNED.**

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT THE REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON MAY 2, 2006,
THE FOLLOWING PROCEEDINGS WERE HAD,
VIZ.

PRESENT: Edward J. Dixon, Chair
Brenda Holt, Vice-chair
Eugene Lamb
Sterling L. Watson
Derrick Price
Thornton Williams, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

CALL TO ORDER

Chair Dixon called the meeting to order. Commissioner Holt led the invocation and Attorney Williams led in pledging allegiance to the U.S. flag.

AMENDMENTS AND APPROVAL OF THE AGENDA

The agenda was amended as follows:

DELETE:

1. Recognition of Mr. Jerome Robinson, Public Works (Mr. Robinson was recognized at the April 25, 2006 meeting)

ADD:

2. Additional Information for Item # 2 - Letter of Conditions for Rural Business Grant for the Construction of Infrastructure to McDaniel's Piggly Wiggly Store; Letter of Intent to meet conditions - For the Chairman's signature
- 20a. Approval of Emergency Purchasing Authority for County Manager
- 20b. Award of Asphalt Bid to Peavy and Son Construction, Inc. and addition of Quail Roost Drive and Quail Roost West to the list of roads to be paved.
- 20c. Approval of Award of bid to Peavy and Son Construction Inc. for Iron Bridge Road C.I.G.P Project
- 21a. Lease Purchase Plan for new Sheriff's Department Vehicles

21b. Deer Ridge Subdivision Update

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED UNANIMOUSLY (5 - 0), BY VOICE VOTE, TO APPROVE THE AGENDA AS AMENDED ABOVE.

2.	<p><u>Approval of the United States Department of Agriculture (USDA) Rural Development's Issuance of a Letter of Conditions and Obligation Documents for the McDaniels Piggly Wiggly Project</u></p> <p>Mr. Jim Dean from the USDA addressed the Board. He presented the letter of conditions for the County to accept for the award of \$270,000.00. The purpose of the grant is to put into place the turn lane, storm water retention area, and other improvements to the Piggly Wiggly development project on US 90 West. He asked for a signature on the documents so that they could get the money set aside in the County's name quickly.</p> <p>UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED UNANIMOUSLY (4 - 0), BY VOICE VOTE, TO APPROVE THE DOCUMENTS DESCRIBED ABOVE. (COMMISSIONER LAMB WAS NOT PRESENT FOR THIS VOTE.)</p>
3.	<p><u>UPDATE ON FDOT FIVE YEAR WORK PLAN</u></p> <p>Mr. Bruce Ballister from the Apalachee Regional Planning Council (ARPC) addressed the Board. He reminded them that he was before them last September to announce a program that the district had just initiated in which the ARPC would represent the rural counties in their relations with the five year work plan for areas outside of the MPOs.</p> <p>He asked the Board if they had any state road issues facing the County that needed to be addressed by FDOT in their five year plan. He said that he would be returning in July to follow up.</p> <p>He gave them a copy of the current five year plan, but encouraged them to make their requests known to him. He pointed out that the US 90 to SR12 by-pass is on the list. The bypass from SR12 over to SR65 has been removed temporarily from the list due to permitting issues.</p>

	<p><u>CONSENT AGENDA</u></p> <p>UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED UNANIMOUSLY (5-0), BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT:</p>
4.	Ratification of Approval to Pay County Bills: Accounts Payables dated April 28, 2006 and Payroll dated April 27, 2006
	Approval of Bid Award (Bid # 06-03) to Tony Kelly, Inc. of Tallahassee, FL for \$12,402.31 to Replace HVAC Unit at the Judicial Complex - Guy Race Building
6.	Adoption of Resolution 2006-027 for May 2006 as Older Americans Month in Gadsden County and in Support of the Communities for a Lifetime Statewide Initiative
7.	Adoption of Resolution Creating the County's Comprehensive Financial Management Policy Resolution 2006-030
8.	Florida City/County Managers Association Annual Conference - Authorization for the County Manager to Attend May 24 - May 27 in Panama City, FL
9.	<p><u>Public Hearing:</u> <u>Funding for Gadsden Community Hospital Settlement Agreements</u></p> <p>Resolution 2006-028 OMB-BA060021</p> <p>OMB Director Davin Suggs presented the above named resolution and budget amendment. There were no questions from the Board.</p> <p>Chair Dixon called for questions and comments from the public. There was no response.</p> <p>UPON MOTION BY COMMISISONER HOT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED UNANIMOUSLY (5 - 0) BY VOICE VOTE, TO APPROVE THE ABOVE NAMED RESOLUTION AND BUDGET AMENDMENT.</p>
10.	<p><u>Public Hearing:</u> <u>Approval of "State of Florida Road Bicycle Racing Championships" - Outdoor Festival Permit</u></p>

	<p>Growth Management Director Bill McCord addressed the Board. He said that the Board approved this race as an outdoor festival permit even though it doesn't qualify as an outdoor festival. The race does not have the attendance that would require a permit - they are essentially exempt. (The race was scheduled for May 27, 2006.)</p> <p>Mr. Peter Butler of Atomic Racing Team, sponsor and promoter, addressed the Board. He reported that Englehard will be providing the parking necessary and the Sheriff's office will provide the necessary security.</p> <p>Chair Dixon called for comments and questions.</p> <p>Commissioner Lamb stated that he is excited about the race and thought it was a great event to have in Gadsden County.</p> <p>There were no other comments or questions.</p> <p>UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED UNANIMOUSLY (5 - 0), BY VOICE VOTE, TO APPROVE THE STATE OF FLORIDA ROAD BICYCLE RACING CHAMPIONSHIP PERMIT.</p>
21.	<p><u>Informational - Use of Vacated Library Space</u></p> <p>County Manager Brown reported that the main library has already begun moving to the new William A. McGill Library and will be vacating the space at the Woodham Justice Center. The staff has made arrangements to allow the Sheriff and the Supervisor of Elections to utilize the vacated space. The Supervisor will move to the ground floor of the Justice Center. The Sheriff and the Supervisor have worked out an arrangement for sharing the space.</p> <p>Additionally, he reported the Board staff will be able to utilize the current Supervisor's space to more efficiently and effectively serve the Board and the public.</p> <p>No action necessary.</p>
11.	<p><u>Public Hearing:</u> <u>Conceptual/Preliminary Site Plan for Robertsville Community Park SP-2006-03</u></p> <p>Owner: Gadsden County</p>

	<p>Applicant: Charles Chapman, Parks and Recreation Coordinator</p> <p>Location: East side of Uptain Road, approximately ¼ mile east of the intersection of SR 267 and Uptain Road</p> <p>TAX ID: #2-02-3N-4W-0000-00332-0300</p> <p>Type of Action Required: Quasi-judicial in conjunction with public hearing under the Type II plan review procedure per Subsection 7202 Gadsden County Land Development Code</p> <p>Planning Commission Recommendation: Approval</p> <p>Staff Recommendation: Approval based on findings listed and subject to special conditions as listed in the attached agenda report.</p> <p>Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk.</p> <p>Mr. McCord stated that the application is an administrative request for a site plan approval for a neighborhood park in Robertsville. He said there is a park on the location which is in dire need of improvements. He cited a number of findings contained in the attached report.</p> <p>He asked for approval of the site plan with several conditions including granting a variance to allow for a set back into a required buffer.</p> <p>Charles Chapman was available for questions of the Board. He was administered an oath by Muriel Straughn, deputy clerk.</p> <p>Discussion followed.</p> <p>Chair Dixon called for public comments. There was no response.</p> <p>UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED UNANIMOUSLY, 5 - 0, BY VOICE VOTE, TO APPROVE THE CONCEPTUAL AND PRELIMINARY SITE PLAN FOR ROBERTSVILLE COMMUNITY PARK.</p>
12.	<p><u>Public Hearing:</u> <u>Conceptual/Preliminary Site Plan for St. Johns Community Park SP-2006-04 (County leased park)</u></p> <p>Owner: St. John Community Group</p>

	<p>Applicant: Charles Chapman, Parks and Recreation Coordinator</p> <p>Location: Intersection of M & M Lane and Hutcheson Ferry Road</p> <p>TAX ID: 2-15-3N-4W-0000-00123-0300</p> <p>Type of Action: Quasi-judicial in conjunction with the public hearing under the Type II plan review per Subsection 7202 of the Gadsden County Land Development Code.</p> <p>Planning Commission Recommendation: Approval of the site plan and variances requested based on findings as listed in the agenda report.</p> <p>Staff Recommendation: Approval as above.</p> <p>Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk.</p> <p>Mr. McCord gave an overview of the project explaining that it is an existing park that will be improved. He said there would be on site storm water retention.</p> <p>Chair Dixon called for public comments.</p> <p>Charles Chapman, Parks and Recreation Director, was administered and oath. He then told the Board that a storm water facility will be constructed on the southern portion of the property to control the flooding issues. The water will be directed toward the improved drainage easements across Hutcheson Ferry Road.</p> <p>UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE STATED REQUEST FOR ST JOHNS COMMUNITY PARK.</p>
13.	<p><u>Public Hearing:</u> <u>Land Development Code Amendment LDR_2006-001 Proposed Sidewalk Ordinance and Issues/Policy</u></p> <p>Mr. McCord presented the attached Land Development Code Amendment (LDR-2006-01) and sidewalk ordinance. He said that it is the first reading of the ordinance and it could be amended at this reading if necessary. He then went through the ordinance and explained how and why it is necessary. See the details as provided in the attached agenda report.</p> <p>Discussion followed.</p>

	<p>Chair Dixon called for public comments and questions. There was no response.</p> <p>UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE SIDEWALK ORDINANCE.</p>
14.	<p><u>Public Hearing:</u> <u>Administrative Text Amendments to the Comprehensive Plan - CPA 2005-12AD - for transmittal</u></p> <p>Legislative Action</p> <p>Mr. McCord told the Board that the staff is proposing changes to the Comp Plan in order to address a number of concerns expressed by the Board over development policies. The changes will clarify and make the language more consistent throughout the plan.</p> <p>He then explained that the existing Comp Plan calls for certain new policies to be implemented by a target date which are now past the target date. As a result, he proposed two new land use classifications. The first new classification which he proposed was "mixed use" land use category. It is different than "urban service area." It requires utilities and a certain mix of urban and industrial land uses. To provide additional options, he proposed the "mixed use" and "high density" uses which will provide for a variety of uses including a variety of residential uses including higher density residential. It would allow up to 12 units per acre which would allow for garden apartments in urbanizing areas. It would also provide for office and commercial uses and open spaces. A blend of uses would be required with mixed use.</p> <p>He proposed an expanded definition of rural residential land use to make it a lot tighter. He also proposed some accessory changes to identify those new land use categories in other parts of the Comp Plan.</p> <p>He said, "It grants greater flexibility. We think it provides greater opportunities for affordable housing which is a key for this project and the land use changes. We need to do a better job of providing options that will allow for people to acquire an affordable place to live. This is just the first step in doing that."</p>

He then told the board that this item was originally to be heard by the Planning Commission at the November 2, 2005 meeting and by the BCC on December 7. However, the Planning Commission decided that this item needed to proceed through a workshop prior to formal action.

A joint workshop was scheduled for the BCC and Planning Commission on March 14 at which only one Planning Commissioner attended. The item was placed back on the regular agenda for the Planning Commission on April 13 at which time, they continued to express concern about the proposed amendment.

Mr. McCord told the Board that he felt that the staff has provided ample opportunity for the Planning Commission to discuss their concerns including the November 2005, December 2005, and the March 14, 2006 workshop. He was opposed to continuing to postpone a decision on the text amendments and asked the Board to move the amendment on through the transmittal process. He explained that if the board or commission desires to make changes after transmittal, these can be proposed between the transmittal and adoption.

He asked for direction at this juncture.

Chair Dixon asked for public comments.

Planning Commissioner Larry Ganus addressed the Board. He said, "I would like to raise a point of order here in disagreement with Mr. McCord. As a member of the Planning Commission, we did vote at our last meeting on April 13th to continue this item and the next item on your agenda also to a workshop. We wanted our own workshop. I know that Mr. McCord scheduled this item with your workshop back in March. As you noticed, I was the only member of the Planning Commission that showed up for that workshop. I don't know all the reasons, but I think there was quite a bit of confusion on the part of the commissioners as to what our role was going to be and what it was all about. So, when it came to us in our meeting on April 13th, we voted unanimously to continue this item into a workshop.

Due to the complexity of the issue, it is something very new to the county, it does open the door for a different type of development that we have never had. I laughed to

myself. I know that some of ya'll have issues with rural residential which is 1:1 or 1:1/2 acre. And now, all of a sudden, the rocket has blasted and we are talking about 12 units per acre. I don't know how ya'll feel about that, but I think it is something that is pretty important that we need to dig into and see where the infrastructure is going to come from.

The next item on your agenda is the River Oak Plantation that is three miles from the nearest sewer pipe. Who is going to run that sewer? And when is it going to be done? While that is within the Quincy city urban service boundaries, I don't think they have any current plans to run city sewer out to Little River. It was interesting in that packet that the city manager suggested that this development be started on septic tanks and then when and if the sewer line is run out that far, then attach everything to the sewer line.

Well, that seems to be putting the cart before the horse again. We have already had a little bit of a taste of that in the recent past with Pat Thomas Parkway down to I-10. So, I think we are opening the path to a lot of problems if we don't take the slow and deliberate approach to this particular thing.

Beyond that, the next step is that if ya'll don't remand this back to the Planning Commission, I think you need to take a serious look at what the function of the Planning Commission is. What are we there for? I know what the State Law says - that we are there to help right the boat for one thing and provide input and provide for the public input. There are several things in the state law about what our function is supposed to be. But, if we are not allowed to be a part of this process, and that is part of the disagreement that I have with the Growth Management Director - that he seems to be bypassing our commission and not taking us seriously, maybe.

If that is going to be the case, if he is going to have the ability to by-pass us anytime that we don't act in accordance to his plans, then you need to take a serious look at what we are there for and exercise your option in State Law to act as the local planning agency yourself.

We were created by ordinance and we can be dissolved by ordinance and you can take over the job of doing what we

are doing. Actually, when you look at it, we are only an extra step in the process. We don't eliminate anything that you have to do. Everything that we hear, you have to hear. We are not going to increase your workload by doing away with the Planning Commission.

So, if we are going to be by-passed like this, and not given the opportunity to see something through and let it run it's course with the Planning Commission, then I personally feel like we are of no use whatsoever and we need to be eliminated and you need to take over the job of being the local planning agency."

Bob Cambrick, of Creative Planning, addressed the Board. He stated that he is the representative for the next applicant on the agenda. He voiced support for the amendment because it does allow the County to proceed in a direction that the Board has indicated that it would like to go in. It will also address issues that will be increasingly facing the County.

Marion Lasley addressed the Board. She asked the Board to remand the matter back to the Planning Commission, allow it to be workshopped and postpone action until after the visioning process that has begun.

Planning Commissioner Dian Sheffield, addressed the Board. She apologized for not having attended the workshop, but explained that she had not understood what the workshop was all about. She said that it had been her experience with workshops that it was conducted in a very casual "round table discussion" type setting and they went through the amendments word by word if necessary. She added that they were always well attended and they always came up with a good product.

She said that the county commission meetings are quite intimidating to the public and inhibits the ordinary citizen from speaking to issues. She then said that she would like to have the more casual setting type workshop that will be conducive to people sharing ideas.

Ms. Lola Murphy addressed the Board. She asked the question, "As you are aware, I am one of the county residents who is seeking an immediate family lot. In our discussion, Mr. McCord has discussed what my options may be. If where I am now (right now it is AG2 where it is one

	<p>per five acres) - if that does not meet with the approval through the ordinances, then one of the things that he suggested was that we would look at changing the area where I live to rural residential.</p> <p>Well, if that is the case, if he is saying that this is what will happen, there is no infrastructure there. So, if I understand Mr. McCord correctly, what he is saying would be an option for our community there. We still would not have an option to go with an immediate family having another home there unless there was infrastructure there. Am I understanding you correctly, Mr. McCord?</p> <p>Mr. McCord explained that if she was successful in getting a land use change to rural residential, she would be able to develop one house per acre without infrastructure.</p> <p>Chair Dixon called for public discussion again. There was no response.</p> <p>Discussion among the Board followed.</p> <p>Commissioner Lamb was in favor of remanding the matter back to the Planning Commission.</p> <p>Commissioner Holt asked questions regarding the transmittal to DCA timeframe.</p> <p>Mr. McCord reiterated that if the Board chose to transmit the amendment, it could still conduct workshops in the interim while DCA is reviewing it. What comes out of those workshops could result in the final ordinance after it comes back from DCA.</p> <p>Commissioner Holt reminded everyone that what Mr. McCord has brought forward is a result of their direction to him months ago. She had two concerns. 1) A developer might come forward in a hurry to do clustering before the amendment can be implemented. 2) The cities could still annex those properties and developments without the infrastructure requirements imposed by the County.</p> <p>She encouraged the Board to move forward and conduct the workshops in the interim.</p> <p>Commissioner Watson concurred with Commissioner Lamb in that it should be remanded back to the Planning Commission.</p>
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	<p>He said, "We have appointed these good folks. They take a lot of their time to come in and banter around the ideas that they have. If I am hearing from this board that they want a little more time on this issue, then I think that we should respect that request and give them more time. They are doing the job for nothing. They are not getting any kind of benefit from it other than just being on the Planning and Zoning Board."</p> <p>Chair Dixon asked Mr. McCord if they would be missing any windows with DCA.</p> <p>Mr. McCord encouraged the Board to transmit it and conduct workshops in the interim.</p> <p>Chair Dixon was opposed to postponing the transmittal, but would agree that it should be workshopped in the interim.</p> <p>Marion Lasley attempted to speak, but was not recognized by the Chair as public discussion was closed.</p> <p>There was discussion about how quickly holding another workshop could be accomplished.</p> <p>Mr. McCord stated that he could hold a workshop on May 11.</p> <p>UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER WATSON, THE BOARD VOTED UNANIMOUSLY, 5 - 0, BY VOICE VOTE, TO REMAND THE AMENDMENT BACK TO THE PLANNING COMMISSION.</p>
15.	<p><u>Public Hearing:</u> <u>River Oak Plantation Comprehensive Plan Amendment - CPA 2005-22 Large Scale Plan Amendment for Transmittal to DCA</u></p> <p>This item was removed because the previous agenda item was not approved.</p>
16.	<p><u>Public Hearing:</u> <u>Conceptual Plat for Rolling Greens Paradise Subdivision SD 2006-002 (84.86 acres - Replat of a minor subdivision which was approved in 2002 - known as Tract D of the Flat Creek Hills Minor Subdivision)</u></p> <p>4 lots for single family homes ranging in size from 20.87 acres to 21.36 acres in size</p>

	<p>Owner: Universal Investor Holdings, LLC - Bobby Bailey, Partner</p> <p>Applicant/Respresentative: Florida Environmental and Land Services, Inc.</p> <p>Location: West side of Cochran Road (CR 268A), south of Fisher Road and north of Interstate 10</p> <p>TAX ID: 2-33-3N-5W-6710-00000-0040</p> <p>Type of Action: Quasi-judicial in conjunction with TYPE II plan per Subsection 7202 of the Land Development Code</p> <p>Planning Commission recommendation: Approval based on the findings as noted in the attached agenda report with special conditions.</p> <p>Staff Recommendation: Approval based on the findings and subject to the special conditions as listed in the agenda report.</p> <p>Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk. He described the subdivision as a replat of a former minor subdivision as described in the attachments.</p> <p>Chair Dixon called for public comments.</p> <p>Elva Peppers addressed the Board. She was administered an oath by Muriel Straughn, deputy clerk. She offered no testimony.</p> <p>UPON MOTION BY COMMISSIOERN WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED UNANIMOUSLY (5-0), BY VOICE VOTE TO APPROVE THE CONCEPTUAL PLAN FOR ROLLING GREENS PARADISE SUBDIVISION BASED ON THE FINDINGS AS DESCRIBED IN THE ATTACHED REPORT AND SUBJECT TO THE SPECIAL CONDITIONS ALSO LISTED IN THE AGENDA REPORT ATTACHED.</p>
17.	<p><u>Conceptual Plat for Whispering Pines Subdivision - SD 2006-003</u></p> <p><u>9 lots of 20 acres each on a 180.02 acres</u></p> <p>Owner: Rolling Greens Investment, Inc.</p> <p>Applicant/Representative: Florida Environmental and Land Services, Inc.</p> <p>Location: east side of Hardaway Highway (CR268), south of Max Herrin Road approximately 2.5 miles south of Hardaway and 3.3 miles north of Greensboro</p> <p>TAX ID: 2-27-3N-5W-5920-00000-0020 and 2-28-3N-5W-0000-00100-000</p> <p>Type of Action: Quasi-judicial action in conjunction with</p>

	<p>public hearing as a TYPE II plan per subsection 72002 of Land Development Code.</p> <p>Description: 180.02 acre property within AG 3 Land use category</p> <p>Planning Commission Recommendation: Approval based on the findings and subject to the standard and special conditions listed in the attached report.</p> <p>Staff Recommendation: Approval based on the findings included in the agenda report and subject to the standard and special conditions also listed.</p> <p>Mr. McCord was administered an oath by Muriel Straughn, deputy clerk. He said that the project is a replat of an earlier subdivision called Hurricane Branch Minor Subdivision which was completed in 2002. The applicant wants to further subdivide on of the lots within Hurricane Branch Subdivision into smaller lots. It is located in AG3 land use category on the SE side of Hardaway Road. It is proposed to develop 9 additional single family residential units. Each lot will contain at least 20 acres.</p> <p>Chair Dixon called for public comments.</p> <p>Elva Peppers addressed the board. She was administered an oath by Muriel Straughn, deputy clerk. She offered no testimony.</p> <p>Chair Dixon again called for public comments. There was no response.</p> <p>UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED UNANIMOUSLY (5-0) BY VOICE VOTE, TO APPROVE THE CONCEPTUAL PLAT FOR WHISHPERING PINES SUBDIVISION PER THE RECOMMENDATION OF THE PLANNING COMMISSION AND STAFF.</p>
18.	<p><u>Public Hearing:</u> <u>Preliminary Plat for Carmen Maria Phase I Subdivision SD 2005-011</u></p> <p>21 single family lots on the 21.25 acres</p> <p>Owner: Talquin Springs General Partnership and Rhonda and Darrell Stodard</p> <p>Applicant/Representative: Matthew Parker of Parker Consultintg Services</p>

	<p>Location: 21.25 acre parcel protion of a 45.93 acre parcel in the RR land use category located on the east side of Lakeview Point Road and south side of McCall Bridge Road</p> <p>TAX ID: 1-23-1N-4W-0000-00340-0100</p> <p>Type of Action: Quasi-judicial in conjunction with public hearing as a Type II plan per Subsection 7202 of the Land Development code.</p> <p>Planning Commission Recommendation: Approval based on the findings and special conditions listed in the agenda report.</p> <p>Staff Recommendation: Approval based on the findings and special conditions listed in the agenda report.</p> <p>Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk. He gave and overview of the project as described in the attached agenda report.</p> <p>Chair Dixon called for public comments.</p> <p>Matthew Parker addressed the Board. He was administered an oath by Muriel Straughn, deputy clerk. He stated the following:</p> <ul style="list-style-type: none">• The roadways will be paved and dedicated to the County.• The lots are $\frac{3}{4}$ - 1 acre in size.• Sidewalks will be constructed.• Talquin will supply central water.• Stormwater treatment will have 100% full retention for a 100 yr. storm event.• There will be no discharge of stormwater.• Department of Health soil borings have been completed.• There are no wetlands or wildlife in the area.• All homes will be site built. <p>Chair Dixon called for public comments. There was no response.</p> <p>UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED UNANIMOUSLY (5-0), BY VOICE VOTE, TO APPROVE THE PRELIMINARY PLAT FOR CARMEN MARIA PHASE I SUBDIVISION BASED ON THE FINDINGS AS LISTED IN THE AGENDA REPORT AND SUBJECT TO THE SPECIALS CONDITIONS ALSO LISTED IN THE AGENDA REPORT.</p>
19.	<u>Public Hearing:</u>

<p><u>Preliminary Plat for The Shade Farm Subdivision SD 2005-012</u> 110.43 acres in the RR land use category - 88 homes proposed.</p> <p>Owner: Mortham Governmental Consultants Applicant/Representative: Matthew Parker of Parker consulting Location: North side of CR 483 (Shade Farm Road) west of Bainbridge Highway (SR 267) approximately three miles northwest of Downtown Quincy. (in the St. Johns community) TAX ID: 2-15-3N-4w-0000-00330-0000 & 2-23-3N-4W-0000-00210-0000 Type of Action: Quasi-judicial in conjunction with public hearing as a Type II plan per subsection 7202 of the Land Development Code. Planning Commission Recommendation: Approval based on the findings listed in the agenda report, but subject to special conditions listed in the agenda report. Staff Recommendation: Approval based on the findings listed in the attached report but subject to special conditions a -I also listed in the agenda report.</p> <p>Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk. He gave an overview of the project as described in the attached agenda report.</p> <p>Concern: Staff requested that this subdivision be physically linked to the park as well as other potential interconnections to the other properties that might be developed in the area.</p> <p>Matthew Parker was administered an oath by Muriel Straughn, deputy clerk. He gave the following statements:</p> <ul style="list-style-type: none">• They are proposing county maintained paved roads with stormwater sections for each phase of the project.• They worked with the Planning Department to achieve pathways for pedestrians in addition to the required sidewalks to interconnect all phases and the FAMU property.• They intend to upgrade the infrastructure on Rod Shaw Road. (water main and fire hydrants)• They will construct Roberts Lane - a paved roadway.• They will pave Tipper Lane.• He agreed to include specific language in the Homeowners documents to prevent property owners from
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	<p>clearing wetland areas that are in buffer.</p> <ul style="list-style-type: none">• He agreed to incorporate the Planning Commission's recommendation on wetlands management through the Homeowners Association documents.• There will be sidewalks throughout the subdivision as well as pedestrian pathways and easements that will allow passage to the parks. <p>Chair Dixon called for public comments. There was no response.</p> <p>UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED UNANIMOUSLY (5-0) BY VOICE VOTE, TO APPROVE THE PRELIMINARY PLAT FOR THE SHADE FARM SUBDIVISION BASED ON THE FINDINGS AS LISTED IN THE ATTACHED AGENDA REPORT BUT SUBJECT TO THE SPECIAL CONDITIONS AS LISTED IN THE AGENDA REPORT AND THOSE STATED ABOVE.</p>
20.	<p><u>Public Hearing:</u> <u>Preliminary Plat for the Grove Subdivision SD 2005-013</u> <u>33.95 acre parcel with RR land use category</u></p> <p>This subdivision is a re-plat of Lot 7 of The Grove minor subdivision which the Board of County Commissioners approved on December 6, 2005.</p> <p>Owner: JLT Development, LLC</p> <p>Applicant/Representative: Jaks Engineering, Inc.</p> <p>Location: east side of Bostick Road (CR274) south of US 90 West, approximately two miles southwest of downtown Quincy TAX ID: 3-15-2N-4W-0000-00211-0100</p> <p>Type of Action: Quasi-judicial in conjunction with the public hearing as a Type II plan per Subsection 7202 of the Land Development Code.</p> <p>Planning Commission recommendation: Approval based on the findings as outlined in the attached agenda report, but subject to the special conditions a & b of the attached agenda report.</p> <p>Staff Recommendation: Approval based on the findings as outlined in the attached agenda report, but subject to the special conditions a & b of the attached agenda report.</p> <p>Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk.</p> <p>He gave a brief overview of the project as outlined in the attached agenda report. He recommended that the Board not approve the final plat until the central water lines are installed, tested and ready for acceptance by Talquin.</p>

	<p>Jamey Thompson, developer, addressed the Board. He was administered an oath by Muriel Straughn, deputy clerk. He offered no testimony, but stated he was available for questions of the Board.</p> <p>UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED UNANIMOUSLY (5-0), BY VOICE VOTE TO APPROVE THE PRELIMINARY PLAT FOR THE GROVE SUBDIVISION BASED ON THE FINDINGS AS LISTED IN THE AGENDA REPORT, BUT SUBJECT TO THE SPECIAL CONDITIONS a & b OF THE AGENDA REPORT AS WELL.</p>
	<p><u>Introduction of New Planning Department Staff</u></p> <p>Mr. Brown introduced Ms. Jill Jeglie who is a new planner with the Planning Department. He said that he had worked with her when she was with the Tallahassee/Leon County Planning Department.</p>
20a.	<p><u>Approval of Emergency Purchasing Authority for county Manager</u></p> <p>Mr. Brown reported that the County is moving toward getting the hospital re-opened. In view of the dire need and emergency situation for the health, welfare and safety of the residents of Gadsden County, he said that it was incumbent of the Board to get the hospital up and running as quickly as possible. He asked for authority to purchase goods, equipment and services necessary to re-open it in the most expedient manner. He asked specifically for authority to solicit contracts without going through the RFP process and to approve all contracts necessary to bring vendors in to improve the hospital and get it reopened as quickly as possible.</p> <p>Chair Dixon called attention to the fact that hurricane season is rapidly approaching and with it comes the increasing urgency to at least have local emergency care available to the citizens of the Gadsden County.</p> <p>Chair Dixon called for public comments. There was no response.</p> <p>UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED UNANIMOUSLY (5 - 0), TO DETERMINE THAT AN EMERGENCY SITUATION EXISTS AS TO THE HEALTH,</p>

	<p>WELFARE AND SAFETY OF RESIDENTS IN THAT THE HOSPITAL AND EMERGENCY ROOM ARE CLOSED AND IT IS A PARAMONT CONCERN TO GET THE HOSPITAL REOPENED EXPEDITIOUSLY. THE MOTION INCLUDED WAIVING THE NORMAL PROCUREMENT POLICY BY GIVING THE COUNTY MANAGER OR HIS DESIGNEE THE AUTHORITY TO MOVE EXPEDITIOUSLY TO SECURE CONTRACTS, GOODS, EQUIPMENT, AND SERVICES THAT HE DEEMS NECESSARY TO IMPROVE THE HOSPITAL AND GET IT REOPENED AS QUICKLY AS POSSIBLE.</p>
20b.	<p><u>Award of Asphalt bid to Peavy and Son construction, Inc.</u> <u>Dirt Road Paving - to be funded from the road bond</u></p> <p>Ancient Oaks Road - District 1 A&L Drive - District 2 David Clemons Lane - District 2 Houston Road - District 2 Ridgewood Road - District 3 Dessie Drive - District 4 Drew Ellis Lane - District 4 Grice Road - District 4 Kenon Lane - District 4 Stella Gray Road - District 4 Tipper Lane - District 4 West Line Street - District 4</p> <p>Dirt Road paving using funds from the special assessment paving capital improvement fund which was approve at the 4/25/06 meeting Change order to follow Quail Roost Drive Quail Roost West</p> <p>Road Resurfacing - to be paid from the road bond Ball Farm Road - District 2 Dodger Ball Park Road - District 2 Blount Road - District 3 Smith Lane - District 3</p> <p>UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED UNANIMOUSLY (5 - 0) TO ADD QUAIL ROOST DRIVE AND QUAIL ROOST WEST TO THE LIST OF ROADS TO BE PAVED AND TO AWARD THE ASPHALT BID TO PEAVY AND SON CONSTRUCTION INC. FOR THE ABOVE LISTED ROADS FOR \$849,063.75 NOTING THAT ANOTHER CHANGE ORDER WOULD BE FORTHCOMING.</p>

20c.	<p><u>Approval of Award of Bid to Peavy and Son Construction, Inc. for Iron Bridge Road - To Be Funded By The County Incentive Grant from FDOT.</u></p> <p>UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED UNANIMOUSLY (5 - 0), BY VOICE VOTE, TO AWARD THE PAVING OF IRON BRIDGE ROAD TO PEAVY AND SONS FOR \$640,654.00</p>
21.	<p><u>Informational - Use of Vacated Library Space</u></p> <p>This item was addressed earlier in the evening.</p>
21a.	<p><u>Lease-Purchase Plan for New Department Vehicles for Sheriff's Office</u></p> <p>Mr. Brown told the Board that the Sheriff's office has a critical need for replacement of older patrol vehicles that have in excess of 160,000 miles. The vehicle maintenance and repair costs averaged \$5,000 per month for 2004/05. The replacement of these vehicles will generate a cost savings to the Sheriff's office by reducing the cost of vehicle maintenance and reduction in fuel consumption.</p> <p>The Sheriff has entered into a lease agreement for 30 new vehicles and implemented a replacement plan to retire old ones.</p> <p>He said that the impact to the budget for next fiscal year will be that the Sheriff will request an additional \$150,000 to make the lease payments.</p> <p>Mr. Brown said that the Sheriff does not need to bring this matter to the Board for approval, however, he has brought it the Board as a courtesy and has asked for the Board's concurrence.</p> <p>Chair Dixon stated that the Board needs to look at being sure that there is some connectivity between this year's budget and the subsequent budgets following this one. He said that based on this agreement, the Board now knows for certain what the vehicle cost will be for the next 3 - 5 years.</p> <p>UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED UNANIMOUSLY (5 - 0), BY VOICE VOTE, TO APPROVE THE LEASE PURCHASE AGREEMENT FOR THE 30 VEHICLES FOR THE SHERIFF'S OFFICE.</p>

21b.	<p><u>Deer Ridge Subdivision Update</u></p> <p><u>STIPULATED SETTLEMENT AGREEMENT - HOME PLACEMENT; LIFESTYLES DEVELOPMENT CO, PONZIT REALTY, INC. AND GADSDEN COUNTY</u></p> <p>Mr. Brown reported that the developer has reached 100% compliance with the things the County required of him. The major outstanding issue is repair to the roadway. The County and the developer came to an agreement at the last meeting to share the cost 50/50. The cost of improvements was determined to be \$37,000 to be split at \$18,500 each.</p> <p>Since the last meeting, the County has identified another drainage pipe that will have to be repaired. The staff has asked the developer to bear the cost of that pipe. That brings the developer's share to \$19,500.</p> <p>Mr. McCord stated that he was generally satisfied that the developer has satisfied the county's concerns.</p> <p>Melissa Ferguson stated that she was comfortable with the agreement.</p> <p>Commissioner Lamb asked Mr. Brown if he had met with the residents.</p> <p>He replied, "I met with them prior to the last board meeting that we had. I shared with them by telephone that we have an agreement with the developer that I would be bringing it before the Board at the request of the developer this evening. They were invited to attend. Obviously, this has just been added to the agenda prior to the full agenda going out, so,</p> <p>Dixon: But, they knew last meeting that we were - that this was possible.</p> <p>Brown: They knew last meeting that you would be discussing this this evening.</p> <p>Lamb:</p>

	<p>In your communication with them, do they have any objections to anything that you discussed with them? How many of them did you speak with?</p> <p>Brown: Commissioners, I would prefer that you hear from the residents themselves in terms of what they understood. I know we have one of them here.</p> <p>Ferguson: I am Melissa Ferguson and I am Lot 7 at Deer Ridge Estates. In answer to your question, no, sir, we have no reservations about the settlement agreement. Mr. Brown did share it with us this evening and I forwarded it on to the other home owners. I spoke to several of them on my way here. We are very comfortable with the terms of the settlement agreement and with Mr. McCord's assessment of the repairs that have been made out there.</p> <p>Lamb: I just want to make sure that my decision is based your concerns.</p> <p>Ferguson: We very much appreciate that. We appreciate all the hard work of the county staff and of the commissioners as we wound our way through this process.</p> <p>Dan McClellan delivered a check for 19,500.00 to the Clerk in compliance with the agreement.</p> <p>UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED UNANIMOUSLY (5 - 0), BY VOICE VOTE, TO APPROVE THE SETTLEMENT AGREEMENT AS DESCRIBED ABOVE.</p> <p>UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO CANCEL THE PUBLIC HEARING SCHEDULED FOR MAY 10, 2006 ON THE DEER RIDGE ESTATES MATTER.</p>
22.	<p><u>Miscellaneous Items</u></p> <p>Mr. Brown reported that he had a meeting with the City of Quincy about the upcoming fire contract. He said that he would be bringing information to the Board about the contract and some concepts which he shared with Quincy. He</p>

	<p>said that he would schedule a workshop to share with the Board what the staff's thoughts are about the direction of fire services in the County.</p> <p>One of the concepts was the possibility of placing a professional fire fighter at each one of the volunteer fire stations to provide better service delivery in terms of attending to emergencies and fire.</p>
23.	<p><u>County Attorney</u></p> <p><u>Discussion of Draft Ordinance on Expenditures of Funds for Miscellaneous General Purposes</u></p> <p>Mr. Williams said that he and the County Manager have recently learned that the Board does not have discretionary authority for expenditures generally for miscellaneous public purpose.</p> <p>In response, he drafted an ordinance for review.</p> <p>UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE DRAFT ORDINANCE PROVIDING AUTHORITY FOR EXPENDITURE OF FUNDS FOR MISCELLANEOUS PURPOSES. THE COUNTY ATTORNEY WAS INSTRUCTED TO ADVERTISE THE NOTICE OF INTENT AND BRING IT BACK TO THE BOARD FOR FORMAL ADOPTION.</p>
24.	<p><u>County Attorney</u></p> <p><u>Hospital Update</u></p> <p>Mr Williams said that negotiations have been on going with Ashford Healthcare, AHCA, Gadsden County and GE Financial.</p> <p>GE ultimately agreed to bond the County for 45% of the amount of money that is passed from AHCA through the County to GE. The County will not have any exposure for any overages based on the history of what Ashford has been in it request for Medicaid reimbursements.</p> <p>All parties reached agreement. The order has not been signed, but there is conceptual agreement. The judge indicated that if the parties could not come to terms within 10 days, he would draft an order himself and get it</p>

	<p>executed.</p> <p>When the order is signed, all matters will be resolved except the matter of indigent care which is pending before the bankruptcy court.</p>
.	<p><u>CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS</u></p> <p>Chair Dixon called for public comments. There was no response.</p>
25.	<p>DISCUSSION ITEMS BY COMMISSIONERS</p> <p><u>Commissioner Lamb</u></p> <p>Commissioner Lamb had questions regarding sidewalks in subdivisions. Mr. McCord explained that once the ordinance takes affect, it will not be an issue that the Board will have to stipulate. It will be mandatory once it is final.</p> <p><u>Commissioner Watson</u></p> <p>No report.</p> <p><u>Commissioner Price</u></p> <p>No report.</p> <p><u>Commissioner Holt</u></p> <p><u>Commission Paid Grant Writers</u></p> <p>Commissioner Holt stated that she would like for the Board to look at hiring grant writers on commission basis so the County can go after special projects. She said that there are people who do that for a living and she would like for the staff to look into it and bring information back to the Board as to how it could be beneficial to the County.</p> <p>She then asked Mr. McCord when he prepares his agenda reports, to include the lot size of a development in the first paragraph of the report.</p> <p><u>Tourism Funds</u></p> <p>Commissioner Holt asked the Board to bring back suggestions</p>

to the Tourism Council as to how they would like to see the Tourist Tax revenues spent - perhaps promoting a county wide event.

Quincyfest

Ms. Alice Dupont invited the Board to attend Quincyfest on May 7 explaining that it is a county wide event that just happens to be held in Quincy. She said there will be a Bar-b-Que cookoff and Blues music festival on the courthouse square.

Chairman Dixon

Appointment of Peter Patel to Tourist Development Council

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED UNANIMOUSLY (5 - 0) BY VOICE VOTE TO APPOINT PETER PATEL TO THE TOURIST DEVELOPMENT COUNCIL.

NACO Elections/Board of Directors

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0 BY VOICE VOTE TO SUBMIT COMMISSIONER DIXON'S NAME FOR NOMINATION TO THE FLORIDA NACO BOARD OF DIRECTORS.

Visioning Public Meeting Dates

Mr. Brown stated that the dates for the "visioning public meetings" have been set and he would apprise them of those dates as well as publicize them in the media.

Chair Dixon encouraged the commissioners to attend those meetings and encourage the people in their districts to attend. He said there are a lot of questions about growth to be asked at these meetings.

He stated, "You have to tie the visioning to the dollars. It doesn't make sense to have all of these plans when nobody is running behind with dollars to put the infrastructure in or help to get infrastructure in. You can't just hold a developer out there and say "We want you to go over there, but there's no money for infrastructure." We have to make a commitment and marry those two. These things can get very complicated, but hopefully, we can keep them on a level that a layman can understand."

26.	RECEIPT AND FILE FOR THE RECORD: <ul style="list-style-type: none">• Award of Emergency Medical Services County Grant \$17,960.00 by the Department of Health
	<ul style="list-style-type: none">• Letter of Support for West Gadsden Historical Society, Inc.'s Application for Historical Preservation Funding - Restoration of Dezell House in Greensboro, FL

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR
DECLARED THE MEETING ADJOURNED.

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A REGULAR MEETING OF THE BOARD
OF COUNTY COMMISSIONERS HELD IN
AND FOR GADSDEN COUNTY, FLORIDA ON
MAY 16, THE FOLLOWING PROCEEDINGS
WERE HAD, VIZ.

Present: Edward J. Dixon, Chair
Brenda Holt, Vice-chair
Eugene Lamb
Sterling L. Watson
Derrick Price
Rick Davison, Deputy County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

Call to Order

Invocation and Pledge of Allegiance

County Manager Marlon Brown led in the invocation and Attorney Williams led in pledging allegiance to the US Flag.

Amendments and Approval of Agenda

Move Item 2 - EMS Proclamation from the Consent Agenda to Awards Presentations and Appearances

ADD 2a - Quincyfest Appreciation - Stuart Johnson

Remove from the Consent Agenda Item #3 - Approval of Authority for Chairman to Execute Contract for Health and Human Services Study - to be brought back at a future date.

Move Item # 4 to General Business for discussion - Approval of New Rtes for Garbage Permits.

Add to General Business 12b - Approval of Matching Funds for Poll Workers Recruitment and Training.

Add 12c - Approval of Contract for Visioning Consultant

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE AGENDA AS AMENDED ABOVE.

Awards, Presentations and Appearances

Mr. Jon Brown presented Resolution 2006-026 commemorating the 33rd anniversary of Emergency Medical Services in Gadsden County. He said that the theme for the year 2006 has been "EMS: Serving on Health Care's Front Line". He highlighted several events that had already taken place to bring attention the services provided by the EMS Department.

EMS Director Brian Beasley read the resolution into the record and asked the Board to proclaim the week of May 14-20 as EMS Week.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED UNANIMOUSLY, 5 - 0, BY VOICE VOTE, TO APPROVE THE RESOLUTION DESCRIBED ABOVE.

Appreciation Plaque from Quincyfest Committee

Stuart Johnson, a member of the Quincyfest Committee, addressed the Board. He reported that the Quincyfest was successful with about 5,000 people attending. He said there were 26 bar-b-que teams, music, and events for the children at the Gadsden Arts Center. He thanked the Board for their support and presented them with an appreciation plaque.

CONSENT AGENDA

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED UNANIMOUSLY TO APPROVE THE CONSENT AGENDA TO WIT:

1.	Ratification of Approval to Pay County Bills Accounts Payable Warrants dated May 5, 2006 and May 12, 2006; Payroll warrant dated May 11, 2006
2.	Approval of Proclamation for May 14-20, 2006 as EMS Week (Moved to Awards, Presentations and Appearances above)
3.	Approval of Authority for Chairman to Execute Contract for Health and Human Services Study (Removed from the agenda)
4.	Approval of New Rates for Garbage Permits Division Moved to 12a for discussion
5.	Approval and Execution of Non-Profit Funding Agreements Chamber of Commerce; Gadsden Senior Citizens; Gadsden Community Health Council; Gadsden Arts Center; Quincyfest;

	Capital Medical Society Foundation; The Shelter; Children Are Our Future; Refuge House; Organization for Learning & HD, Inc; Gadsden County Black Heritage; American Red Cross; Gadsden County Day Care Services, Inc.; Disc Village; Legal Services of North Florida, Inc.
6.	Approval to Reschedule the Special Meeting/Workshop for June 13 2006 to June 14 th and Schedule a Tentative Budget Workshop and Special Meeting/Workshop for July 17, 2006
7.	Realization of Deferred Library Revenue Resolution 2006-031 \$253,401 OMB-BA#060023
8.	Realization of Additional Library Revenue Resolution # 2006-032 OMB-BA#06022 - \$1,000 donation from Ms. Daisy Reynolds
9.	Approval of County Manager's Travel to FAC Conference To be held in Marco Island, FL June 27-30, 2006
10.	<p>PUBLIC HEARING:</p> <p><u>Land Development Code Amendment - LDR-2006-01 Second Reading on the Proposed Sidewalk Ordinance - Ordinance 2006-017</u></p> <p>Mr. McCord presented the attached Land Development Code Amendment (LDR-2006-01) and sidewalk ordinance. He said that it was the second reading of the ordinance. He then went through the ordinance and explained how and why it is necessary. See the details as provided in the attached agenda report.</p> <p>Chair Dixon called for public comments and questions. There was no response.</p> <p>UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE SIDEWALK ORDINANCE.</p>
11.	<p>PUBLIC HEARING:</p> <p><u>Ordinance Providing for Expenditures of Funds for Miscellaneous Purposes Ordinance 2006-018</u></p> <p>Mr. Brown announced the opening of a public hearing on the proposed ordinance providing authority to spend money for miscellaneous purposes. It gives the county manager the</p>

	<p>ability to spend \$500.00 for expenses that serve public purposes. Anything above that amount would require Board approval.</p> <p>Chair Dixon called for public comments. There was no response.</p> <p>Commissioner Watson stated that he had not received a copy of the ordinance in his package. He asked that it be deferred until he had the opportunity to see the ordinance in its final form.</p> <p>Mr. Brown reminded him that it was given out at the last meeting.</p> <p>Commissioner Lamb also requested that it be tabled.</p> <p>UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER WATSON, THE BOARD VOTED 4-1 TO DEFER THE ADOPTION OF THE ORDINANCE UNTIL JUNE 6, 2006. COMMISSIONER HOLT CAST THE LONE DISSENTING VOTE.</p>
12.	<p><u>Discussion Item on Proposed Burnett II Minor Subdivision (MSD 2006-002) (Staff desires direction as how to review this request.)</u></p> <p>County Manager Brown introduced the above item reminding them that it was continued from the April 25th meeting.</p> <p>Owner: Mr. James Burnette Applicant: Mr. James Burnette Location: 38.48 Acres located on the north side of SR 12 approximately 2.5 miles west of Havana.</p> <p>Mr. McCord reported that at the time of the Comp Plan adoption, Mr. Burnette owned a large parcel of land that has been subdivided through the minor subdivision process, which is an administrative review process. He has come back now after several years and desires to subdivide the property into four more lots which will essentially make the development a major subdivision as opposed to a minor subdivision. He questioned whether the developer might be subverting the major subdivision process by doing a series of minor subdivisions.</p> <p>Mr. McCord called attention to the agenda report, which contains a number of citations from the Code and a more</p>

thorough description of the concern he has about this type of development. He asked for directions.

Staff Recommendation: Require a Type II review of the proposed subdivision to be platted per Chapter 177, Florida Statutes, and comply fully with procedural and design requirements of the Code.

Mr. Wesley Gunn, George Gunn Land Surveying, addressed the Board representing Mr. Burnette.

Mr. Jim Burnette addressed the Board. He stated that he was not trying to circumvent the major subdivision process and could not understand why it could not be a minor subdivision.

Discussion followed. The following facts were discerned:

- The existing road is a lime rock road.
- He would have been able to develop 7 lots in the beginning if they were all site built homes or 5 lots if mobile homes were placed on the lots.
- It could not be determined whether the homes in the subdivision were mobile homes or modular homes.
- He intends to put modular homes on the new lots.
- If the Board grants Mr. Burnette's request, there will be nine lots including the parent lot.
- Four lots were divided up in the year 2000.
- Mr. Burnette requested 3 additional lots plus the parent lot.

Discussion followed.

Commissioner Lamb stated that he saw no reason to deny the request.

Commissioner Watson recalled that the Code says that no two minor subdivisions could share the same infrastructure. Therefore, if Mr. Burnette would build a new road, there would be no need for BCC review.

Mr. Gunn explained that there is a low area that would prohibit building another road.

Mr. McCord stated, "If you were willing to entertain this as a variance, then he could go and ask for a variance to have an eight lot minor subdivision and therefore be

	<p>allowed to have access with more than five lots with mobile homes onto an unpaved roadway. It would still comply with the minor subdivision requirements. That is the first option that I presented you with. You would have to grant him a variance of one or two lots, depending on how we present this to allow for a minor subdivision...Eight lots, a three lot variance, to have an eight lot minor subdivision."</p> <p>Commissioner Watson stated that he could not agree to give such a variance if they are mobile homes.</p> <p>The staff was given instruction to verify whether the homes in the subdivision are modular or mobile homes and come back to the Board. If the homes are determined to be modular, the Board agreed to consider a variance.</p> <p>UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO CONTINUE THIS REQUEST TO JUNE 6, 2006.</p>
12a.	<p><u>Approval of New Rates for Garbage Permits.</u></p> <p>Mr. Brown reported the garbage program is now operating at a \$200,000 deficit. In a effort to offset some of the deficit, the Solid Waste Committee has recommended that the Board raise garbage permit fees to \$100.00 per household per year. The increase would raise the income by \$45,000 per year. The current permits expire on May 31, 2006.</p> <p>Mr. Brown also reported that the committee will continue to meet and bring some matters to the board for consideration that should result in improved services. (Additional sites, additional hours)</p> <p>Mr. Robert Presnell addressed the Board. He said that it was also recommended that the permit holder be limited to three bags per trip. He said that they are also going to look at tipping fees as well.</p> <p>Discussion followed.</p> <p>COMMISSIONER WATSON MADE A MOTION TO APPROVE THE COMMITTEE'S RECOMMENDATION TO RAISE THE FEE TO \$100.00 PER YEAR WITH A THREE BAG PER VISIT LIMIT. THE MOTION DIED FOR LACK OF A SECOND.</p>

	<p>COMMISSIONER PRICE MADE A MOTION TO RAISE THE FEE TO \$75.00 PER YEAR WITH A LIMIT OF FOUR BAGS PER VISIT. COMMISSIONER HOLT SECONDED THE MOTION. THE BOARD VOTED 2 - 3. THE MOTION FAILED WITH COMMISSIONERS PRICE AND HOLT VOTING "AYE" AND COMMISSIONER WATSON, LAMB AND DIXON OPPOSING.</p> <p>UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5-0, BY VOICE VOTE, TO SET THE NEW GARBAGE PERMITS AT \$50.00 FOR SIX MONTHS WITH A 4 BAG LIMIT PER VISIT.</p>
12b.	<p>Approval of Memorandum of Agreement for Receipt and Use of Poll Worker Recruitment and Training Funds</p> <p>UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE MATCHING FUNDS FOR THE GRANT FOR POLL WORKERS TRAINING AND TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE CERTIFICATION REGARDING MATCHING FUNDS .</p> <p>Resolution 2006-033 MOB-BA 060024</p> <p>UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO TAKE THE MATCHING FUNDS FROM THE GENERAL FUND CONTINGENCY.</p>
12c.	<p>Approval of Contract for Visioning Consultant</p> <p>UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE CONTRACT WITH OPTIMUM ENTERPRISES, INC. OF ORLANDO, FL. FOR \$9,950.00.</p>
13.	<p>County Manager's Agenda</p> <p>The Manager had nothing to report.</p>
14.	<p>County Attorney's Agenda</p> <p>Mr. Davison had nothing to report.</p>
15.	<p>Citizens Requesting to Be Heard on Non-Agenda Items</p> <p>Ms. Ann C. Smith - Problem with Zoning of Property in Concord</p>

Ms. Mabel Montford, sister of Ann Smith, addressed the Board. She requested an administrative zoning change for the property located at 99 Old Bainbridge Road in Concord, FL. She explained that the property has been in the family for more than 60 years and is owned by her 83 year old mother. She went on to say that the family needs to sell the property in order to keep their mother in an assisted living facility.

She said that the property is only 3.79 acres and it is zoned commercial. A close family member would like to purchase the property, but the sale is contingent on the family getting it designated as rural residential. She said that the property was only designated commercial in 1991 at the time of the Comp Plan adoption. She said that all the land around this parcel is used as residential property. The adjacent properties are owned by family members.

Mr. McCord stated that the quickest way to handle it would be to submit an application. Ms. Montford is asking for an administrative change which would mean that the Board would be the applicant. It would be a small scale land use change. This process would take about three months to complete.

He then said that another option would be to change the text of the Code which would take nine months that would allow at least one single family home or accessory apartment as a permitted use.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO DIRECT THE STAFF TO BEGIN THE PROCESS TO CHANGE THE LAND DESCRIBED BY MS. MONTFORD FROM COMMERCIAL USE TO RURAL RESIDENTIAL USE AS AN ADMINISTRATIVE CHANGE WITH THE COUNTY BEING THE APPLICANT.

Sam Hawkins, president of the Gadsden County branch of the NAACP, addressed the Board. He commended the Board for doing a fine job. However, he stated that there are a few problems. He said, "I think some of the commissioners have forgotten who they work for. That you work for us and we don't work for you. You work for us... When I go to a meeting that is supposed to be an open meeting and a commissioner makes that a closed meeting, I feel like that

is an insult. I pay your salary and his salary. You work for me, I don't work for you. "

Dixon:

Do you know what the democratic process is? Go out there and tell everybody you know to vote go vote against him or her."

Hawkins:

That, I will. Believe me.

The other issue is, I've got three minutes, right?

I am entitled to my three minutes and I want my three minutes.

Dixon:

At the discretion of the chair.

Hawkins:

I want my three minutes.

We have a process that is going on in the County with the hiring and promotion at Road and Bridge. I talked with the county manager. I talked with the union rep and I would like to set up a meeting with the chairman and the NAACP legal regress committee so we can discuss those processes and practices of hiring and firing because over the past several years, we have had several complaints. We have been able to come to the commissioners and we have been able to resolve some of them without going any further. I would like to request a meeting at this time with the chairman and the county manager so that we can discuss these items at our Thursday meeting - next Thursday, if that is possible."

Dixon:

We will talk with you right after the meeting. Have a good evening.

Will there be others?

Elva Peppers of Florida Environmental Land Services addressed the Board. She pointed out an item in the Land Development Code which is of concern to one of her clients, Mr. Greg Gregory. The second purpose was to request an expedient review of a proposed ordinance which they will see in the future. (The ordinance has not been presented

yet.)

She stated, "In July of last year, we submitted a land use application for Mr. Gregory to change a piece of property from AG 3 to commercial out on Cook Landing Road. The purpose in the change in land use was to allow him to have an RV Park. We went on through and were heard by the Planning and Zoning Commission in September. At that time, which it completely understandable, the way the Code is written right now, it only allows RV parks in commercial zoning. That is contrary to a place where people would like to have an RV park. Understandably, you don't want to have it located on the corner with a gas station and things like that.

So, at that meeting, the Planning and Zoning Board was very sympathetic, but understandably could not rezone a property to commercial because of potential future uses. An RV park falls under the class II commercial use, which is the most intensive commercial use, and allows for high traffic and things that are more obtrusive.

So, that is a summary of what the issue is and the item has been tabled waiting for an ordinance to be written and will be appearing on your future use agendas for several months. However, Mr. Gregory feels that now is the time to go ahead and put it on an agenda. That is basically what his request is. To expedite it since he has been waiting since last July."

Dixon:

Why did you feel the need to bring that to this body as opposed to Mr. McCord?

Peppers:

We have been discussing it for quite a while. I am asking for your

Dixon:

Why is it coming to us as opposed to through Mr. McCord?

Peppers:

Mr. McCord and I have discussed this.

Dixon:

But, it is not being presented in the proper way.

Peppers:

I guess I am confused.

Dixon:

Land use issues don't come up in public comment.

Peppers:

This isn't a land use change issue. This is an ordinance. This is a county issue. I am using his project as an example of a problem. I think Mr. McCord can agree and the Planning and Zoning Commission would agree. It isn't a specific land use amendment request. This is an issue with the county code that does not allow RV parks in any other land use designations other than commercial. That is all.

Dixon:

And you would like this body to do what?

Peppers:

I am bringing it to your attention.

Dixon:

But, you would like for us to do what?

Peppers:

This is a public hearing. I am informing you.

Dixon:

What action do you want from this body?

Peppers:

Tonight?

Dixon:

In the future.

Peppers:

In the future, I would like for you to - I just needed for it to be introduced at this time. And, I would like for you to help expedite the review and the ordinance writing process considering that it has been in the books at the county for quite some time.

Watson:

It appears that she is not happy with the time table that Mr. McCord has set for this board.

McCord:

She wants me to make this the priority.

Peppers:

Well, it's not the priority. I didn't ask for it to be the priority. It has been, I realize that you are very busy. However, it was promised back in September that this was going to be addressed. I have periodically been talking to Mr. McCord. I'm not pointing fingers at him.

Dixon:

Yes, you are. That is why you are here.

Peppers:

I know he is very busy. However, my client needs some relief. If you need for him to come and present this, then he can get up and ask.

Dixon:

You know what we are going to say. "Go, see Mr. McCord."

Peppers:

Fine. That is what I have been doing and that is what we will continue to do. But, I have brought it to your attention that this is something that one of your constituents would like to have addressed.

Thank You.

Dixon:

Thank you, Ms. Peppers. If you would like to, sir, please.

Gregory:

Greg Gregory. The reason that we are here is when we met with Planning and Zoning in September, the board members all agreed that it wouldn't get drug out more than eight or nine months. That is why we are here now. The board members on the Planning Commission agreed that this was something that the County needed and the location and everything. And, that it wouldn't get drug out. Now, I feel like it is a little bit.

Dixon:

While I certainly believe that you made your point, it's still going to be Mr. McCord's call as to how he does his work unless somebody around this table wants to give him a

priority. That's a lot of stuff. He's got a lot of stuff.

Watson:

How hard would it be, Mr. McCord, to move this forward a little quicker?

McCord:

Well, that is another ball that I get to juggle. I guess. We have done a lot of the preliminary research. It requires going to the Planning Commission for their review. They may want to workshop it. I don't know. What it entails probably if you are inclined to allow for RV parks as a special exception use or conditional use - that type of thing - in certain agricultural zones, you will want to insure that you have some buffers, some protections and some other limitations on intensity and size of this thing.

We have been downloading and obtaining RV park standards from a number of other counties throughout Florida to try to find out how they treat these and where they allow them. It just means having the time to sit down uninterrupted and craft an ordinance that we can bring to the Planning Commission for discussion. They may want to massage it and make changes as well.

These code changes, some of them are quite simple. But, this one obviously, a new use in a new area, is a little more controversial. Keep in mind when it does come for a special exception, if that is what ends up happening, then we get notices out there to property owners similar to the commercial request earlier, so, we will see what happens there.

Holt:

Mr. Chairman, I know he is interested in doing this, but, I would like for all these workshops and all that stuff finished so we can move on with that and get that out of the way. We are running tight every Thursday to get those out of the way. Then we have the other stuff that we are trying to get out of the way before the moratorium ends. We've got a lot of stuff.

Watson:

I wasn't asking him to circumvent the process.

Dixon:

Everybody wants to be there now and the flexibility is - he

	<p>at least gets to juggle a little bit. I am sure he will give you all the attention he possibly can.</p> <p>Douglas Harris addressed the Board representing the Classroom Teachers Association. He said that they expect to have an annual support day for teachers on the Courthouse Square on May 24, 2006 from 3 - 5 p.m.. He asked the Board to embrace the teachers as a community.</p> <p>There were no others to speak.</p>
16.	<p>Affordable Housing in Gadsden County</p> <p>Ms. Farnita Saunders gave a PowerPoint presentation regarding affordable housing in Gadsden County. (see attachment)</p> <p>Discussion followed.</p> <p>The following people addressed the Board with presentations or comments:</p> <p>Lollisa Cobb Florida Housing finance Corporation on their First Time Homebuyer Program.</p> <p>Laura Palmer of Peoples First spoke to the Board</p> <p>Sheree Proctor Williams - Leon Lenders Consortium Am South Mortgage</p> <p>Laney Laurie, Consultant for Florida Housing Authority - HOP Program</p> <p>Pepper Gazbeni - Premier Construction -proposed that the County should buy up dilapidated houses and get them in good repair for prospective homeowners. He said he would not be opposed to imposition of impact fees.</p> <p>Brian (unidentified) asked Board to increase densities so as to allow for more affordable houses. He was not opposed to impact fees on the developers to be used to install sewer systems.</p> <p>Corey and Angela Poole</p> <p>Bob Stout - Governors Front Porch and Medical Commons</p> <p>Rev. Selmo Bradley Proposed that the County partner with the banks to</p> <p>Patsy Dixon, Realtor</p> <p>Dorothy Inman Johnson - told the Board about Federal IDA Grant</p>
17.	<p>Update on the Development of the Gadsden County Information Technology Plan</p>

	Due to the lateness of the hour, this item was deferred until another date.
18.	Discussion Items by Commissioners <u>Commissioner Lamb</u> <u>Commissioner Watson</u> <u>Commissioner Price</u> <u>Commissioner Holt</u> <u>Chairman Dixon</u>
19.	<u>Receipt and File</u> <ul style="list-style-type: none">• CDBG Contract 06DB-3K-02-30-01-E08 Monitoring Report (Procurement of Professional Services)• Gadsden County Chamber of Commerce - February 2006 County Report• Letter from DOT - Signage for Pat Thomas Law Enforcement Academy• Letter from DOT - No Parking on Right-of-Way - SR 267 South, both sides of roadway from North of Springs Street to South of Cox Lane• Request for 60 day extension by The Phoenix Environmental Group, Inc. on SR 65 Realignment Project• Joe Adams Road Community Letter of Concerns

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIRMAN
DECLARED THE MEETING ADJOURNED AT 11:00 P.M.**

Edward J. Dixon, Chair

Muriel Straughn, Deputy Clerk

**Board of County Commissioners
Gadsden County, Florida**

AGENDA

**Regular Public Meeting
May 16, 2006
6:00 p.m.**

Invocation and Pledge of Allegiance

Invocation
Pledge of Allegiance

Amendments and Approval of Agenda

Awards, Presentations and Appearances

Consent

1. Ratification of Approval to Pay County Bills
2. Approval of Proclamation for May 14, 2006 – May 20, 2006 as EMS Week in Gadsden County
(Jon Brown, Public/Intergovernmental Relations Officer)
3. Approval of Authority for Chairman to Execute Contract for Health and Human Services Study
(Arthur Lawson, Assistant County Manager)
4. Approval of New Rates for Garbage Permits Division
(Robert Presnell, Public Works Director)
5. Approval and Execution of Non-Profit Funding Agreements
(Davin J. Suggs, OMB Director)
6. Approval to Reschedule the Special Meeting/Workshop for June 2006, and Schedule
a Tentative Budget Workshop and Special Meeting/Workshop for July 17, 2006
(Marlon Brown, County Manager)
7. Realization of Deferred Library Revenue
(Davin Suggs, OMB Director)
8. Realization of Additional Library Revenue
(Davin Suggs, OMB Director)
9. County Manager's Travel to FAC Conference
(Marlon Brown, County Manager)

Consent Items Pulled for Discussion

Public Hearings – 6:00 p.m.

10. Public Hearing – Land Development Code Amendment – (LDR-2006-01) – Second Reading-
Proposed Sidewalk Ordinance (Ordinance 2006-017)
(Bill McCord, Growth Management Director)
11. Public Hearing – Ordinance on Expenditures of Funds for Miscellaneous Purposes
(Ordinance 2006-018)
(Thornton Williams, County Attorney)

General Business

12. Discussion Item on proposed Burnette II Minor Subdivision (MSD 2006-02)
(Bill McCord, Growth Management Director)

County Manager

13. Miscellaneous Items

County Attorney

14. Miscellaneous Items

Citizens Requesting to be Heard on Non-Agenda Items (3 minute limit)

15. Ms. Ann C. Smith – Problem with Zoning of Property in Concord

Special Meeting/Workshop Items

16. Affordable Housing in Gadsden County
17. Update on the Development of the Gadsden County Information Technology Plan

Discussion Items by Commissioners

18. Commissioner Lamb:

Commissioner Watson:

Commissioner Price:

Commissioner Holt:

Chairman Dixon:

Receipt and File

19.

- CDBG Contract 06DB-3K-02-30-01-E08
Monitoring Report (Procurement of Professional Services)
- Gadsden County Chamber of Commerce – February 2006 County Report
- Letter from DOT – Signage for Pat Thomas Law Enforcement Academy
- Letter from DOT – No Parking on Right of Way – S.R. 267 South, Both Sides of Roadway from North of Springs Street to South of Cox Lane
- Request for 60 day Extension by The Phoenix Environmental Group, Inc. on SR65 Realignment Project
- Joe Adams Road Community Letter of Concerns



GADSDEN COUNTY

Board of County Commissioners

EDWARD J. BUTLER
GADSDEN COUNTY GOVERNMENTAL COMPLEX

MARLON BROWN
County Manager

THORNTON J. WILLIAMS
County Attorney

9-B East Jefferson Street
Post Office Box 1799
Quincy, Florida 32353-1799
(850) 875-8650 ♦ (850) 875-8655 FAX

COMMISSIONERS:
EUGENE LAMB, JR.
District 1
STERLING L. WATSON
District 2
DERRICK E. PRICE
District 3
BRENDA A. HOLT
District 4
EDWARD J. DIXON
District 5

MEMORANDUM

Date: May 16, 2006
To: The Honorable Chairman and Members of the Board
From: Marlon Brown, County Manager *MB*
Subject: Amendments to May 16, 2006 Agenda

Please consider this a request to amend tonight's Agenda as follows:

Awards, Presentations and Appearances

Move from Consent – Item 2. (Renumbered to A-1)

Approval of Proclamation for May 14, 2006 as EMS Week in Gadsden County
(Jon Brown, Public/Intergovernmental Relations Officer and Brian Beasley, EMS Director)

Add A-2 Presentation of Plaque in Appreciation of Support and Investment in Quincyfest 2006
(Stuart Johnson, Quincyfest Committee Member)

Memorandum
May 16, 2006
Page 2

Consent

Delete Item 3.

Approval of Authority for Chairman to Execute Contract for Health and
Human Services Study
(Arthur Lawson, Assistant County Manager)

Move to General Business – Item 4. (Renumbered to 12-A)

Approval of New Rates for Garbage Permits Division
(Robert Presnell, Public Works Director)

General Business

Add 12-B Approval of Matching Funds for Poll Worker Recruitment and Training Funds
(Davin Suggs, OMB Director)

Add 12-C Approval of Visioning Consultant Contract
(William McCord, Growth Management Director)

To: Marlon Brown, Gadsden County Manager
Fax #: (850) 875-8655

From: Stuart Johnson, Co-Chair, Barbecue Committee, Quincyfest
(850) 875-2511

May 10, 2006

Marlon,

The Quincyfest Committee would like a few minutes on the Gadsden County Board of Commissioners May 16th agenda to express our gratitude and present a plaque for their support and investment in Quincyfest 2006.

Thank you.

A handwritten signature in black ink, appearing to read "Stuart", with a long, sweeping underline that extends to the left.

Cc; Michael O'Halloran, Chairman, Quincyfest

Board of County Commissioners Agenda Request

Date of Meeting: May 16, 2006

Date Submitted: May 3, 2006

To: Honorable Chairman and Members of the Board

From: Marlon Brown, County Manager
Jon D. Brown, Public/Intergovernmental Relations Officer

Subject: Approval of Proclamation for May 14, 2006 – May 20, 2006 as
EMS Week in Gadsden County

Statement of Issue:

This agenda item seeks Board approval to proclaim the week of Sunday, May 14, 2006 – Saturday, May 20, 2006 as Emergency Medical Services (EMS) Week in Gadsden County.

Background:

The 2006 celebration of EMS Week in Gadsden County will be the 33rd annual celebration. This year's theme of "**EMS: SERVING ON HEALTH CARE'S FRONT LINE**" highlights the brave men and women who serve as EMS providers and often first on the scene of a disaster, an accident, or other events that may place them in harm's way.

EMS defies simple explanation, both historically and today. EMS is out-of-hospital patient care. EMS is ambulance transport. EMS is an extension of emergency medicine and an arm of public health. EMS is a safety net. EMS is prevention. EMS is first response and public safety. In fact, EMS plays all of these roles, making it truly worthy to be called America's Front Line of Health Care.

This week brings together medical personnel and local communities to publicize safety and honor the dedication of those who provide the day-to-day lifesaving services of health care's front line.

Analysis:

The informational and educational outreach for the 2006 EMS Week will ideally involve the entire community. Internally, Gadsden EMS will recognize their crews, approximately 50 full time and part-time EMS providers, for the outstanding job they

continuously do. Externally, activities are planned for public outreach and education of the important services that EMS provides. By providing your support of this week's activities and passing the attached resolution to hereby proclaim the dates noted as EMS Week, the Board is demonstrating valued recognition of the brave men and women who provide the day-to-day lifesaving services of health care's front line and demonstrating a continued commitment to supporting those who put themselves in harm's way to support the residents of Gadsden County.

Fiscal Impact:

None.

Options:

1. Adopt the attached resolution.
2. Provide Board direction.

Recommendation:

Option 1 - Adopt the attached resolution.

Attachment:

1. Resolution #2006-026

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the member of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services providers have traditionally served as the safety net of America's healthcare system; and

WHEREAS, emergency medical services teams consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and

WHEREAS, approximately two-thirds of all emergency medical services providers are volunteers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, Americans benefit daily from the knowledge and skills of these highly trained individuals; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; and

WHEREAS, injury prevention and the appropriate use of the EMS system will help reduce national health care costs; and

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Gadsden County, Florida, do hereby proclaim the week of May 14 – May 20, 2006, as

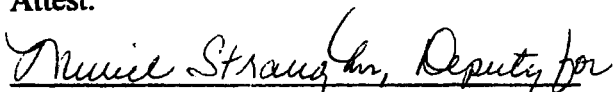
EMERGENCY MEDICAL SERVICES WEEK

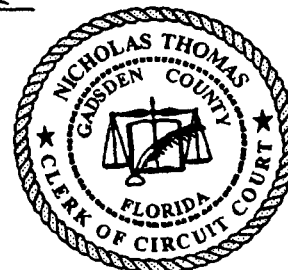
and encourage the community to observe this week with appropriate programs, ceremonies, and activities.

**BOARD OF COUNTY COMMISSIONERS
GADSDEN COUNTY**


Edward Dixon, Chairman

Attest:


Nicholas Thomas, Clerk



Board of County Commissioners

Agenda Request

Date of Meeting: May 16, 2006



Date Submitted: May 5, 2006

To: Honorable Chairman and Members of the Board

From: Marlon Brown, County Manager
Arthur Lawson, Sr., Assistant County Manager

Subject: Approval of Authority for Chairman to Execute Contract for Health and Human Services Study

Statement of Issue:

This agenda item seeks Board approval for the Chairman to execute a contract for a Health and Human Services Study.

Background:

The Board has designated Health and Human Services issues as one of their priorities for fiscal year 2007 – 2011 to include:

- To develop a Comprehensive Healthcare System to improve health disparity
- To re-open Gadsden County Community Hospital
- To create a process to ensure a continuum of health
- To develop a County Health and Human Services Department/Agency

Analysis:

Staff has identified potential funding sources that will aid in development of future Health and Human Services programs. However, staff believes it is necessary to initially perform a study to determine specific needs with regard to county Health and Human Services issues. Therefore, in order to expedite this process, staff is requesting that the Board gives the Chairman the authority to execute a contract for this study, once a consultant is selected by the County Manager.

Fiscal Impact:

Staff believes that the current budget maintains the necessary resources to fund the study. If necessary, a budget amendment will be brought to the Board for approval.

Options:

1. Approval to give the Chairman authority to execute contract for Health and Human Services Study.
2. Do not give the Chairman the authority to execute contract for Health and Human Services contract.
3. Provide Board Direction.

Recommendation:

Option 1



Nicholas Thomas

Gadsden County, Florida

Clerk of the Circuit Court

Clerk of the County Court



Clerk to the Board of County Commissioners
County Recorder
County Auditor

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

FROM: NICHOLAS THOMAS, CLERK

SUBJECT: Ratification of Approval to Pay County Bills

DATE: May 5, 2006

Please ratify your approval of the payments as reflected in the warrant registers for the following dates:

Accounts Payables: May 5, 2006 and May 12, 2006

Payroll: May 11, 2006

Board of County Commissioners

Agenda Request

Date of Meeting: May 16, 2006

Date Submitted: April 2, 2006

To: Honorable Chairman and Members of the Board

From: Marlon Brown, County Manager
Davin J. Suggs, Director, OMB

Subject: Approval and Execution of Non-Profit Funding Agreements

Statement of Issue:

This item seeks Board acceptance and approval of non-profit funding agreements for Fiscal Year 2006.

Background:

In the FY 2006 adopted budget the Board appropriated approximately \$68,000 to non-profit agencies. Additionally the Board approved funding to other "outside" agencies that include the Gadsden Health Council (\$49,325), Gadsden County Senior Citizens (\$51,000), the Gadsden County Chamber of Commerce (\$37,500), and the Apalachee Center, Inc (\$136,000).

Analysis:

Per Board direction during the development of the FY 2006 budget, staff has developed a mechanism for holding these "outside" agencies accountable for the use and expenditure of public monies. Staff has required that each agency sign and execute a funding agreement that states, among other requirements, the following:

- A. Documentation must be filed with the County's Office of Management and Budget (OMB) showing the actual expenditures of the funds received. Documentation must include copies of invoices, receipts, etc., confirming the funds received were expended as authorized by the Board.
- B. Documentation must be filed in OMB no later than 30 days after the expenditure of the total appropriation received or by September 30, 2006.
- C. If documentation is not filed, the Board will request that the total amount of appropriation authorized be returned, and the said entity will not be considered for any future funding requests.

Agenda Request: Acceptance and Approval of Non-Profit Funding Agreements

May 16, 2006

Page 2 of 2

*Note: A funding agreement is not required at this time for The Apalachee Center, Inc due to the County's statutory obligation to provide funding to the organization.

Fiscal Impact:

There is no further fiscal impact beyond the previously appropriated budget for these agencies.

Options:

1. Approve Non-Profit Funding agreements and authorize the Chairman to execute agreements for FY 2006.

2. Board Direction

Recommendation:

Option 1.

Gadsden County
Non – Profit / Human Service Funding Agreement

This agreement is made and entered into this 7th day of March, 2006, by and between Gadsden County Florida, a political subdivision of the State of Florida ("County") and Gadsden Co. Chapter of United Way (Grantee).

Whereas, Gadsden County, by and through its Board of County Commissioners approved a FY 2006 budget appropriation in the amount of \$ 37,500 in support of those not-for-profit services / human services provided by the Grantee on the behalf of the citizens of the County.

Whereas, Gadsden County, by and through its Board of County Commissioners, requires all entities receiving FY 2006 appropriation to comply with the following requirements:

- A. The Grantee must provide a detailed expenditure budget listing all planned expenses to be funded with County appropriation and an explanation of those services to be provided as a direct result of these expenditures.
- B. Documentation must be filed with the County's Office of Management and Budget (OMB) showing the actual expenditures of the funds received. Documentation must include copies of invoices, receipts, etc., confirming the funds received were expended as authorized by the Board.
- C. Documentation must be filed in OMB no later than 30 days after the expenditure of the total appropriation received or by September 30, 2006.
- D. If documentation is not filed, the Board will request that the total amount of appropriation authorized be returned, and the said entity will not be considered for any future funding requests.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties to this agreement do agree as follows:

- 1. The disbursement of funds by the County to the Grantee shall be made at the County's discretion and disbursed in either a lump sum amount or a monthly amount to be determined by the County.
- 2. Nothing herein contained is intended or should be construed as creating or establishing the relationship of agency, partners, or employment between the parties hereto, or as constituting either party as the agent or representative of the other for any purpose. Grantee is not authorized to bind the County to any contracts or other obligations and shall not expressly represent to any party that Grantee and County are partners or that Grantee is the agent or representative of the County.

3. The Grantee agrees to indemnify and hold harmless the County from all claims, damages, liabilities, or suits of any nature whatsoever arising out of, because of, or due to the breach of this agreement by the Grantee, its delegates, agents or employees, or due to any act occurrence of omission or commission of the Grantee, including but not limited to costs and a reasonable attorney's fee. The County may at its option, defend itself or allow the Grantee to provide the defense.
4. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Florida.
5. This Agreement shall become effective upon its execution by the Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have set their hands this 7th day of March, 2006.

GADSDEN COUNTY, FLORIDA

BY: _____

Edward J. Dixon, Chairman
Board of County Commissioners

ATTEST:

Nicholas Thomas, Clerk of the Courts

BY: _____

Gadsden County Chamber
Name of Organization (Grantee)

BY: [Signature]

AS ITS: Executive Director

ATTEST: [Signature]

Gadsden County
Non - Profit / Human Service Funding Agreement

This agreement is made and entered into this 7th day of March, 2006, by and between Gadsden County Florida, a political subdivision of the State of Florida ("County") and Gadsden County Senior Citizens ("Grantee").

Whereas, Gadsden County, by and through its Board of County Commissioners approved a FY 2006 budget appropriation in the amount of \$50,000.00 in support of those not-for-profit services / human services provided by the Grantee on the behalf of the citizens of the County.

Whereas, Gadsden County, by and through its Board of County Commissioners, requires all entities receiving FY 2006 appropriation to comply with the following requirements:

- A. The Grantee must provide a detailed expenditure budget listing all planned expenses to be funded with County appropriation and an explanation of those services to be provided as a direct result of these expenditures.
- B. Documentation must be filed with the County's Office of Management and Budget (OMB) showing the actual expenditures of the funds received. Documentation must include copies of invoices, receipts, etc., confirming the funds received were expended as authorized by the Board.
- C. Documentation must be filed in OMB no later than 30 days after the expenditure of the total appropriation received or by September 30, 2006.
- D. If documentation is not filed, the Board will request that the total amount of appropriation authorized be returned, and the said entity will not be considered for any future funding requests.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties to this agreement do agree as follows:

- 1. The disbursement of funds by the County to the Grantee shall be made at the County's discretion and disbursed in either a lump sum amount or a monthly amount to be determined by the County.
- 2. Nothing herein contained is intended or should be construed as creating or establishing the relationship of agency, partners, or employment between the parties hereto, or as constituting either party as the agent or representative of the other for any purpose. Grantee is not authorized to bind the County to any contracts or other obligations and shall not expressly represent to any party that Grantee and County are partners or that Grantee is the agent or representative of the County.

3. The Grantee agrees to indemnify and hold harmless the County from all claims, damages, liabilities, or suits of any nature whatsoever arising out of, because of, or due to the breach of this agreement by the Grantee, its delegates, agents or employees, or due to any act occurrence of omission or commission of the Grantee, including but not limited to costs and a reasonable attorney's fee. The County may at its option, defend itself or allow the Grantee to provide the defense.
4. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Florida.
5. This Agreement shall become effective upon its execution by the Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have set their hands this 7th day of March, 2006.

GADSDEN COUNTY, FLORIDA

BY: _____

Edward J. Dixon, Chairman
Board of County Commissioners

ATTEST:

Nicholas Thomas, Clerk of the Courts

BY: _____

Gadsden Senior Service
Name of Organization (Grantee)

BY: Willie G. Hays

AS ITS: Ex. Director

ATTEST: _____

Gadsden County
Non – Profit / Human Service Funding Agreement

This agreement is made and entered into this 7th day of March, 2006, by and between Gadsden County Florida, a political subdivision of the State of Florida ("County") and Gadsden Community Health Council ("Grantee").

Whereas, Gadsden County, by and through its Board of County Commissioners approved a FY 2006 budget appropriation in the amount of \$49,325.00 in support of those not-for-profit services / human services provided by the Grantee on the behalf of the citizens of the County.

Whereas, Gadsden County, by and through its Board of County Commissioners, requires all entities receiving FY 2006 appropriation to comply with the following requirements:

- A. The Grantee must provide a detailed expenditure budget listing all planned expenses to be funded with County appropriation and an explanation of those services to be provided as a direct result of these expenditures.
- B. Documentation must be filed with the County's Office of Management and Budget (OMB) showing the actual expenditures of the funds received. Documentation must include copies of invoices, receipts, etc., confirming the funds received were expended as authorized by the Board.
- C. Documentation must be filed in OMB no later than 30 days after the expenditure of the total appropriation received or by September 30, 2006.
- D. If documentation is not filed, the Board will request that the total amount of appropriation authorized be returned, and the said entity will not be considered for any future funding requests.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties to this agreement do agree as follows:

- 1. The disbursement of funds by the County to the Grantee shall be made at the County's discretion and disbursed in either a lump sum amount or a monthly amount to be determined by the County.
- 2. Nothing herein contained is intended or should be construed as creating or establishing the relationship of agency, partners, or employment between the parties hereto, or as constituting either party as the agent or representative of the other for any purpose. Grantee is not authorized to bind the County to any contracts or other obligations and shall not expressly represent to any party that Grantee and County are partners or that Grantee is the agent or representative of the County.

3. The Grantee agrees to indemnify and hold harmless the County from all claims, damages, liabilities, or suits of any nature whatsoever arising out of, because of, or due to the breach of this agreement by the Grantee, its delegates, agents or employees, or due to any act occurrence of omission or commission of the Grantee, including but not limited to costs and a reasonable attorney's fee. The County may at its option, defend itself or allow the Grantee to provide the defense.
4. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Florida.
5. This Agreement shall become effective upon its execution by the Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have set their hands this 7th day of March, 2006.

GADSDEN COUNTY, FLORIDA

BY: _____

Edward J. Dixon, Chairman
Board of County Commissioners

ATTEST:

Nicholas Thomas, Clerk of the Courts

BY: _____

Gadsden County Community Health Council, Inc.
Name of Organization (Grantee)

BY: Maximo Martin

AS ITS: Business Manager

ATTEST: Cynthia Bradford

Gadsden County
Non – Profit / Human Service Funding Agreement

This agreement is made and entered into this 7th day of March, 2006, by and between Gadsden County Florida, a political subdivision of the State of Florida ("County") and Gadsden Arts Center ("Grantee").

Whereas, Gadsden County, by and through its Board of County Commissioners approved a FY 2006 budget appropriation in the amount of \$ 8,000.00 in support of those not-for-profit services / human services provided by the Grantee on the behalf of the citizens of the County.

Whereas, Gadsden County, by and through its Board of County Commissioners, requires all entities receiving FY 2006 appropriation to comply with the following requirements:

- A. The Grantee must provide a detailed expenditure budget listing all planned expenses to be funded with County appropriation and an explanation of those services to be provided as a direct result of these expenditures.
- B. Documentation must be filed with the County's Office of Management and Budget (OMB) showing the actual expenditures of the funds received. Documentation must include copies of invoices, receipts, etc., confirming the funds received were expended as authorized by the Board.
- C. Documentation must be filed in OMB no later than 30 days after the expenditure of the total appropriation received or by September 30, 2006.
- D. If documentation is not filed, the Board will request that the total amount of appropriation authorized be returned, and the said entity will not be considered for any future funding requests.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties to this agreement do agree as follows:

- 1. The disbursement of funds by the County to the Grantee shall be made at the County's discretion and disbursed in either a lump sum amount or a monthly amount to be determined by the County.
- 2. Nothing herein contained is intended or should be construed as creating or establishing the relationship of agency, partners, or employment between the parties hereto, or as constituting either party as the agent or representative of the other for any purpose. Grantee is not authorized to bind the County to any contracts or other obligations and shall not expressly represent to any party that Grantee and County are partners or that Grantee is the agent or representative of the County.

3. The Grantee agrees to indemnify and hold harmless the County from all claims, damages, liabilities, or suits of any nature whatsoever arising out of, because of, or due to the breach of this agreement by the Grantee, its delegates, agents or employees, or due to any act occurrence of omission or commission of the Grantee, including but not limited to costs and a reasonable attorney's fee. The County may at its option, defend itself or allow the Grantee to provide the defense.
4. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Florida.
5. This Agreement shall become effective upon its execution by the Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have set their hands this 7th day of March, 2006.

GADSDEN COUNTY, FLORIDA

BY: _____

Edward J. Dixon, Chairman
Board of County Commissioners

ATTEST:

Nicholas Thomas, Clerk of the Courts

BY: _____

Gadsden Arts, Inc.

Grace R. Maloy

Name of Organization (Grantee)

BY: *Grace R. Maloy*

AS ITS: *Executive Director*

ATTEST: _____

Gadsden County
Non – Profit / Human Service Funding Agreement

This agreement is made and entered into this 7th day of March, 2006, by and between Gadsden County Florida, a political subdivision of the State of Florida ("County") and Quincyfest ("Grantee").

Whereas, Gadsden County, by and through its Board of County Commissioners approved a FY 2006 budget appropriation in the amount of \$1,500.00 in support of those not-for-profit services / human services provided by the Grantee on the behalf of the citizens of the County.

Whereas, Gadsden County, by and through its Board of County Commissioners, requires all entities receiving FY 2006 appropriation to comply with the following requirements:

- A. The Grantee must provide a detailed expenditure budget listing all planned expenses to be funded with County appropriation and an explanation of those services to be provided as a direct result of these expenditures.
- B. Documentation must be filed with the County's Office of Management and Budget (OMB) showing the actual expenditures of the funds received. Documentation must include copies of invoices, receipts, etc., confirming the funds received were expended as authorized by the Board.
- C. Documentation must be filed in OMB no later than 30 days after the expenditure of the total appropriation received or by September 30, 2006.
- D. If documentation is not filed, the Board will request that the total amount of appropriation authorized be returned, and the said entity will not be considered for any future funding requests.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties to this agreement do agree as follows:

- 1. The disbursement of funds by the County to the Grantee shall be made at the County's discretion and disbursed in either a lump sum amount or a monthly amount to be determined by the County.
- 2. Nothing herein contained is intended or should be construed as creating or establishing the relationship of agency, partners, or employment between the parties hereto, or as constituting either party as the agent or representative of the other for any purpose. Grantee is not authorized to bind the County to any contracts or other obligations and shall not expressly represent to any party that Grantee and County are partners or that Grantee is the agent or representative of the County.

3. The Grantee agrees to indemnify and hold harmless the County from all claims, damages, liabilities, or suits of any nature whatsoever arising out of, because of, or due to the breach of this agreement by the Grantee, its delegates, agents or employees, or due to any act occurrence of omission or commission of the Grantee, including but not limited to costs and a reasonable attorney's fee. The County may at its option, defend itself or allow the Grantee to provide the defense.
4. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Florida.
5. This Agreement shall become effective upon its execution by the Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have set their hands this 7th day of March, 2006.

GADSDEN COUNTY, FLORIDA

BY: _____

Edward J. Dixon, Chairman
Board of County Commissioners

ATTEST:

Nicholas Thomas, Clerk of the Courts

BY: _____

Quincy Post

Name of Organization (Grantee)

BY: *Glenn C. DuPont*

AS ITS: _____

ATTEST: _____

Gadsden County
Non - Profit / Human Service Funding Agreement

This agreement is made and entered into this 7th day of March, 2006, by and between Gadsden County Florida, a political subdivision of the State of Florida ("County") and Capital Medical Society Foundation ("Grantee").

Whereas, Gadsden County, by and through its Board of County Commissioners approved a FY 2006 budget appropriation in the amount of \$3,000.00 in support of those not-for-profit services / human services provided by the Grantee on the behalf of the citizens of the County.

Whereas, Gadsden County, by and through its Board of County Commissioners, requires all entities receiving FY 2006 appropriation to comply with the following requirements:

- A. The Grantee must provide a detailed expenditure budget listing all planned expenses to be funded with County appropriation and an explanation of those services to be provided as a direct result of these expenditures.
- B. Documentation must be filed with the County's Office of Management and Budget (OMB) showing the actual expenditures of the funds received. Documentation must include copies of invoices, receipts, etc., confirming the funds received were expended as authorized by the Board.
- C. Documentation must be filed in OMB no later than 30 days after the expenditure of the total appropriation received or by September 30, 2006.
- D. If documentation is not filed, the Board will request that the total amount of appropriation authorized be returned, and the said entity will not be considered for any future funding requests.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties to this agreement do agree as follows:

- 1. The disbursement of funds by the County to the Grantee shall be made at the County's discretion and disbursed in either a lump sum amount or a monthly amount to be determined by the County.
- 2. Nothing herein contained is intended or should be construed as creating or establishing the relationship of agency, partners, or employment between the parties hereto, or as constituting either party as the agent or representative of the other for any purpose. Grantee is not authorized to bind the County to any contracts or other obligations and shall not expressly represent to any party that Grantee and County are partners or that Grantee is the agent or representative of the County.

3. The Grantee agrees to indemnify and hold harmless the County from all claims, damages, liabilities, or suits of any nature whatsoever arising out of, because of, or due to the breach of this agreement by the Grantee, its delegates, agents or employees, or due to any act occurrence of omission or commission of the Grantee, including but not limited to costs and a reasonable attorney's fee. The County may at its option, defend itself or allow the Grantee to provide the defense.
4. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Florida.
5. This Agreement shall become effective upon its execution by the Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have set their hands this 7th day of March, 2006.

GADSDEN COUNTY, FLORIDA

BY: _____

Edward J. Dixon, Chairman
Board of County Commissioners

ATTEST:

Nicholas Thomas, Clerk of the Courts

BY: _____

Capital Medical Society Foundation
Name of Organization (Grantee)

BY: [Signature]

AS ITS: _____

ATTEST: _____

Gadsden County
Non – Profit / Human Service Funding Agreement

This agreement is made and entered into this 7th day of March, 2006, by and between Gadsden County Florida, a political subdivision of the State of Florida ("County") and The Shelter ("Grantee").

Whereas, Gadsden County, by and through its Board of County Commissioners approved a FY 2006 budget appropriation in the amount of \$4,200.00 in support of those not-for-profit services / human services provided by the Grantee on the behalf of the citizens of the County.

Whereas, Gadsden County, by and through its Board of County Commissioners, requires all entities receiving FY 2006 appropriation to comply with the following requirements:

- A. The Grantee must provide a detailed expenditure budget listing all planned expenses to be funded with County appropriation and an explanation of those services to be provided as a direct result of these expenditures.
- B. Documentation must be filed with the County's Office of Management and Budget (OMB) showing the actual expenditures of the funds received. Documentation must include copies of invoices, receipts, etc., confirming the funds received were expended as authorized by the Board.
- C. Documentation must be filed in OMB no later than 30 days after the expenditure of the total appropriation received or by September 30, 2006.
- D. If documentation is not filed, the Board will request that the total amount of appropriation authorized be returned, and the said entity will not be considered for any future funding requests.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties to this agreement do agree as follows:

- 1. The disbursement of funds by the County to the Grantee shall be made at the County's discretion and disbursed in either a lump sum amount or a monthly amount to be determined by the County.
- 2. Nothing herein contained is intended or should be construed as creating or establishing the relationship of agency, partners, or employment between the parties hereto, or as constituting either party as the agent or representative of the other for any purpose. Grantee is not authorized to bind the County to any contracts or other obligations and shall not expressly represent to any party that Grantee and County are partners or that Grantee is the agent or representative of the County.

3. The Grantee agrees to indemnify and hold harmless the County from all claims, damages, liabilities, or suits of any nature whatsoever arising out of, because of, or due to the breach of this agreement by the Grantee, its delegates, agents or employees, or due to any act occurrence of omission or commission of the Grantee, including but not limited to costs and a reasonable attorney's fee. The County may at its option, defend itself or allow the Grantee to provide the defense.
4. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Florida.
5. This Agreement shall become effective upon its execution by the Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have set their hands this 7th day of March, 2006.

GADSDEN COUNTY, FLORIDA

BY: _____

Edward J. Dixon, Chairman
Board of County Commissioners

ATTEST:

Nicholas Thomas, Clerk of the Courts

BY: _____

The Tallahassee-Leon Shelter Inc
Name of Organization (Grantee)

BY: *Neil Eby* _____

AS ITS: *Director* _____

ATTEST: _____

Gadsden County
Non – Profit / Human Service Funding Agreement

This agreement is made and entered into this 7th day of March, 2006, by and between Gadsden County Florida, a political subdivision of the State of Florida ("County") and Children Are Our Future ("Grantee").

Whereas, Gadsden County, by and through its Board of County Commissioners approved a FY 2006 budget appropriation in the amount of \$6,200.00 in support of those not-for-profit services / human services provided by the Grantee on the behalf of the citizens of the County.

Whereas, Gadsden County, by and through its Board of County Commissioners, requires all entities receiving FY 2006 appropriation to comply with the following requirements:

- A. The Grantee must provide a detailed expenditure budget listing all planned expenses to be funded with County appropriation and an explanation of those services to be provided as a direct result of these expenditures.
- B. Documentation must be filed with the County's Office of Management and Budget (OMB) showing the actual expenditures of the funds received. Documentation must include copies of invoices, receipts, etc., confirming the funds received were expended as authorized by the Board.
- C. Documentation must be filed in OMB no later than 30 days after the expenditure of the total appropriation received or by September 30, 2006.
- D. If documentation is not filed, the Board will request that the total amount of appropriation authorized be returned, and the said entity will not be considered for any future funding requests.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties to this agreement do agree as follows:

- 1. The disbursement of funds by the County to the Grantee shall be made at the County's discretion and disbursed in either a lump sum amount or a monthly amount to be determined by the County.
- 2. Nothing herein contained is intended or should be construed as creating or establishing the relationship of agency, partners, or employment between the parties hereto, or as constituting either party as the agent or representative of the other for any purpose. Grantee is not authorized to bind the County to any contracts or other obligations and shall not expressly represent to any party that Grantee and County are partners or that Grantee is the agent or representative of the County.

3. The Grantee agrees to indemnify and hold harmless the County from all claims, damages, liabilities, or suits of any nature whatsoever arising out of, because of, or due to the breach of this agreement by the Grantee, its delegates, agents or employees, or due to any act occurrence of omission or commission of the Grantee, including but not limited to costs and a reasonable attorney's fee. The County may at its option, defend itself or allow the Grantee to provide the defense.
4. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Florida.
5. This Agreement shall become effective upon its execution by the Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have set their hands this 7th day of March, 2006.

GADSDEN COUNTY, FLORIDA

BY: _____

Edward J. Dixon, Chairman
Board of County Commissioners

ATTEST:

Nicholas Thomas, Clerk of the Courts

BY: _____

Children Are Our Future, Inc.

Name of Organization (Grantee)

BY: *Sherrie Taylor*

AS ITS: _____

ATTEST: _____

Gadsden County
Non - Profit / Human Service Funding Agreement

This agreement is made and entered into this 7th day of March, 2006, by and between Gadsden County Florida, a political subdivision of the State of Florida ("County") and Refuge House ("Grantee").

Whereas, Gadsden County, by and through its Board of County Commissioners approved a FY 2006 budget appropriation in the amount of \$4,540.00 in support of those not-for-profit services / human services provided by the Grantee on the behalf of the citizens of the County.

Whereas, Gadsden County, by and through its Board of County Commissioners, requires all entities receiving FY 2006 appropriation to comply with the following requirements:

- A. The Grantee must provide a detailed expenditure budget listing all planned expenses to be funded with County appropriation and an explanation of those services to be provided as a direct result of these expenditures.
- B. Documentation must be filed with the County's Office of Management and Budget (OMB) showing the actual expenditures of the funds received. Documentation must include copies of invoices, receipts, etc., confirming the funds received were expended as authorized by the Board.
- C. Documentation must be filed in OMB no later than 30 days after the expenditure of the total appropriation received or by September 30, 2006.
- D. If documentation is not filed, the Board will request that the total amount of appropriation authorized be returned, and the said entity will not be considered for any future funding requests.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties to this agreement do agree as follows:

1. The disbursement of funds by the County to the Grantee shall be made at the County's discretion and disbursed in either a lump sum amount or a monthly amount to be determined by the County.
2. Nothing herein contained is intended or should be construed as creating or establishing the relationship of agency, partners, or employment between the parties hereto, or as constituting either party as the agent or representative of the other for any purpose. Grantee is not authorized to bind the County to any contracts or other obligations and shall not expressly represent to any party that Grantee and County are partners or that Grantee is the agent or representative of the County.

3. The Grantee agrees to indemnify and hold harmless the County from all claims, damages, liabilities, or suits of any nature whatsoever arising out of, because of, or due to the breach of this agreement by the Grantee, its delegates, agents or employees, or due to any act occurrence of omission or commission of the Grantee, including but not limited to costs and a reasonable attorney's fee. The County may at its option, defend itself or allow the Grantee to provide the defense.
4. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Florida.
5. This Agreement shall become effective upon its execution by the Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have set their hands this 7th day of March, 2006.

GADSDEN COUNTY, FLORIDA

BY: _____

Edward J. Dixon, Chairman
Board of County Commissioners

ATTEST:

Nicholas Thomas, Clerk of the Courts

BY: _____

REFUGE HOUSE, INC.

Margaret Baldwin

Name of Organization (Grantee)

BY: MARGARET A. BAWDWIN

AS ITS: EXECUTIVE DIRECTOR

ATTEST: _____

Gadsden County
Non – Profit / Human Service Funding Agreement

This agreement is made and entered into this 7th day of March, 2006, by and between Gadsden County Florida, a political subdivision of the State of Florida ("County") and Organization for Learning, Inc. HD, Inc. ("Grantee").

Whereas, Gadsden County, by and through its Board of County Commissioners approved a FY 2006 budget appropriation in the amount of \$1,400 in support of those not-for-profit services / human services provided by the Grantee on the behalf of the citizens of the County.

Whereas, Gadsden County, by and through its Board of County Commissioners, requires all entities receiving FY 2006 appropriation to comply with the following requirements:

- A. The Grantee must provide a detailed expenditure budget listing all planned expenses to be funded with County appropriation and an explanation of those services to be provided as a direct result of these expenditures.
- B. Documentation must be filed with the County's Office of Management and Budget (OMB) showing the actual expenditures of the funds received. Documentation must include copies of invoices, receipts, etc., confirming the funds received were expended as authorized by the Board.
- C. Documentation must be filed in OMB no later than 30 days after the expenditure of the total appropriation received or by September 30, 2006.
- D. If documentation is not filed, the Board will request that the total amount of appropriation authorized be returned, and the said entity will not be considered for any future funding requests.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties to this agreement do agree as follows:

1. The disbursement of funds by the County to the Grantee shall be made at the County's discretion and disbursed in either a lump sum amount or a monthly amount to be determined by the County.
2. Nothing herein contained is intended or should be construed as creating or establishing the relationship of agency, partners, or employment between the parties hereto, or as constituting either party as the agent or representative of the other for any purpose. Grantee is not authorized to bind the County to any contracts or other obligations and shall not expressly represent to any party that Grantee and County are partners or that Grantee is the agent or representative of the County.

3. The Grantee agrees to indemnify and hold harmless the County from all claims, damages, liabilities, or suits of any nature whatsoever arising out of, because of, or due to the breach of this agreement by the Grantee, its delegates, agents or employees, or due to any act occurrence of omission or commission of the Grantee, including but not limited to costs and a reasonable attorney's fee. The County may at its option, defend itself or allow the Grantee to provide the defense.
4. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Florida.
5. This Agreement shall become effective upon its execution by the Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have set their hands this 7th day of March, 2006.

GADSDEN COUNTY, FLORIDA

BY: _____

Edward J. Dixon, Chairman
Board of County Commissioners

ATTEST:

Nicholas Thomas, Clerk of the Courts

BY: _____

Name of Organization (Grantee)

BY: [Signature]

AS ITS: President of Bd

ATTEST: Alan C. Rollins

Gadsden County
Non – Profit / Human Service Funding Agreement

This agreement is made and entered into this 7th day of March, 2006, by and between Gadsden County Florida, a political subdivision of the State of Florida ("County") and Gadsden County Black Heritage ("Grantee").

Whereas, Gadsden County, by and through its Board of County Commissioners approved a FY 2006 budget appropriation in the amount of \$12,000.00 in support of those not-for-profit services / human services provided by the Grantee on the behalf of the citizens of the County.

Whereas, Gadsden County, by and through its Board of County Commissioners, requires all entities receiving FY 2006 appropriation to comply with the following requirements:

- A. The Grantee must provide a detailed expenditure budget listing all planned expenses to be funded with County appropriation and an explanation of those services to be provided as a direct result of these expenditures.
- B. Documentation must be filed with the County's Office of Management and Budget (OMB) showing the actual expenditures of the funds received. Documentation must include copies of invoices, receipts, etc., confirming the funds received were expended as authorized by the Board.
- C. Documentation must be filed in OMB no later than 30 days after the expenditure of the total appropriation received or by September 30, 2006.
- D. If documentation is not filed, the Board will request that the total amount of appropriation authorized be returned, and the said entity will not be considered for any future funding requests.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties to this agreement do agree as follows:

- 1. The disbursement of funds by the County to the Grantee shall be made at the County's discretion and disbursed in either a lump sum amount or a monthly amount to be determined by the County.
- 2. Nothing herein contained is intended or should be construed as creating or establishing the relationship of agency, partners, or employment between the parties hereto, or as constituting either party as the agent or representative of the other for any purpose. Grantee is not authorized to bind the County to any contracts or other obligations and shall not expressly represent to any party that Grantee and County are partners or that Grantee is the agent or representative of the County.

3. The Grantee agrees to indemnify and hold harmless the County from all claims, damages, liabilities, or suits of any nature whatsoever arising out of, because of, or due to the breach of this agreement by the Grantee, its delegates, agents or employees, or due to any act occurrence of omission or commission of the Grantee, including but not limited to costs and a reasonable attorney's fee. The County may at its option, defend itself or allow the Grantee to provide the defense.
4. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Florida.
5. This Agreement shall become effective upon its execution by the Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have set their hands this 7th day of March, 2006.

GADSDEN COUNTY, FLORIDA

BY: _____

Edward J. Dixon, Chairman
Board of County Commissioners

ATTEST:

Nicholas Thomas, Clerk of the Courts

BY: _____

Black History Committee
Name of Organization (Grantee)

BY: Hwendelyn P. Robinson

AS ITS: Chairperson

ATTEST: _____

Rec'd
2/14/06
UR

Gadsden County
Non – Profit / Human Service Funding Agreement

This agreement is made and entered into this 7th day of March, 2006, by and between Gadsden County Florida, a political subdivision of the State of Florida ("County") and American Red Cross ("Grantee").

Whereas, Gadsden County, by and through its Board of County Commissioners approved a FY 2006 budget appropriation in the amount of \$9,600.00 in support of those not-for-profit services / human services provided by the Grantee on the behalf of the citizens of the County.

Whereas, Gadsden County, by and through its Board of County Commissioners, requires all entities receiving FY 2006 appropriation to comply with the following requirements:

- A. The Grantee must provide a detailed expenditure budget listing all planned expenses to be funded with County appropriation and an explanation of those services to be provided as a direct result of these expenditures.
- B. Documentation must be filed with the County's Office of Management and Budget (OMB) showing the actual expenditures of the funds received. Documentation must include copies of invoices, receipts, etc., confirming the funds received were expended as authorized by the Board.
- C. Documentation must be filed in OMB no later than 30 days after the expenditure of the total appropriation received or by September 30, 2006.
- D. If documentation is not filed, the Board will request that the total amount of appropriation authorized be returned, and the said entity will not be considered for any future funding requests.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties to this agreement do agree as follows:

- 1. The disbursement of funds by the County to the Grantee shall be made at the County's discretion and disbursed in either a lump sum amount or a monthly amount to be determined by the County.
- 2. Nothing herein contained is intended or should be construed as creating or establishing the relationship of agency, partners, or employment between the parties hereto, or as constituting either party as the agent or representative of the other for any purpose. Grantee is not authorized to bind the County to any contracts or other obligations and shall not expressly represent to any party that Grantee and County are partners or that Grantee is the agent or representative of the County.

3. The Grantee agrees to indemnify and hold harmless the County from all claims, damages, liabilities, or suits of any nature whatsoever arising out of, because of, or due to the breach of this agreement by the Grantee, its delegates, agents or employees, or due to any act occurrence of omission or commission of the Grantee, including but not limited to costs and a reasonable attorney's fee. The County may at its option, defend itself or allow the Grantee to provide the defense.
4. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Florida.
5. This Agreement shall become effective upon its execution by the Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have set their hands this 7th day of March, 2006.

GADSDEN COUNTY, FLORIDA

BY: _____

Edward J. Dixon, Chairman
Board of County Commissioners

ATTEST:

Nicholas Thomas, Clerk of the Courts

BY: _____

American Red Cross Capital Area
Name of Organization (Grantee) Chapter
BY: Karen Hagan
AS ITS: Executive Director
ATTEST: Karen Hagan

Gadsden County
Non - Profit / Human Service Funding Agreement

This agreement is made and entered into this 7th day of March, 2006, by and between Gadsden County Florida, a political subdivision of the State of Florida ("County") and Gadsden Co. Day Care Services, Inc. ("Grantee").

Whereas, Gadsden County, by and through its Board of County Commissioners approved a FY 2006 budget appropriation in the amount of \$3,100.00 in support of those not-for-profit services / human services provided by the Grantee on the behalf of the citizens of the County.

Whereas, Gadsden County, by and through its Board of County Commissioners, requires all entities receiving FY 2006 appropriation to comply with the following requirements:

- A. The Grantee must provide a detailed expenditure budget listing all planned expenses to be funded with County appropriation and an explanation of those services to be provided as a direct result of these expenditures.
- B. Documentation must be filed with the County's Office of Management and Budget (OMB) showing the actual expenditures of the funds received. Documentation must include copies of invoices, receipts, etc., confirming the funds received were expended as authorized by the Board.
- C. Documentation must be filed in OMB no later than 30 days after the expenditure of the total appropriation received or by September 30, 2006.
- D. If documentation is not filed, the Board will request that the total amount of appropriation authorized be returned, and the said entity will not be considered for any future funding requests.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties to this agreement do agree as follows:

- 1. The disbursement of funds by the County to the Grantee shall be made at the County's discretion and disbursed in either a lump sum amount or a monthly amount to be determined by the County.
- 2. Nothing herein contained is intended or should be construed as creating or establishing the relationship of agency, partners, or employment between the parties hereto, or as constituting either party as the agent or representative of the other for any purpose. Grantee is not authorized to bind the County to any contracts or other obligations and shall not expressly represent to any party that Grantee and County are partners or that Grantee is the agent or representative of the County.

3. The Grantee agrees to indemnify and hold harmless the County from all claims, damages, liabilities, or suits of any nature whatsoever arising out of, because of, or due to the breach of this agreement by the Grantee, its delegates, agents or employees, or due to any act occurrence of omission or commission of the Grantee, including but not limited to costs and a reasonable attorney's fee. The County may at its option, defend itself or allow the Grantee to provide the defense.
4. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Florida.
5. This Agreement shall become effective upon its execution by the Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have set their hands this 7th day of March, 2006.

GADSDEN COUNTY, FLORIDA

BY: _____

Edward J. Dixon, Chairman
Board of County Commissioners

ATTEST:

Nicholas Thomas, Clerk of the Courts

BY: _____

Gadsden County Day Care
Name of Organization (Grantee)

BY: [Signature]

AS ITS: Director

ATTEST: _____

Gadsden County
Non – Profit / Human Service Funding Agreement

This agreement is made and entered into this 7th day of March, 2006, by and between Gadsden County Florida, a political subdivision of the State of Florida ("County") and Disc Village ("Grantee").

Whereas, Gadsden County, by and through its Board of County Commissioners approved a FY 2006 budget appropriation in the amount of \$4,000.00 in support of those not-for-profit services / human services provided by the Grantee on the behalf of the citizens of the County.

Whereas, Gadsden County, by and through its Board of County Commissioners, requires all entities receiving FY 2006 appropriation to comply with the following requirements:

- A. The Grantee must provide a detailed expenditure budget listing all planned expenses to be funded with County appropriation and an explanation of those services to be provided as a direct result of these expenditures.
- B. Documentation must be filed with the County's Office of Management and Budget (OMB) showing the actual expenditures of the funds received. Documentation must include copies of invoices, receipts, etc., confirming the funds received were expended as authorized by the Board.
- C. Documentation must be filed in OMB no later than 30 days after the expenditure of the total appropriation received or by September 30, 2006.
- D. If documentation is not filed, the Board will request that the total amount of appropriation authorized be returned, and the said entity will not be considered for any future funding requests.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties to this agreement do agree as follows:

- 1. The disbursement of funds by the County to the Grantee shall be made at the County's discretion and disbursed in either a lump sum amount or a monthly amount to be determined by the County.
- 2. Nothing herein contained is intended or should be construed as creating or establishing the relationship of agency, partners, or employment between the parties hereto, or as constituting either party as the agent or representative of the other for any purpose. Grantee is not authorized to bind the County to any contracts or other obligations and shall not expressly represent to any party that Grantee and County are partners or that Grantee is the agent or representative of the County.

3. The Grantee agrees to indemnify and hold harmless the County from all claims, damages, liabilities, or suits of any nature whatsoever arising out of, because of, or due to the breach of this agreement by the Grantee, its delegates, agents or employees, or due to any act occurrence of omission or commission of the Grantee, including but not limited to costs and a reasonable attorney's fee. The County may at its option, defend itself or allow the Grantee to provide the defense.
4. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Florida.
5. This Agreement shall become effective upon its execution by the Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have set their hands this 7th day of March, 2006.

GADSDEN COUNTY, FLORIDA

BY: _____

Edward J. Dixon, Chairman
Board of County Commissioners

ATTEST:

Nicholas Thomas, Clerk of the Courts

BY: _____

D.I.S.C. Village, Inc.

Name of Organization (Grantee)

BY: _____

AS ITS: Chief Executive Officer

ATTEST: Carolyn J. Barnes

Gadsden County
Non – Profit / Human Service Funding Agreement

This agreement is made and entered into this 7th day of March, 2006, by and between Gadsden County Florida, a political subdivision of the State of Florida ("County") and Legal Svcs. of North Florida, Inc. ("Grantee").

Whereas, Gadsden County, by and through its Board of County Commissioners approved a FY 2006 budget appropriation in the amount of \$7,400.00 in support of those not-for-profit services / human services provided by the Grantee on the behalf of the citizens of the County.

Whereas, Gadsden County, by and through its Board of County Commissioners, requires all entities receiving FY 2006 appropriation to comply with the following requirements:

- A. The Grantee must provide a detailed expenditure budget listing all planned expenses to be funded with County appropriation and an explanation of those services to be provided as a direct result of these expenditures.
- B. Documentation must be filed with the County's Office of Management and Budget (OMB) showing the actual expenditures of the funds received. Documentation must include copies of invoices, receipts, etc., confirming the funds received were expended as authorized by the Board.
- C. Documentation must be filed in OMB no later than 30 days after the expenditure of the total appropriation received or by September 30, 2006.
- D. If documentation is not filed, the Board will request that the total amount of appropriation authorized be returned, and the said entity will not be considered for any future funding requests.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties to this agreement do agree as follows:

- 1. The disbursement of funds by the County to the Grantee shall be made at the County's discretion and disbursed in either a lump sum amount or a monthly amount to be determined by the County.
- 2. Nothing herein contained is intended or should be construed as creating or establishing the relationship of agency, partners, or employment between the parties hereto, or as constituting either party as the agent or representative of the other for any purpose. Grantee is not authorized to bind the County to any contracts or other obligations and shall not expressly represent to any party that Grantee and County are partners or that Grantee is the agent or representative of the County.

3. The Grantee agrees to indemnify and hold harmless the County from all claims, damages, liabilities, or suits of any nature whatsoever arising out of, because of, or due to the breach of this agreement by the Grantee, its delegates, agents or employees, or due to any act occurrence of omission or commission of the Grantee, including but not limited to costs and a reasonable attorney's fee. The County may at its option, defend itself or allow the Grantee to provide the defense.
4. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Florida.
5. This Agreement shall become effective upon its execution by the Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have set their hands this 7th day of March, 2006.

GADSDEN COUNTY, FLORIDA

BY: _____

Edward J. Dixon, Chairman
Board of County Commissioners

ATTEST:

Nicholas Thomas, Clerk of the Courts

BY: _____

Legal Services of N. Florida, Inc.
Name of Organization (Grantee)

BY: Kristine E. Kell

AS ITS: Executive Director

ATTEST: Mary Sane Russell

Board of County Commissioners Agenda Request

Date of Meeting: May 5, 2006

Date Submitted: May 16, 2006

To: Honorable Chairman and Members of the Board

From: Marlon Brown, County Manager

Subject: Approval to Reschedule the Special Meeting/Workshop for June 2006, and Schedule a Tentative Budget Workshop and Special Meeting/Workshop for July 17, 2006.

Statement of Issue:

This item seeks Board approval to reschedule the Special Meeting/Workshop for June 2006 from June 13 to June 14, and schedule a Tentative Budget Workshop and Special Meeting/Workshop for July 17, 2006.

Background:

On December 13, 2005, the Board approved a regular meeting and special meeting/workshop calendar for 2006. The Special Meeting/Workshop for June 2006 was scheduled for June 13 which is now a conflict for a Board member. Both a Tentative Budget Workshop and Special Meeting/Workshop for July were not scheduled.

Analysis:

The Tentative Budget Workshop and Special Meeting/Workshop for July 17, 2006 will include a presentation of the tentative budget and a discussion of the Immediate Family Subdivision issues.

Options:

1. Approve the rescheduling of the Special Meeting/Workshop for June 14, 2006, and scheduling of a Tentative Budget Workshop and Special Meeting/Workshop for July 17, 2006.
2. Provide other direction

Recommendations:

Option 1

Gadsden County BOCC BUDGET AMENDMENT FORM

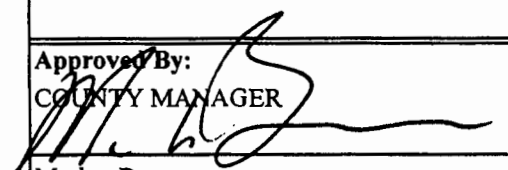
DATE: 5/16/06 FY: 2006 DEPARTMENT: Library Services

AGENDA ITEM REFERENCE (IF NECESSARY): Realization of Deferred Library Revenue

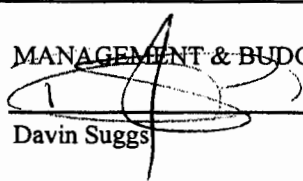
Account Number (Fund-Org-Object-Program)	Account Description	Increase Revenue <input checked="" type="checkbox"/>	Decrease Revenue <input type="checkbox"/>
		Decrease Appropriation <input type="checkbox"/>	Increase Appropriation <input checked="" type="checkbox"/>
118-3347001 0123-59905	Aid to Libraries Library State Portion: Reserve for Future Years	253,401.26	253,401.26
Total		253,401	253,401

Explanation: To realize deferred State Aid and to reserve funds for future years.

Approved By:
COUNTY MANAGER


Marlon Brown

MANAGEMENT & BUDGET DIRECTOR:


Davin Suggs

Action By (If Necessary):
BOCC

☒ Resolution
☐ Motion

OMB-BA# 060023

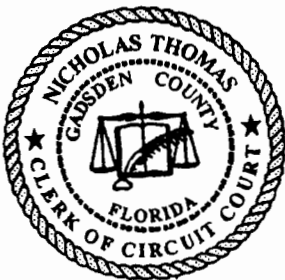
RESOLUTION NO. 2006-031

WHEREAS, the Board of County Commissioners of Gadsden County, Florida, approved a budget for fiscal year 2006; and,

WHEREAS, the Board of County Commissioners, pursuant to Chapter 129, Florida Statutes, desires to amend the budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Gadsden County, Florida, hereby amends the budget as reflected on the Budget Amendment Form attached hereto and incorporated herein by reference.

Adopted this 16th day of May, 2006.



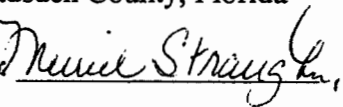
Gadsden County, Florida

by: 

Chairman

Board of County Commissioners

Attest: Nicholas Thomas, Clerk of the Court
Gadsden County, Florida

by: , Deputy for

Board of County Commissioners

Agenda Request

Date of Meeting: May 16, 2006

Date Submitted: April 2, 2006

To: Honorable Chairman and Members of the Board

From: Marlon Brown, County Manager
Davin J. Suggs, Director, OMB

Subject: Realization of Deferred Library Revenue

Statement of Issue:

This item seeks Board authorization to realize deferred revenue in the Library Fund (#118)

Background:

Over the past few fiscal years, the Library Services program has received funding from State Aid appropriations that has been deferred until appropriate uses can be designated for the funding.

Analysis:

OMB, along with the Director of Library Services are in agreement that these funds should be realized and placed in an appropriate reserve account until future uses can be determined.

Fiscal Impact:

The budget amendment provides for the following:

1. Realization of deferred "State Aid" funding in the amount \$253,401.26 and establishment of a reserve for future uses account in the same amount.

Options:

1. Approve associated resolution and budget amendment.
2. Board Direction

Agenda Request: Realization of Deferred Library Revenue

May 16, 2006

Page 2 of 2

Recommendation:

Option 1.

Attachments:

1. Resolution and Budget Amendment

Board of County Commissioners

Agenda Request

Date of Meeting: May 16, 2006

Date Submitted: April 2, 2006

To: Honorable Chairman and Members of the Board

From: Marlon Brown, County Manager
Davin J. Suggs, Director, OMB

Subject: Realization of Additional Library Revenue

Statement of Issue:

This item seeks Board authorization to realize excess revenue in the Library Fund (#118)

Background:

The Library program receives a major appropriation (State Aid to Libraries) from the State on an annual basis in support of its services and programs that it provides to the citizens of Gadsden County. Additionally, from time to time, the Library program will receive donations and contributions from citizens of Gadsden County.

Analysis:

For FY 2006 \$261,788 was budgeted in anticipated revenue from the State for its Aid to Libraries appropriation program. Subsequently, after the budget was adopted, Gadsden County was notified that it would receive a total of \$355,051 in Library State Aid appropriation. Additionally, the Library program received a cash gift in the amount of \$1,000 from the estate of the late Daisy Reynolds. This gift was contributed to the Library program via Ms. Reynolds' last will and testament with no further stipulations. The attached resolution and budget amendment (Attachment 1), as required by F.S. 129.06, needs to be approved to realize these additional funds and provide budgetary authority for their use for Library related expenditures.

Fiscal Impact:

The budget amendment provides for the following:

1. Realization of additional "State Aid" funding in the amount \$93,263 and establishment of a reserve for future uses account in the same amount.

Gadsden County BOCC BUDGET AMENDMENT FORM

DATE: 5/16/06 FY: 2006 DEPARTMENT: Library Services

AGENDA ITEM REFERENCE (IF NECESSARY): Realization of Additional Library Revenue

Account Number (Fund-Org-Object-Program)	Account Description	Increase Revenue <input checked="" type="checkbox"/> Decrease Appropriation <input type="checkbox"/>	Decrease Revenue <input type="checkbox"/> Increase Appropriation <input checked="" type="checkbox"/>
118-3347001 0123-59905	Aid to Libraries Library State Portion: Reserve for Future Years	93,263	93,263
118-3661001 0125-53400	Contributions & Donations: Private Library Local Portion: Other Contractual Services	1,000	1,000
	Total	94,263	94,263

Explanation: To realize additional State Aid and Private Cash Donation, State Aid will establish a reserve account. Private Cash will be used for current operating expenses.

Approved By: _____
COUNTY MANAGER

Marlon Brown

MANAGEMENT & BUDGET DIRECTOR:

Davin Suggs

Action By (If Necessary):
BOCC

☒ Resolution
☐ Motion

OMB-BA# 060022

RESOLUTION NO. 2006-032

WHEREAS, the Board of County Commissioners of Gadsden County, Florida, approved a budget for fiscal year 2006; and,

WHEREAS, the Board of County Commissioners, pursuant to Chapter 129, Florida Statutes, desires to amend the budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Gadsden County, Florida, hereby amends the budget as reflected on the Budget Amendment Form attached hereto and incorporated herein by reference.

Adopted this 16th day of May, 2006.



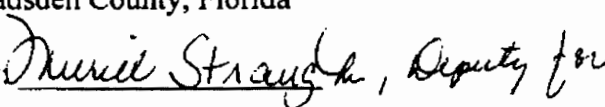
Gadsden County, Florida

by: 

Chairman

Board of County Commissioners

Attest: Nicholas Thomas, Clerk of the Court
Gadsden County, Florida

by:  , Deputy for

Board of County Commissioners Agenda Request

Date of Meeting: May 16, 2006
Date Submitted: May 2, 2006
To: Honorable Chairman and Members of the Board
From: Marlon Brown, County Manager
Subject: County Manager's Travel to FAC Conference

Statement of Issue:

This agenda item provides County Manager travel information to the Board. The purpose of this travel is for the County Manager to attend the Florida Association of Counties Annual Conference in Marco Island, Florida, June 27-30, 2006.

Background:

County Travel Policy 1.06(1)b) approved April 11, 2006, states: "The County Manager shall not approve his or her own travel request. The County Manager must obtain advance approval for travel from the Chairman, or Vice-Chairman when the Chairman is unavailable, when the County Manager will incur out of town, overnight travel expenses.

The County Manager's annual conference travel information is being provided for information.

SUBMIT WITH A COPY OF ALL DOCUMENTATION ATTACHED

Time of Departure: 8:00 am Time of Return: 10:00 p.m.

*items, reimbursement through **Travel Reimbursement Voucher** filed upon return with copies of receipts for
A copy of your hotel bill **must be filed** with your Travel Reimbursement Voucher.
nty Requisition*

Preliminary Schedule

TUESDAY, JUNE 27

- 1:00 p.m. – 5:00 p.m. Exhibitors Registration & Setup
- 1:00 p.m. – 5:00 p.m. County Exchange Tour
- 1:00 p.m. – 6:00 p.m. FAC Golf Outing
- 4:00 p.m. – 6:00 p.m. Registration Desk Open
- 6:00 p.m. – 8:00 p.m. Executive Committee Meeting
- 6:15 p.m. – 9:00 p.m. Sunset Tour Cruise
- 7:00 p.m. – 10:00 p.m. Restaurant Tour/Shuttle to Naples

WEDNESDAY, JUNE 28

- 8:00 a.m. – 9:00 a.m. ✓ Continental Breakfast
- 8:00 a.m. – 5:00 p.m. Registration Desk & Exhibit Hall Open
- 8:30 a.m. – 10:00 a.m. Workshops Sponsored by FAC Enterprise Programs
- 8:30 a.m. – 5:30 p.m. Affiliate Meetings
- 8:30 a.m. – 10:30 a.m. FCF Board of Directors Meeting / SCTAS Advisory Committee Meeting
- 10:30 a.m. – 12:00 p.m. FAC Board of Directors Meeting
- 10:30 a.m. – 12:00 p.m. Workshops Sponsored by FAC Enterprise Programs
- 12:00 p.m. – 1:30 p.m. ✓ Luncheon
- 12:30 p.m. – 5:00 p.m. County Attorneys CLE Seminar
- 2:00 p.m. – 3:30 p.m. Opening General Session
- 4:00 p.m. – 5:30 p.m. Workshop
- 4:00 p.m. – 5:30 p.m. Workshop
- 6:00 p.m. – 7:30 p.m. ✓ President's Reception for FAC President, Commissioner Welton Cadwell
- 9:00 p.m. – 11:30 p.m. Death by Chocolate Reception Sponsored by Waste Management

THURSDAY, JUNE 29

- 8:00 a.m. – 9:00 a.m. ✓ Continental Breakfast
- 8:00 a.m. – 11:00 a.m. Exhibit Hall Open
- 8:00 a.m. – 11:30 a.m. Registration Desk Open
- 8:00 a.m. – 5:00 p.m. County Attorneys CLE Seminar
- 8:30 a.m. – 5:30 p.m. Affiliate Meetings
- 8:30 a.m. – 10:00 a.m. Workshop
- 8:30 a.m. – 10:00 a.m. Workshop
- 10:30 a.m. – 12:00 p.m. General Session
- 12:00 p.m. – 1:30 p.m. ✓ FAC Installation Luncheon
- 2:00 p.m. – 3:30 p.m. General Session
- 4:00 p.m. – 5:30 p.m. FAC Annual Business Meeting
- 4:00 p.m. – 5:30 p.m. County Managers Roundtable
- 7:00 p.m. – 10:00 p.m. ✓ President's Party & Family Fun Night

FRIDAY, JUNE 30

- 8:00 a.m. – 8:30 a.m. ✓ Breakfast
- 8:30 a.m. – 9:30 a.m. Closing General Session
- 8:30 a.m. – 12:00 p.m. Affiliate Meetings
- 9:30 a.m. – 2:00 p.m. Fishing the Flats with FAC

FAC CORPORATE PARTNERS



citigroup
corporate and
investment banking



Nationwide®
Retirement Solutions

a Nationwide® Financial company

**Nabors
Giblin &
Nickerson P.A.**
ATTORNEYS AT LAW

**JONES
EDMUNDS**
ENGINEERS | ARCHITECTS | SCIENTISTS

CLARKE™
Mosquito Control

**Peter
Brown**
PETER R. BROWN CONSTRUCTION, INC.

RS&H
Reynolds, Smith and Hills, Inc.
Architectural, Engineering, Planning and Environmental

FLORIDA ASSOCIATION OF COUNTIES
77th Annual Conference & Educational Exposition
Marco Island Marriott Resort and Spa – Collier County
June 27 - 30, 2006

FAC's 77th Annual Conference and Educational Exposition will take place on June 27-30, 2006, in Collier County. The site for the conference is the Marco Island Marriott Resort and Spa.

MAKING YOUR HOTEL RESERVATIONS:

All hotel reservations should be made directly with the Marco Island Marriott by calling (239) 394-2511 or 1-800-438-4373. FAC has secured a block of rooms at a special conference rate of \$134.00 single/double plus applicable taxes for our conference attendees. You must state you are with the **Florida Association of Counties** to receive this special conference rate. The official cut-off date for the FAC reduced room rate at the hotel is **June 9, 2006**, but please be advised that our host hotel tends to sell out prior to this date so book your hotel rooms early. Reservation requests received after this date will be based on availability and prevailing rates.

FAC has also booked the Hilton Marco Island Beach Resort as our overflow hotel. This property is next door to the Marriott, to book a room please call (239) 394-5000 or 1-800-HILTONS and request the special Florida Association of Counties rate. The cut off date for booking a room at the Hilton is May 28, 2006.

FAC ANNUAL CONFERENCE
Marco Island Marriott Resort and Spa
June 27-30, 2006

FIRST NAME: Marlon LAST NAME: Brown
FIRST NAME/NICKNAME (to appear on name badge): Marlon
COUNTY/COMPANY: Gadsden TITLE/POSITION: County Manager
MAILING ADDRESS: P.O. Box 1799
CITY: Quincy STATE: FL ZIP: 32353
TELEPHONE: (850) 875-8650 FAX: (850) 875-8655 EMAIL: marlonb@gadsdengov.net

PAYMENT MUST ACCOMPANY ALL REGISTRATIONS TO BE PROCESSED

Method of Payment: ☐ Check ☒ VISA ☐ MasterCard
Cardholder's Name _____ Signature _____
Credit Card # _____ Exp. Date ____/____/____

REGISTRATION FEES:

	Postmarked On or Before May 30	Postmarked After May 30 or On Site
County Member: Commissioner/Staff	\$325	\$375
Government Employees (City, State, Federal)	\$350	\$400
Private Sector / Business	\$400	\$450
Spouse/Non-Business Guest/Children 18+	\$ 85	\$125
Children under 18	\$ 30	\$ 50

PLEASE SEND REGISTRATION FORM AND PAYMENT TO:
FLORIDA ASSOCIATION OF COUNTIES, P.O. BOX 549, TALLAHASSEE, FLORIDA 32302
FAX: (850) 488-7752 (Credit Card Orders Only)
Please call (850) 922-4300 if you have any questions.

CONFERENCE REGISTRATION: Refund of conference registration fee, less an administrative fee of \$50, will be given, provided written or faxed notice is received by FAC **on or before Monday, June 12, 2006**. Refund processing will occur after the conference has concluded unless payment has been made by credit card. **NO REFUNDS WILL BE GIVEN AFTER JUNE 12, 2006. No telephone or verbal cancellations will be accepted.**

Board of County Commissioners Meeting

Agenda Report



Deferred

Date of Meeting: May 16, 2006

Date Submitted: May 3, 2006

To: Honorable Chairman and Members of the Board

From: Marlon Brown, County Manager
William D. McCord, Growth Management Director

Subject: Public Hearing -- Land Development Code Amendment-- (LDR-2006-01) --Second Reading-proposed sidewalk ordinance (Ordinance 2006-017)

Statement of Issue:

Staff has prepared an ordinance (Attachment #1) to more specifically define and indicate when and where sidewalks should be constructed in the county by developers and by the county. Based on past comments made by the Board at various times where certain development projects have been discussed and by requests for clarification by developers regarding the construction of sidewalks on properties under development review, staff has prepared a final ordinance that will repeal the existing sidewalk provisions of the code (contained in Chapter 5, Subsection 5606 of the Land Development Code). The new standards for the placement and construction of sidewalks would take effect upon adoption of the ordinance.

Background:

The initial report provided to the Board of County Commissioners for workshop review was on November 15, 2005. At this meeting, the Board decided to authorize staff to proceed with the development of a specific ordinance to address sidewalks in certain areas of the county. The Board held a joint Planning Commission and Board workshop on this item on March 14th. The Planning Commission met on April 13, 2006 and discussed the proposed ordinance. After asking several questions and after providing an opportunity for public comment, the Planning Commission voted unanimously to recommend approval of the draft ordinance. The Board of County Commissioners considered the first reading of the ordinance at their May 2, 2006 meeting and voted unanimously to proceed with a second reading on May 16th. This second reading contains only the first portion (not the optional language) of the draft ordinance and some grammatical and clarification modifications. (Final Ordinance attached)

Analysis:

As the County quickly transitions from a predominantly rural county to an urbanized and suburban county, higher quality infrastructure including not only water and sewer systems but sidewalks are needed. Sidewalks should be considered one of the most fundamental of transportation facilities. Several development projects have been submitted to the Growth Management Department in the past year for review for consistency with Comprehensive Plan policies and Land Development Code. Staff has, in most cases, been requiring the developer to include sidewalks in the development if located in certain land use categories or developing with certain densities. The provision of or need for sidewalks has been questioned. This appears to be based on the perceived use or cost for sidewalks in new development.

Staff is proposing to modify the sections of code concerning the construction of sidewalks by repealing the existing code and replacing it with new criteria and standards. The ordinance provides a general intent and applicability, definitions and design standards. Staff has provided notice in the area newspapers about the proposed ordinance and the pending Ordinance has been advertised.

Subsection 7501 Hearing Notice Requirements.

- B. Legislative actions affecting the Land Development Code, the Comprehensive Plan and the Future Land Use Map: At a minimum, notice requirements shall be as set forth in s. 125.66, F.S. For Land Use Amendments, the applicant shall be responsible for the placement of an advertisement, not in the legal advertisements section of all Gadsden County newspapers of an advertisement measuring 2 columns by 10 inches with a vicinity map, a description of the proposed change and summary of proposed use and any other information required by the Statute. The public notice shall be published in all newspapers of general circulation in Gadsden County. In addition, the County shall notify by mail all property owners within one thousand (1,000) feet.

There are number of Comp Plan Objectives and Policies which emphasize non-motorized transportation modes as indicated in the attachment. Florida Administrative Code, Rule Chapter 9J-5-019 requires the Comprehensive Plan to identify "significant bicycle and pedestrian ways as determined by the local government." Including existing and future facility maps and including the "establishment of land use and other strategies to promote the use of bicycles and walking."

The proposed land development code change is authorized by code as described below.

Subsection 7402. Land Development Code Amendments.

The Gadsden County Land Development Code may be amended by the Board of County Commissioners. This amendment will require a petition on suitable format as provided by the Planning Department. Land Development Code amendments shall be a Type IV procedure. All petitioned amendments must be considered by the Gadsden County Planning Commission at a duly scheduled public hearing. The Planning Commission will make recommendations to the Board of County Commissioners on the validity of the proposed Land Development Code amendment.

Subsection 7204. Type IV Procedures.

- A. The Type IV procedure is for use with legislative action and policy change as described in Section 7400. Under the Type IV procedure, the Planning Director shall schedule a public hearing(s) pursuant to Subsection 7203 and this Subsection before the Planning Commission and the Board of County

Land Development Code Amendment (LDR-2006-01) Sidewalks Ordinance

Commissioners. Notice format and necessary recipients are as required by Subsection 7501 and 7502 of this Code. At the public hearing before the Planning Commission, the Staff and interested persons may present testimony directed to whether the proposal does or does not meet appropriate criteria and standards in this Code or the Comprehensive Plan. Proposals for modification necessary for approval may be submitted at this time. A finding for each applicable standard shall be made, which includes the proposal's conformance with the Goals, Objectives and Policies of the Comprehensive Plan and this Code. A written report and recommendation shall be submitted to the County Commission by the Planning Commission.

The existing Land Development Code contains language that strongly encourages sidewalks. The term used in the Code is "extremely important." The language used in the code is permissive in some regards, but also mandatory in others. The design standards listed in the code is substandard and needs to be revised. Safe pedestrian facilities are a very important component of the transportation system and need to be provided in reasonable areas including where there is heavy traffic or expected pedestrian traffic, both now and in the future, based on future development. Staff understands that it is not practical or feasible to require/provide sidewalks in all areas. Since February 2005, staff has only been requiring sidewalks in certain areas which include:

- In Commercial land uses,
- Rural Residential land uses where lots of one acre or smaller are proposed,
- In certain public lands/institutional uses such as parks and schools,
- Urban Service Areas,
- Recreation land uses categories (in certain circumstances), and
- On one side of local streets/roads and on both sides of collector or arterial roads in the above areas.

It should not be necessary to provide sidewalks in Agricultural, Conservation, Silviculture, some Historical, Mining and some Recreational land use categories. It also should not be necessary to require sidewalks in some Rural Residential land use categories that are widely scattered and are not part of a cohesive rural community. However, some rural communities are somewhat densely developed or, based on the land use and size of the land use, is well on its way to being densely developed. These include such rural communities as Robertsville, St. John, Wetumpka/Lake Talquin area, Mt. Pleasant, Hardaway, St. Hebron, Sawdust, Sycamore, Rosedale, Shiloh, Lake Tallavana area, Gibson and Concord among others. As part of the Ordinance, these are described in the definition of Rural Communities.

Fiscal Impact:

The fiscal impact on the county or on adjacent properties can not be specifically determined until a particular development is presented. This action establishes policy. When policy is implemented, on or at a specific location, then the actual fiscal impacts of the policy could be evaluated. Sidewalk planning, design and construction cost can vary widely depending on the location and jurisdiction of the sidewalk and physical obstacles or features. Generally, the cost would be approximately \$20-\$30 per linear foot but could be somewhat less for newly developing subdivision and site plans.

Findings:

1. A statement(s) of the criteria and standards used for evaluation of the proposed changes;

The Comprehensive Plan, Transportation Element Objective 2.1 policies 2.1.1, 2.1.2 and 2.1.5 strongly encourages the development/placement of pedestrian facilities as part of the development process and the current land development regulations contained in Subsection 5605 indicate "safe and efficient pedestrian travel and access is an extremely important aspect of the provision of a safe transportation system to all users. The strategic location of sidewalks facilitates and improves pedestrian movement, thereby reducing reliance on fossil fuel vehicles and creates a safer and more pleasant environment. In addition, Chapter 6, Section 6100 A. 12 (b) (5 & 6) and Subsection 5104 B. 11 and Subsection 5209 B. 33 promotes the construction of sidewalks and implies the intent is to provide this important type transportation facility.

2. A statement(s) of the findings which staff found establishing compliance or noncompliance with each applicable criterion;

Administrative Code, Rule Chapter 9J-5-019 requires the Comprehensive Plan to identify "significant bicycle and pedestrian ways as determined by the local government" including the "establishment of land use and other strategies to promote the use of bicycles and walking" and the existing land development code contains vague or non-directive standards or voluntary standards that do not meet standards design practices or the Americans with Disabilities Act design standards. County regulation of the location and construction of sidewalks and related pedestrian facilities within Gadsden County is necessary and appropriate in order to protect the public health, safety and welfare, in a way that such transportation facilities will enhance mobility options and not adversely impact the natural environment but provide for safer access to residential and commercial properties, public facilities including school and social services, recreation facilities and historic sites and other standards in the Land Development Regulations.

3. The reason(s) for a conclusion to approve or deny;

The county is rapidly urbanizing with new moderate to high density residential development and supporting commercial development and as the County quickly transitions from a predominantly rural county to an urbanized and suburban county, higher quality infrastructure including not only water and sewer systems but sidewalks are needed. Sidewalks should be considered one of the most fundamental of transportation facilities. Sidewalks should be installed within the right-of-way of each public and private street and in any pedestrian area within a development or redevelopment project. It is not feasible or cost-effective to provide sidewalks for all type of development in the rural county but is feasible

and desirable to provide for safe pedestrian access to more densely developed areas.

4. The decision to deny or approve the proposed change, with or without conditions, and if appropriate, a statement(s) of the hearing body's interpretation of what would be required to achieve compliance with the standards and criteria of the land development Code or the Comprehensive Plan.

The ordinance provides a general intent and applicability, definitions, design standards, an assessment program with administration of the assessment funds, and a process for expending the assessment funds collected, if the Board elects to adopt an assessment program. Recent data provided by the Florida Department of Transportation indicates that Gadsden County has significantly higher pedestrian fatality rates than other area counties.

Options:

1. Approve the final ordinance and second reading amending Chapter 5, Section 5600, Subsection 5605 and Chapter 6, Section 6100 addressing sidewalk design and construction standards including identifying land use categories or situation where sidewalk shall or shall not be required.
2. Deny the proposed ordinance and continue with the existing code language.
3. Continue to allow staff to administer and interpret the Land Development Code pertaining to the placement and construction of sidewalks.
4. Discretion of the Planning Commission.

Recommendation: Move Option #1.

The Planning Commission and the Growth Management Department recommends approval the final ordinance (Ordinance 2006-017) and the second reading of the ordinance amending Chapter 5, Section 5600, Subsection 5605.

Attachment:

1. Ordinance 2006-017

H: Land Development Regulations\Transportation\Sidewalks\BOCC Agenda Report 5-16-06

ORDINANCE NO. 06-017

AN ORDINANCE AMENDING SECTION 2000, SUBSECTION 2102 AND SECTION 5600, SUBSECTION 5605 OF THE LAND DEVELOPMENT CODE OF GADSDEN COUNTY; PROVIDING FOR DEFINITIONS PRESCRIBING STANDARDS AND PROCEDURES FOR THE CONSTRUCTION OF SIDEWALKS, PEDESTRIAN FEATURES AND ASSOCIATED FACILITIES; INCORPORATING INTO THE GADSDEN COUNTY CODE OF ORDINANCES BY REFERENCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Whereas, County regulation of the location and construction of sidewalks and related pedestrian facilities within Gadsden County is necessary and appropriate in order to protect the public health, safety and welfare, in a way that such transportation facilities will enhance mobility options and not adversely impact the natural environment but will provide for safer access to residential and commercial properties, public facilities including school and social services, recreation facilities and historic sites; and

Whereas, The Comprehensive Plan, Transportation Element Objective 2.1 policies 2.1.1, 2.1.2 and 2.1.5 strongly encourages the development/placement of pedestrian facilities as part of the development process; and

Whereas, It is not feasible or cost-effective to provide sidewalks for all types of development in the rural county but it is feasible and desirable to provide for safe pedestrian access to more densely developed areas, and

Whereas, Other standards in the Land Development Regulations, and in particular, Chapter 6, Section 6100 A. 12 (b) (5 & 6) and Subsection 5104 B. 11 and Subsection 5209 B. 33 promote the construction of sidewalks and implies the intent is to provide this important type transportation facility; and

Whereas, The county is rapidly urbanizing with new moderate to high density residential development and supporting commercial development; and

Whereas, The importance of walking is recognized as a way to reduce reliance on motor vehicles as the predominant mode of travel and to provide a healthy and safe alternative to driving for neighborhood area trips which is a desirable and necessary aspect of the transportation system; and

Whereas, Recent data provided by the Florida Department of Transportation indicates that Gadsden County has a significantly higher pedestrian fatality rate than other area counties.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA AS FOLLOWS:

Section 1. Chapter 5, Section 5600, Subsection 5605 is hereby repealed.

Subsection 5605. Sidewalks.

A. Purpose and Intent. Safe and efficient pedestrian travel and access is an extremely important aspect of the provision of a safe transportation system to all users. The strategic location of sidewalks facilitates and improves pedestrian movement, thereby reducing reliance on fossil fuel vehicles and creates a safer and more pleasant environment.

- B. Sidewalk installation.** Sidewalks should be installed within the right-of-way of each public and private street and in any pedestrian area within a development or redevelopment project.
1. All sidewalks shall be constructed in conformance with the standards determined by the DRC.
 2. All sidewalks shall be compatible with existing sidewalks already on the block, unless existing adjacent sidewalk widths are not conforming to present design standards.
 3. Sidewalks with no less than three (3') feet of paving material shall be provided by the developer. See chapter 6, Subdivisions for more detailed sidewalk specifications.

Section 2: ADOPTION OF ORDINANCE.

Subsection 2201 of the Land Development Code of Gadsden County, Florida, is hereby amended by adding definitions to read as follows:

1. *Bicycle facility.* Includes improvements constructed or provided to accommodate bicycle traffic and parking. Bicycle facilities may include bikeways, bicycle lanes within the street, paved shoulders, wide curb lanes, pedways which are a minimum of eight feet in width, trails where bicycling is permitted, bicycle racks and lockers, and other facilities and markings intended to designate areas available for exclusive use or shared use for bicyclists.
2. *Bikeway (bicycle way).* A facility within the street, within the street right-of-way, or within a separate right-of-way or easement improved for use by bicyclists.
3. *Pedway (pedestrian way).* A physical course or improvement, a minimum of eight (8) feet in width, provided within a right-of-way or access easement used exclusively by pedestrians and bicyclists.
4. *Right-of-way.* Land dedicated, deeded, conveyed, reserved, or used for a street, alley, avenue, road, pedways, bikeway, boulevard, drainage facility, access for ingress and egress, or other public purposes.
5. *Rural Communities.* Locations within the county that have historically contained a central node of economic and social activities serving small unincorporated areas within the county. These include the communities of Concord, Lake Tallavana, Hinson, Darsey, Gibson, Scotland, St. Hebron, Point Milligan, Shiloh, Wetumpka, Sawdust, Juniper, Sycamore, Douglas City, Friendship, Hardaway, St. John, Robertsville,

Mt. Pleasant, Oak Grove, Dogtown and Rosedale. (Map on file in the Growth Management Department.)

6. Sidewalk. Improved hard surface way constructed within right-of-way, along exclusive easements, or on private property intended to be used for pedestrian traffic. Sidewalks shall be no less than four (4) feet wide, except that sidewalks along collector and arterial streets shall be at least five (5) feet wide. Crosswalks shall be included as a required sidewalk.
7. Urban Service Boundary (USB). An area designated by the County located within close proximity to existing or planned central infrastructure services where it is intended that new development within the USB be required to plan for, design and provide for connection or extension of central services in order to permit development. Such areas are usually characterized by more dense land use patterns including Urban Service Area, Mixed Use, Rural Residential, Public, Commercial, Industrial and Light Industrial, and Recreational land uses.

Chapter 5, Section 5600, Subsection 5605 is hereby amended to read as follows:

Subsection 5605. Standards for Sidewalks, Pedways, and Bicycle Facilities

A. General intent and applicability.

1. Intent. It is the intent that the standards and specifications herein shall apply to the development of public and private sidewalks, pedway, and joint bikeway/pedestrian facilities constructed and reconstructed in the county. The priority for providing sidewalks is to provide pedestrian access to/from school bus stops, to and from schools and parks and public buildings, to moderate and higher density residential areas and to commercial areas including commercial nodes or areas eligible for the Neighborhood Commercial overlay.
2. Applicability. As a condition of the issuance of a building permit for any construction project located in urbanized areas including areas within any designated urban service boundary or designated rural community boundary which include the following land uses,
 - the Commercial,
 - Urban Service Area,
 - Public
 - Rural Residential land use category where residential density is developed on lots of one unit per acre or less, and
 - in areas within the Rural Residential land use category where the Neighborhood Commercial land use is applied.

the county shall require the developer to construct a sidewalk, pedway (pedestrian ways), and/or bicycle facility, along the development project street frontage(s) at the time of development. Sidewalks along individual lots within a major or minor subdivision shall be constructed prior to completion or the issuance of a certificate of occupancy for each lot. Sidewalks adjacent to or within common area tracts shall be constructed at the time of subdivision improvement construction.

3. Exemptions. Not all areas are suitable or practical for the placement of sidewalks and thus are exempt from having to provide a sidewalk facility. These include the following:

- Private subdivisions (local streets only).
- Cul de sacs of less than 300 feet in length.
- Developments with an internal integrated alternative pedestrian system.
- Isolated Public uses and Commercial uses not within or adjacent to the Urban Service Area, Commercial, Rural Residential or Public Land Uses.
- Where a deep ditch, grade or environmentally sensitive lands would prohibit reasonable construction of such a facility and where a sidewalks could not be constructed within an access easement adjacent to the right-of-way.
- Within a railroad right-of-way.
- Within platted developed areas or adjacent to undeveloped lots (vacant lots) within an existing recorded or unrecorded subdivision, unless a site is slated for redevelopment or re-platting, or in an area mostly developed as a uniform metes and bounds subdivided area established prior to the adoption of this Ordinance (May 16, 2006).

C. Design Standards

All development in any delineated Urban Services Boundary and in the USA, Commercial, Public, Neighborhood Commercial overlay, active Recreational land use categories, Public land uses in other land use categories and all lots within subdivisions in the Rural Residential land use category with lots of one (1) acre or less in size approved after the date of adoption of this ordinance (May 16, 2006) shall provide sidewalks on at least one side of interior and exterior streets. These types of facilities are encouraged to provide circulation to schools, parks, commercial nodes, other transportation facilities, other community facilities, and within designated greenways. Easements shall be of sufficient width to permit construction, reconstruction and maintenance of the sidewalk/pedway facility.

1. Location of sidewalks and pedways. All sidewalks shall be placed within a right-of-way and preferably at the inside edge of the right-of-way unless prevented due to the presence of steep slopes, swales, large trees or other obstacles, but should be placed away from the edge of pavement, particularly along higher speed roadways. Whenever this is not possible, sidewalk and pedestrian facilities shall be provided through the creation of access easement(s). Separate pedestrian and bicycle access right-of-ways or easements not within existing street rights-of-way or easements shall not be less than twelve (12) feet wide. At least five (5) feet and up to eight (8) feet of the right-of-way shall be paved or stabilized depending on possible users, at the discretion of the county engineer or Growth Management Director, where deemed essential to provide circulation or access to schools, parks, commercial uses, other transportation facilities, and other community facilities.

Sidewalks in residential areas shall be located a minimum of three (3) feet from the back of the curb along collector and local streets and as close as possible to the right-of-way line along arterial streets. In access easements, when topography, etc. does not allow for placement in the right-of-way, sidewalks may be permitted within adjacent access easements with sufficient width to allow for construction and maintenance of the facility.

2. Required sidewalk and pedways widths. All sidewalks shall be at least five (5) feet in width, and at least six (6) feet in width when located along the back of the curb. A sidewalks shall be constructed on both sides of the roadway along arterial and collector streets. The pedestrian way shall be free of all obstructions. Sidewalks shall be required along only one side of local streets. Bi-directional pedestrian and bicycle ways (pedways) not located adjacent to or parallel to streets within street rights-of way shall be at least eight (8) feet wide. This facility shall be paved and provide a two (2) foot clear zone with no obstructions such as poles, trees, utility structures, guywires, etc., on either side of the facility.
3. Distance of sidewalks from street right-of-way line. When possible all sidewalks must be placed six (6) inches in the street right-of-way from the lot line, unless a variation is permitted by the Growth Management Director for extenuating circumstances due to the presence of steep slopes, swales, large trees or other obstacles, but the sidewalk should be placed away from the edge of pavement, particularly along higher speed roadways. However, sidewalk crossings at intersections (streets and driveways) shall be located in close proximity to the two intersecting streets to provide maximum visibility for pedestrians and motor vehicle operators and where pedestrians will not be required to walk behind queued vehicles.

4. Standards for construction of sidewalks shall comply with minimum design standards.

- (a) Outside edge. All sidewalks must be constructed so that the outside, or street side, of the sidewalk is one and one-half (1 ½) inches lower than the inside, or side next to the lot.
- (b) Tamping subgrades. All subgrades of sidewalks shall be tamped until the ground upon which the sidewalk is to be constructed is solid and hard.
- (c) Minimum uniform thickness. All sidewalks constructed in the county must have a uniform thickness of not less than four (4) inches and not less than six (6) inches where a street or driveway or other area where motor vehicles cross a sidewalk.
- (d) Concrete construction, expansion joint required. All sidewalks shall be constructed of concrete or asphalt pavement and shall have expansion joints as appropriate for the class of concrete used.
- (e) Finish of surface. The surface of sidewalks shall be finished smoothly, but with a finish that will not be slick. Appropriate textures shall be required at entrances to crosswalks.

5. Gates opening onto sidewalk. No gate shall open onto or stand onto any sidewalk in the county. No gate shall open outwards and every gate shall be constructed so as to open inwards.

6. Subdivision/Site plan sidewalks. The owner of property proposed for subdivision with lots consisting of one (1) acre or less in size, shall be responsible for constructing the pedestrian ways in right-of-ways adjacent to common areas, including tracts, or where not adjacent to platted lots and such pedestrian ways shall be installed prior to the final inspection of the subdivision improvements for the issuance of certificate of completion or acceptance by the county. For non-residential development sidewalk shall connect the building site to the public sidewalk. The owner/developer of other types of development shall complete all required sidewalks prior to final inspection of site improvements for the issuance of a certificate of completion/occupancy. (Also see subsection 6100 A.)

7. Connections at intersections required. Each pedestrian way or sidewalk shall extend to a curb cut at all street intersections which provide access connection to the pedestrian way or sidewalk from the street. All access connection shall provide handicapped accessible ramps consistent with

requirements to implement the Americans with Disabilities Act (ADA), 42 USC Section 12101 et seq. All pedestrian ways including sidewalks within subdivisions shall be constructed in accordance with the provisions set forth herein and in Section 6100.

8. *Bicycle lane design standards.* Bicycle ways shall be provided within the curb lane of new arterial and collector streets and reconstructed arterial and collector streets within designated Urban Service Boundaries and shall be no less than four (4) feet in width measured from the inside edge of curb towards the centerline of the road. Such facilities shall be marked and signed by the contractor/developer in accordance with the Florida Department of Transportation adopted standards in effect on the date of construction plan approval. Rural roadways may be substituted with a four (4) foot wide paved shoulders.
9. *Connection to school bus or transit stops required.* All development must provide, to and from designated school or transit station stops, sidewalks and/or pedestrian ways which provide interconnected routes to the public and private pedestrian way system. Where such school bus or transit station stops are located, additional sidewalk and/or pedestrian way width may be required to provide for the construction of a shelter/bench and provide adequate width for anticipated pedestrian volumes and users.

Section 3: SEVERABILITY

The sections, subsections, paragraphs, sentences, clauses and phrases of this Ordinance are severable so that if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid by a valid judgment of a court of competent jurisdiction, such judgment shall not affect the validity of any other section, subsection, paragraph, sentence, clause and phrase of this Ordinance, for the Board of County Commissioners declares that it is its intent that it would have enacted this Ordinance without such invalid or unconstitutional provision(s).

Section 4: EFFECTIVE DATE; FILING WITH DEPARTMENT OF STATE

This Ordinance shall take effect upon filing with the Department of State.

DULY PASSED AND ADOPTED BY Board of County Commissioners of
Gadsden County, Florida, this the 16th day of May, 2006.

**BOARD OF COUNTY COMMISSIONERS
OF GADSDEN COUNTY, FLORIDA**

By: _____
ED DIXON, Chairman

Nicholas Thomas
Clerk of the Circuit Court

Underlined text = new or proposed language
~~XXXXXXXXXXXX~~ = text to be deleted

Board of County Commissioners Agenda Request

Date of Meeting: May 2, 2006

Date Submitted: April 21, 2006

To: Honorable Chairman and Members of the Board

From: Thornton Williams, County Attorney
Stacey McMillian, Assistant County Attorney

Subject: Public Hearing - Ordinance on Expenditures of Funds for
Miscellaneous Purposes

Statement of Issue:

Generally, Counties have discretionary authority as it relates to expenditures deemed to be in the public interest or needed for public purpose. Gadsden County currently does not have an ordinance in place codifies this discretionary authority to expend funds for miscellaneous purposes in the performance of the public interest or public purpose. This ordinance provides them that power pursuant to section 125.01, Florida Statutes.

Analysis:

Gadsden County is a non-charter county with broad powers of self-government provided by general law. See Art. VIII, § 1(f), Fla. Const.; §125.01(3), Fla. Stat. (2005). The County is granted broad authority to enact ordinances. *St. Johns County v. Northeast Florida Builders Ass'n, Inc.*, 583 So.2d 635 (Fla. 1991). Section 125.01(1), Florida Statutes, provides the governing body of a county with home-rule power. *Id.* The provisions of section 125.01 are to be liberally construed "in order to ... secure for the counties the broad exercise of home rule powers authorized by the State Constitution." *Id.*

In *Santa Rosa County v. Gulf Power Co.*, 635 So.2d 96 (Fla. 1st DCA 1994), the court quoted the Supreme Court in *Speer v. Olson*, 367 So.2d 207 (Fla.1979), as follows:

The first sentence of Section 125.01(1), Florida Statutes, (1975), grants to the governing body of a county the full power to carry on county government. Unless the Legislature has pre-empted a particular subject relating to

county government by either general or special law, the county governing body, by reason of this sentence, has full authority to act through the exercise of home rule power.

Santa Rosa County v. Gulf Power, 635 So.2d, at 99.

The specific powers enumerated under section 125.01 are not all-inclusive, and a non-charter county's authority comprises that which is reasonably implied or incidental to carrying out its enumerated powers. *Id.* The only limitation on a county's implied power to act occurs if there is a general or special law clearly inconsistent with the powers delegated. *Id.*

Among other things:

Section 125.01(1)(t), Florida Statutes, authorizes the County to adopt ordinances and resolutions necessary for the exercise of its powers ... in accordance with law.

Section 125.01(1)(w), Florida Statutes, authorizes the County to perform any other acts not inconsistent with law, which acts are in the common interest of the people of the county, and exercise all powers and privileges not specifically prohibited by law.

Section 125.01(3)(a), Florida Statutes, states that the County's enumeration of powers herein shall not be deemed exclusive or restrictive, but shall be deemed to incorporate all implied powers necessary or incident to carrying out such powers enumerated, including, specifically, authority to . . . expend funds . . .

Section 125.01(3)(b), Florida Statutes, states that the provisions of this section shall be liberally construed in order to effectively carry out the purpose of this section and to secure for the counties the broad exercise of home rule powers authorized by the State Constitution.

The County has the authority to enact the attached ordinance.

Options:

1. Adopt the Ordinance.
2. Direction from the Board.

Recommendations:

Option 1. Adopt the Ordinance.

Attachment:

1. Ordinance on Expenditures of Funds for Miscellaneous Purposes
2. Notice of Intent to Adopt Ordinance

NOTICE OF INTENT

NOTICE IS HEREBY GIVEN to all concerned that the Board of County Commissioners of Gadsden County, Florida, Intends at its regularly scheduled meeting at 6:00 PM, at the Gadsden County Governmental Complex, 9-B East Jefferson Street, Quincy, Florida, on the 16th day of May, 2006, to consider enactment of the following:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF LAWS OF GADSDEN COUNTY, FLORIDA, BY ENACTING SECTIONS 2-141 AND 2-142 RELATING TO EXPENDITURES FOR MISCELLANEOUS PURPOSES BY AUTHORIZED PERSONS; PROVIDING DEFINITIONS; PROCEDURES FOR APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

INTERESTED PARTIES MAY APPEAR AT THE MEETING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD OF COUNTY COMMISSIONERS WITH RESPECT TO THIS MATTER, HE WILL NEED A RECORD OF PROCEEDINGS, AND FOR SUCH PURPOSE, HE MAY NEED TO ASSURE THAT A VERBATIM RECORDING OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

The proposed ordinance is available for public inspection at the Office of the Clerk, Gadsden County Courthouse, 10 E. Jefferson St., Quincy, Florida.

BOARD OF COUNTY COMMISSIONERS OF
GADSDEN COUNTY, FLORIDA

Bill to Department of Purchasing and Personnel

Board of County Commissioners Agenda Report

*Postpone
Continued to
next meeting
June 15th
5-0*

Date of Meeting: May 16, 2006
Date Submitted: May 3, 2006
To: Honorable Chairman and Members of the Board
From: Marlon Brown, County Manager
William D. McCord, Growth Management Director
Subject: Discussion item on proposed Burnette II Minor subdivision (MSD-2006-02)

*** This item was continued from the April 25, 2006 meeting ***

Statement of Issue:

Mr. James Burnette, Owner/Applicant, has submitted an application for a minor subdivision on an approximately 38.48 acre parcel located on the north side of SR 12 approximately 2 ½ miles west of Havana (attachment #1). Staff is requesting Board direction on what level of review should be applied to this subdivision review.

Background:

The Board has expressed concerns in the past about applicants splitting up property and creating a series of minor subdivisions in order to avoid the major subdivision review process. Most recently, the Board discussed the issue at the September 20, 2005 meeting concerning the issues of whether the applicant should be entitled to create two minor subdivisions and a remainder lot for a proposed subdivision.

The applicant received approval for a minor subdivision on a portion of the parent parcel (60.2 acres) in 2000 (see attachment #1) and now is proposing an additional minor subdivision from the single 60.2 acre parent parcel. This would result in the applicant avoiding having to submit a formal Type II subdivision process by proposing at least two minor subdivisions from the parent parcel.

At the time of the subdivision review and subsequent platting of the Burnette minor subdivision, the applicant excluded the portion of his property located on the easterly portion of the property and the extreme westerly portion of the property as part of the first minor subdivision. It is unclear why the applicant excluded this area if the intention was to eventually develop it for residential uses.

The property where the minor subdivision is proposed is one of two remainder parcels of land that was not platted as part of a minor subdivision approved in 2000 (see attachment #2). Staff is concerned that applicants who seek a series of minor subdivisions to develop a larger subdivision would pursue this type of phasing in order to avoid the major subdivision process and requirements.

The applicant is proposing a total of four (4) additional lots with the second minor subdivision and, as a result, a 5th lot from the westerly un-platted portion is not being included in either of the minor subdivisions. The minor subdivision, administratively approved in 2000 from a portion of the parent parcel, created four lots along Rich Lane. These lots consist of between 3.5 and 5.5 acres in area and contain mobile homes. Staff has concerns about how the applicant is proposing to create this additional subdivision. The staff discussed these concerns with the applicant on March 15 and indicated that this issue should be reviewed by the Board.

Analysis:

The property is located in the Rural Residential land use category and a portion in the Agriculture-1 land use category. The Land Development Code, Subsection 4102, describes the use and design options in the **Rural Residential** category.

The Rural Residential category represents those areas that are suitable for development at moderate densities and/or intensities. Residential development density is based upon a minimum lot size of one acre. The Rural Residential category development standards are designed to encourage development consistent with nearby agricultural uses. Clustering of residential units is encouraged for site built homes, provided net density does not exceed one dwelling unit per acre, and adequate buffering is provided for dissimilar development. Due to the historical loss of value of mobile and modular homes, clustering will not be permitted for subdivisions that do not restrict mobile home development. For Subdivisions that restrict new housing to site built homes, clustering may be calculated on gross acreage rather than net density.

Density shall be calculated, for clustering purposes, on that portion of the parent parcel or parcels that is not included in jurisdictional wetlands or flood prone areas. Density considerations may be made up to a minimum lot size of 0.25 acres for regulated low income or very low income housing initiatives approved by the Department of Community Development. No lot less than one half of an acre shall be created under clustering provisions. All lots created on private streets that are platted to centerline shall have the minimum lot size contained outside of access easements.

Subsection 6102.B. 14 states:

Minor Subdivisions limiting new units to site built housing may plat up to seven new lots under the provisions of the minor subdivision criteria in Subsection 6003.

Subsection 6003.F. 14 states:

In order to promote fiscally responsible residential development, minor subdivisions implementing restrictions that require site built home construction, will be allowed to create minor subdivisions with up to seven (7) new lots.

Minor subdivisions are considered Class 1 uses (not requiring Board review) while major subdivisions are considered Class 2 uses.

The submission of this minor subdivision (Type I) applications is an attempt, while maybe not deliberate, to circumvent the county's subdivision regulations including the above listed criteria and standards. Staff believes it is not the intent of the code to allow developers to avoid the more rigorous and formal subdivision review process simply by proposing a series of minor subdivisions on the same parcel or contiguous parcels under single ownership. If the minor subdivision(s) of this single parcel (original 60.2 acre parcel) into as many as nine lots (including the de facto remainder portion of the original parcel) is permitted, others would simply attempt to do the same thing and piecemeal develop their property in a series of minor subdivisions. Minor subdivisions generally do not go through as rigorous of a review as regular formal subdivisions. A minor subdivision is considered a Type I review (with no Planning Commission or Board review), while a formal subdivision (Type II) requires Planning Commission and Board review. Minor subdivisions are limited to no more than seven (7) lots with site built homes or no more than five (5) lots for subdivisions permitting mobile homes. Staff has already informed other applicants that they cannot simply continue to prepare or submit minor subdivisions on/from a single parcel of land in order to avoid the formal (Type II) review process. In this case, after both subdivisions are developed each lot (9 lots) could contain a mobile home.

Under the applicant's proposed subdivision(s) or lot division, the subdivision would result in a net and gross density of 0.15 units per acre (average of 6.69 acres/lot) (with no open space set side and no retention basin).

The proposed lot sizes would range from 3.35 acres to 20.98 acres (Lot 4). Lots 1, 2, and 4, could be further subdivided based on the land use. If more than seven lots are proposed with the proposed subdivisions, a formal subdivision per Chapter 177, Florida Statutes, should be prepared and a Type II application shall be submitted (see attachment #5 for appeals procedure).

If the Board wishes to permit up to two minor subdivisions on the single parcel, the Board should grant a variance from the land development code. This would be a variance

from Subsections 7103, 7202.A.1 and Subsections 6003.F.14 and 6102.B.14 and such variance shall comply with the requirements of code per Subsection 7300.

Options:

1. Permit a second minor subdivision to be created from the parent parcel and require any subdivision with more than seven lots with site built homes or any subdivision with more than five lots permitting mobile homes on a single parcel to undergo a Type II review to be platted per Chapter 177, Florida Statutes, and comply fully with procedural and design requirements of code. This must be achieved by the formal variance process. The variance would be to allow a minor subdivision/s of more than 5 or 7 lots.
2. Require formal (Type II) review of the proposed second subdivision to be platted per Chapter 177, Florida Statutes, and comply fully with procedural and design requirements of code for a Type II review.
3. Discretion of the Board

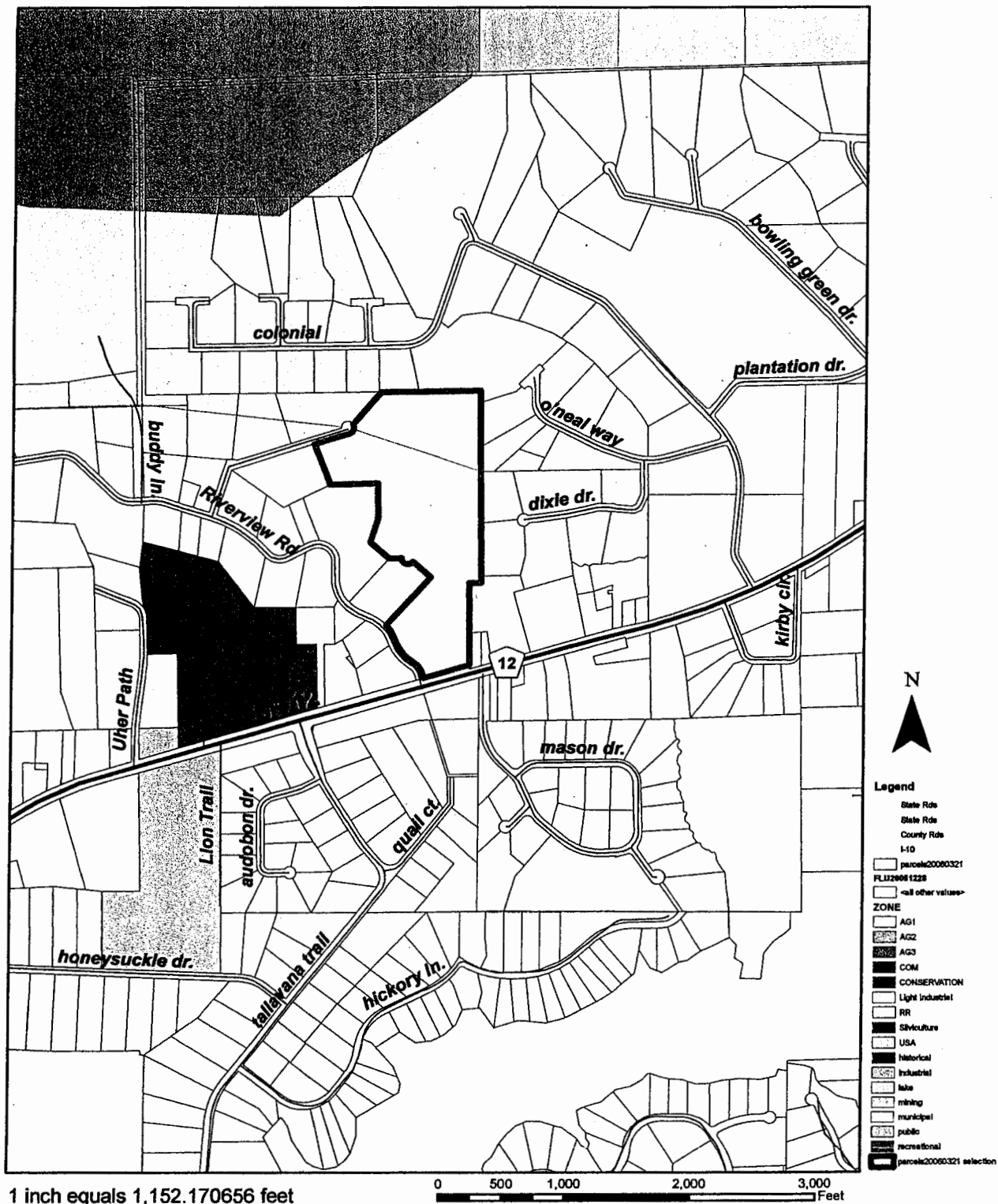
Recommendation: Move Option #2

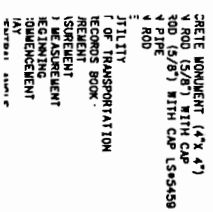
Require a Type II review of the proposed subdivision to be platted per Chapter 177, Florida Statutes, and comply fully with procedural and design requirements of code.

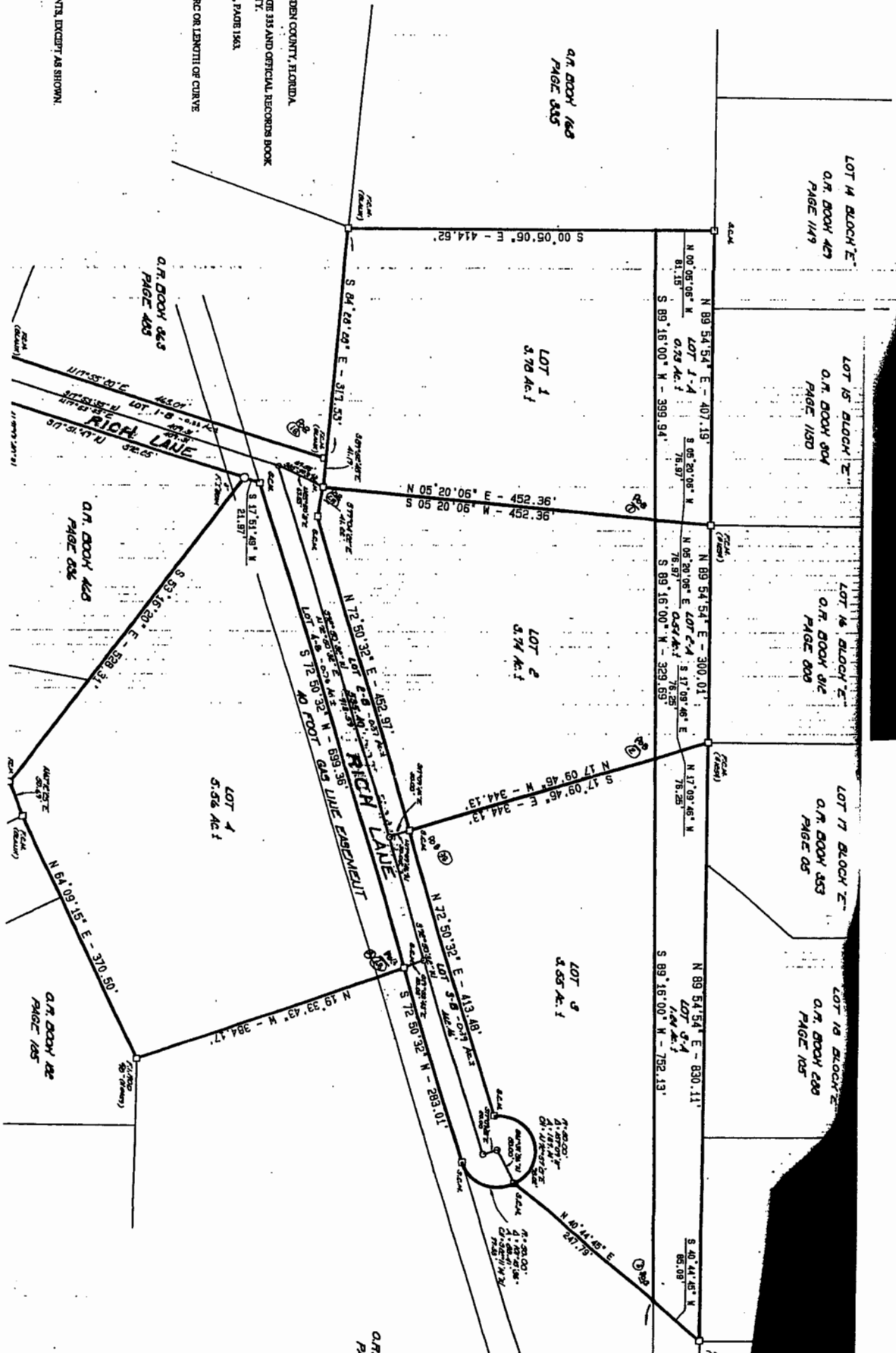
Attachments:

- #1 Location Map
- #2 Original Parcel Map/Survey copy
- #3 Approved Burnette Minor Subdivision in 2000
- #4 Proposed Burnette II Minor Subdivision-2006

BURNETTE MINOR SUBDIVISION II LOCATION MAP







BURNETTE MINOR SUBDIVISION

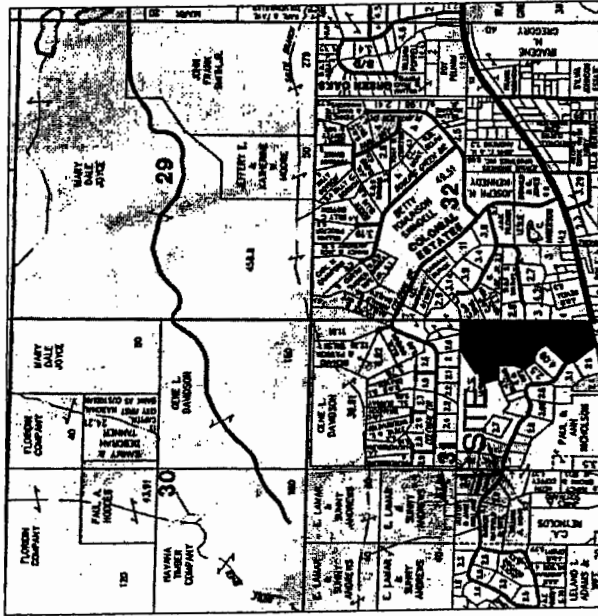
TAX ID: 12-31-3N-2W-0000-0310-0000

OWNER: JAMES BURNETT

Address: 2405 NW West Street
Tallahassee, FL 32303

Phone: (850) _____

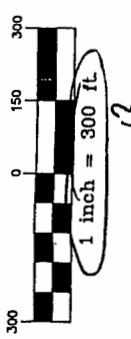
LOCATION MAP



SCALE: 1"=1/2" MILES

NOTES:

1. I HEREBY CERTIFY THAT ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 120091 0225 A, EFFECTIVE MAY 2, 1991, THE SUBJECT PARCEL IS LOCATED IN FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOODPLAIN).
2. CONTOURS SHOWN HEREON TAKEN FROM U.S.G.S. QUADRANGLE MAPS "HAVANA SOUTH".
3. THE REPLAT OF THIS OR PRIOR SUBDIVISION, WHETHER MINOR OR MAJOR, RECORDED OR UNRECORDED, WILL REQUIRE APPROVAL FROM THE PLANNING COMMISSION AND THE BOARD OF COUNTY COMMISSIONERS.
4. SEE SHEET 2 FOR PROPOSED LOT LAYOUT, AND SEE SHEETS 3 AND 4 FOR PROPERTY DESCRIPTIONS.
5. UTILITIES FOR THE SUBDIVISION ARE AS FOLLOWS:
WATER - PRIVATE WELL
SEWER - PRIVATE SEPTIC SYSTEM
ELECTRIC - TALQUIN ELECTRIC COOP.
6. Owner/Developer Name, Address & Phone.



*Hart/Watson \$50 for 6 months
5 v D 4 bag*

**Board of County Commissioners
Agenda Request**

Date of Meeting: May 16, 2006

Date Submitted: March 16, 2006

To: Honorable Chairman and Members of the Board

From: Marlon Brown, County Manager
Robert Presnell, Director, Public Works

Subject: Request for new rates for garbage permits

Statement of Issue:

This agenda item seeks board approval for Public Works to proceed with the ordering and printing of the new garbage permits to replace the current ones which will expire on May 31, 2006.

Background:

Public Works began staffing and requiring permits for citizens to dispose of household garbage at the five rural waste sites in May 2005. The Board set the original permit fee at \$50.00 and we have sold 1095 permits which generated \$54,750 in revenue. The permits are set to expire on May 31, 2006 and customers will have to purchase a new permit for the year. Public Works needs to design and order these new permits by April 20th at the latest. The printer will need about one week and the public is already asking to purchase the new permits.

Analysis:

Two changes Public Works will be making is the color of the permit to easily distinguish it from last years, and also limiting the amount of trash someone can dispose on a single trip. We have some individuals who have bought permits and are collecting and disposing for their entire street. The only other decision which must be made is the price which will be charged for the permits this year. This program currently operates at about a \$200,000 deficit and a modest increase in the permit fee could help balance this figure. Meetings with the Waste Service Committee concerning these proposed changes as well as others are scheduled and their input will be presented at the May 16, 2006 Board meeting.

*Pulled for discussion -
limit to 3 bag
Watson app. Recommendation
Cost 4 bag
Nation died
Price to 75
4 bag limit
2-3 failed
Waste
Service
Brown*

Financial Impacts:

Since the inception of the program last May, Public Works has to date issued 1095 permits at \$ 50.00 and collected \$ 54,750 in fees. As an example, if the fee were increased to \$75.00 the County would generate a 33% increase or \$82,125 in revenue. If a \$ 100.00 rate was set approximately \$ 110,000.00 would be generated.

Options:

1. Approval for Public Works to proceed with the new permits at a rate recommended by the Waste Service Committee.
2. Provide other direction.

Recommendations:

Option: 1

Board of County Commissioners

Agenda Request

Date of Meeting: May 16, 2006

Date Submitted: May 16, 2006

To: Honorable Chairman and Members of the Board

From: Marlon Brown, County Manager
Davin J. Suggs, Director, OMB

Subject: Approval of Matching Funds for Poll Worker Recruitment and Training Funds

Statement of Issue:

This item seeks Board authorization to provide matching funds for State appropriation designated for the recruitment and training of poll workers via the office of the Supervisor of Elections (Attachment 1).

Background:

The 2005 legislature appropriated funds to be distributed to Supervisors of Elections to assist with the recruitment and training of poll workers.

Analysis:

The receipt of funds by the Gadsden County Supervisor of Elections is contingent upon the Board's provision of matching funds equal to 15% of the total amount of appropriation to be received. The estimated amount of appropriation designated for Gadsden County is approximately \$7,829. The 15% match required of the Board is approximately \$1,175. Budget authority for the use of the appropriation and the matching funds provided by the Board must be established via a resolution and budget amendment (Attachment 2) as required by the Florida Statutes. Furthermore, the Chairman of the Board is required to execute a "Certification Regarding Matching Funds", which must be returned to the Division of Elections of the Florida Department of State. All funds received, including the matching funds provided by the Board, must be held in a separate account and used solely for poll worker recruitment and training purposes.

Board of County Commissioners

Agenda Request



Date of Meeting: May 16, 2006

Date Submitted: May 5, 2006

To: Honorable Chairman and Members of the Board

From: Marlon Brown, County Manager
Arthur Lawson, Sr., Assistant County Manager

Subject: Approval of Authority for Chairman to Execute Contract for Health and Human Services Study

Statement of Issue:

This agenda item seeks Board approval for the Chairman to execute a contract for a Health and Human Services Study.

Background:

The Board has designated Health and Human Services issues as one of their priorities for fiscal year 2007 – 2011 to include:

- To develop a Comprehensive Healthcare System to improve health disparity
- To re-open Gadsden County Community Hospital
- To create a process to ensure a continuum of health
- To develop a County Health and Human Services Department/Agency

Analysis:

Staff has identified potential funding sources that will aid in development of future Health and Human Services programs. However, staff believes it is necessary to initially perform a study to determine specific needs with regard to county Health and Human Services issues. Therefore, in order to expedite this process, staff is requesting that the Board gives the Chairman the authority to execute a contract for this study, once a consultant is selected by the County Manager.

Fiscal Impact:

Staff believes that the current budget maintains the necessary resources to fund the study. If necessary, a budget amendment will be brought to the Board for approval.

Fiscal Impact:

The resources necessary to provide the required matching amount were not contemplated in the adopted FY 2006 budget. However, there are funds available in the General Fund Reserve for Contingency to fulfill this requirement. Currently, the General Fund Reserve for Contingency has an estimated balance of \$128,000. The proposed budget amendment will reduce this amount to approximately \$126,825.

Options:

1. Authorize the Chairman to execute the "Certification Regarding Matching Funds" and approve associated resolution and budget amendment.

2. Board Direction

Recommendation:

Option 1.

Attachments:

1. Memorandum from Division of Elections, Florida Department of State
2. Resolution and Budget Amendment



FLORIDA DEPARTMENT OF STATE

Sue M. Cobb

Secretary of State

DIVISION OF ELECTIONS

MEMORANDUM

TO: Supervisors of Elections

FROM: Dawn K. Roberts, Esq.
Director, Division of Elections

DATE: April 12, 2006

SUBJECT: Poll Worker Recruitment and Training Funds

The 2005 Legislature appropriated \$3,000,000 to be distributed to supervisors of elections to assist with recruiting and training individuals as poll workers. Funds are to be distributed to each eligible supervisor of elections based on registered voters as of the 2004 General Election, as certified by the Department of State.

In order to receive the poll worker recruitment and training funds, the Legislature has required that the supervisor provide the Department of State with its plan for training poll workers. In addition, the Chairman of the Board of County Commissioners will be required to certify that the county will match the state funds with a 15% county match. Both the state funds and county matching funds must be held in a separate account to be used solely for poll worker recruitment and training purposes.

Enclosed is the Memorandum of Agreement for Receipt and Use of Poll Worker Recruitment and Training Funds which is required to be executed by the supervisor of elections. Also enclosed is the Certification Regarding Matching Funds, which is required to be executed by the Chairman of the Board of County Commissioners. Please return both of these executed documents, along with your detailed plan, to the Division of Elections. You will be provided a copy of the agreement upon execution by the Division.

If you have any questions, please let us know.

DKR/BL/aj

Enclosures

MEMORANDUM OF AGREEMENT FOR RECEIPT AND USE OF
POLL WORKER RECRUITMENT AND TRAINING FUNDS

This agreement, effective as of the _____ day of _____, 2006, is by and between the State of Florida, Department of State, Division of Elections ("Department"), the address of which is 500 South Bronough Street, Room 316, Tallahassee, FL 32399-0250 and Gadsden County Supervisor of Elections, The Honorable Shirley G. Knight ("Supervisor"), the address of which is P.O. Box 186, Quincy, Florida 32351-0186.

I. Governing Law

WHEREAS, Section 6 of Chapter 2005-70, Laws of Florida, provides for poll worker recruitment and training.

WHEREAS, said section is intended to provide funding for county supervisors of elections to assist with recruiting and training individuals as poll workers.

From the funds appropriated from the Grants and Donations Trust Fund to the Department of State, Specific Appropriation 2939 of the 2005-2006 General Appropriations Act (Chapter 2005-70, Laws of Florida), the Department shall distribute the sum of \$3,000,000 in the state fiscal year 2005-2006 to the county supervisors of elections to assist with recruiting and training individuals as poll workers.

The Department shall distribute to each eligible county supervisor of elections an amount equal to the funding level per voter multiplied by the number of registered voters in the county for the 2004 General Election, as certified by Department of State. The Department shall determine the funding level per voter in the state based on that information.

II. Restrictions

No county supervisor of elections shall receive funds pursuant to Section I until the Supervisor provides a detailed description of how they intend to spend the funds for poll worker recruitment and training to the Department for approval.

No county supervisor of elections shall receive funds pursuant to Section I until the Board of County Commissioners certifies to the Division of Elections that the county will provide matching funds for poll worker recruitment and training in an amount equal to fifteen percent (15%) of the amount to be received from the state. If the Board of County Commissioners fails to appropriate the matching funds required by this paragraph, any funds provided to the Supervisor under this agreement shall be returned to the Department.

All state funds received pursuant to Section I and all county matching funds shall be held in a separate account and shall be used solely for the poll worker recruitment and training programs detailed in the Supervisor's plan. Any funds remaining in the account

at the end of the fiscal year shall remain in the account to be used for the same purposes for subsequent years or until the funds are expended.

Supervisors may only use funds received under this agreement for purposes outlined in Specific Appropriation 2939 of the 2005-2006 General Appropriations Act and consistent with the provisions of the federal Help America Vote Act. Any funds received by the Supervisor under this agreement that are used for any unauthorized purpose shall be repaid to the Department.

III. Disbursement

The Supervisor shall receive a sum certain as provided above and outlined in Appendix A.

IV. Audits and Monitoring

The administration of funds awarded by the Department to the Supervisor may be subject to audits and monitoring by the Department, as described in this section.

1. Each Supervisor expending \$500,000 or more in funds provided under this agreement may be subject to federal single or program specific audits. See OMB Circular No. A-133 (Revised, June 27, 2003) regarding Audits of States, Local Governments, and Nonprofit Organizations and the Catalog of Federal Domestic Assistance (CFDA) § 90.401 Help America Vote Act Requirements Payments.

2. Each Supervisor receiving funds under this agreement shall keep such records with respect to the funds received as are consistent with sound accounting principles, including records which fully disclose the amount and disposition by the supervisor, the total cost of the project or undertaking for which such funds are used, the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit. The Supervisor agrees to provide copies of and/or access to all such documentation to state and/or federal auditors and the Department upon request.

3. The Supervisor shall provide a report to the Department on or before December 31, 2006 detailing the actual expenditures by the Supervisor of the funds provided under this agreement which shall cover the period from the date of receipt of the funds by the Supervisor through September 30, 2006. The Supervisor shall subsequently provide such a report by December 31 of each and every year thereafter, covering the preceding period of October 1 through September 30, as long as any funds provided for under this agreement remain and/or are expended.

V. Report Submissions

Reports required by PART IV of this agreement shall be submitted by the Supervisor directly to the Department of State at the following address:

Department of State
Division of Elections
500 S. Bronough Street, Suite 316
Tallahassee, Florida 32399-0250

IN WITNESS THEREOF, the parties have caused this Agreement to be executed by their undersigned officials as duly authorized.

Department of State, Division of Elections:

Supervisor of Elections

By: _____

Dawn K. Roberts, Division Director
Typed name and title

Witness

Date

By: Shirley Green Knight

Shirley Green Knight, Supervisor of Elections
Typed name and title

Karla B. Robinson
Witness

May 1, 2006
Date

Certificate Regarding Matching Funds

I, _____, Chairman of the Board of County Commissioners of Gadsden County, Florida, do hereby certify that the Board of County Commissioners will provide matching funds for poll worker recruitment and training in county FY 2005-2006 to the Supervisor of Elections in an amount equal to at least 15% of the amount to be received from the state, which for Gadsden County is \$1,174.40. I understand that if the Board fails to appropriate the required matching funds, all funds received from the state for poll worker recruitment and training purposes during the 2005-2006 state fiscal year will be required to be returned to the Department of State.

Chairman, Board of County Commissioners

Date

APPENDIX A

DEPARTMENT OF STATE
DIVISION OF ELECTIONS
POLL WORKER RECRUITMENT AND TRAINING FUNDS
FY 2005-06

COUNTY	2004 GENERAL ELECTION REGISTERED VOTERS	POLL WORKER RECRUITMENT AND TRAINING FUNDING PER COUNTY	COUNTY MATCHING FUNDS 15%
Alachua	142,358	\$ 41,458.30	\$ 6,218.75
Baker	12,887	\$ 3,753.03	\$ 562.95
Bay	101,315	\$ 29,505.53	\$ 4,425.83
Bradford	14,721	\$ 4,287.13	\$ 643.07
Brevard	338,195	\$ 98,491.06	\$ 14,773.66
Broward	1,058,069	\$ 308,136.84	\$ 46,220.53
Calhoun	8,350	\$ 2,431.73	\$ 364.76
Charlotte	113,808	\$ 33,143.81	\$ 4,971.57
Citrus	90,780	\$ 26,437.47	\$ 3,965.62
Clay	106,464	\$ 31,005.05	\$ 4,650.76
Collier	168,673	\$ 49,121.91	\$ 7,368.29
Columbia	34,282	\$ 9,983.80	\$ 1,497.57
DeSoto	14,901	\$ 4,339.55	\$ 650.93
Dixie	9,676	\$ 2,817.90	\$ 422.68
Duval	515,202	\$ 150,040.04	\$ 22,506.01
Escambia	189,833	\$ 55,284.24	\$ 8,292.64
Flagler	47,068	\$ 13,707.41	\$ 2,056.11
Franklin	7,620	\$ 2,219.14	\$ 332.87
Gadsden	26,884	\$ 7,829.31	\$ 1,174.40
Gilchrist	9,035	\$ 2,631.22	\$ 394.68
Glades	5,963	\$ 1,736.58	\$ 260.49
Gulf	9,627	\$ 2,803.63	\$ 420.54
Hamilton	7,645	\$ 2,226.42	\$ 333.96
Hardee	10,399	\$ 3,028.46	\$ 454.27
Hendry	17,144	\$ 4,992.77	\$ 748.92
Hernando	109,656	\$ 31,934.64	\$ 4,790.20
Highlands	60,176	\$ 17,524.80	\$ 2,628.72
Hillsborough	621,201	\$ 180,909.67	\$ 27,136.45
Holmes	10,982	\$ 3,198.24	\$ 479.74
Indian River	81,643	\$ 23,776.54	\$ 3,566.48
Jackson	27,138	\$ 7,903.28	\$ 1,185.49
Jefferson	9,300	\$ 2,708.40	\$ 406.26

APPENDIX A

DEPARTMENT OF STATE
DIVISION OF ELECTIONS
POLL WORKER RECRUITMENT AND TRAINING FUNDS
FY 2005-06

COUNTY	2004 GENERAL ELECTION REGISTERED VOTERS	POLL WORKER RECRUITMENT AND TRAINING FUNDING PER COUNTY	COUNTY MATCHING FUNDS 15%
Lafayette	4,309	\$ 1,254.89	\$ 188.23
Lake	161,269	\$ 46,965.67	\$ 7,044.85
Lee	304,937	\$ 88,805.48	\$ 13,320.82
Leon	171,182	\$ 49,852.59	\$ 7,477.89
Levy	22,617	\$ 6,586.65	\$ 988.00
Liberty	4,075	\$ 1,186.74	\$ 178.01
Madison	11,371	\$ 3,311.53	\$ 496.73
Manatee	191,635	\$ 55,809.03	\$ 8,371.35
Marion	184,257	\$ 53,660.37	\$ 8,049.06
Martin	98,857	\$ 28,789.70	\$ 4,318.45
Miami-Dade	1,058,801	\$ 308,350.02	\$ 46,252.50
Monroe	51,377	\$ 14,962.30	\$ 2,244.35
Nassau	41,353	\$ 12,043.05	\$ 1,806.46
Okaloosa	127,455	\$ 37,118.17	\$ 5,567.73
Okeechobee	18,627	\$ 5,424.66	\$ 813.70
Orange	531,774	\$ 154,866.24	\$ 23,229.94
Osceola	129,487	\$ 37,709.94	\$ 5,656.49
Palm Beach	729,575	\$ 212,470.96	\$ 31,870.64
Pasco	265,974	\$ 77,458.45	\$ 11,618.77
Pinellas	590,989	\$ 172,111.16	\$ 25,816.67
Polk	295,742	\$ 86,127.66	\$ 12,919.15
Putnam	45,344	\$ 13,205.34	\$ 1,980.80
Santa Rosa	96,359	\$ 28,062.21	\$ 4,209.33
Sarasota	240,592	\$ 70,066.56	\$ 10,509.98
Seminole	241,230	\$ 70,252.37	\$ 10,537.85
St. Johns	109,635	\$ 31,928.53	\$ 4,789.28
St. Lucie	137,951	\$ 40,174.87	\$ 6,026.23
Sumter	40,523	\$ 11,801.34	\$ 1,770.20
Suwannee	21,930	\$ 6,386.58	\$ 957.99
Taylor	11,481	\$ 3,343.56	\$ 501.53
Union	7,063	\$ 2,056.93	\$ 308.54
Volusia	309,930	\$ 90,259.57	\$ 13,538.94

APPENDIX A

DEPARTMENT OF STATE
DIVISION OF ELECTIONS
POLL WORKER RECRUITMENT AND TRAINING FUNDS
FY 2005-06

COUNTY	2004 GENERAL ELECTION REGISTERED VOTERS	POLL WORKER RECRUITMENT AND TRAINING FUNDING PER COUNTY	COUNTY MATCHING FUNDS 15%
Wakulla	15,396	\$ 4,483.71	\$ 672.56
Walton	32,777	\$ 9,545.50	\$ 1,431.83
Washington	14,421	\$ 4,199.77	\$ 629.96
TOTAL	10,301,290	\$ 3,000,000.00	\$ 450,000.00

From the funds in Specific Appropriation 2939, \$3,000,000 shall be distributed to county supervisors of elections to assist with recruiting and training individuals as poll workers. These funds shall be distributed to each eligible county supervisor in an amount equal to the funding level per voter multiplied by the number of registered voters in the county for the 2004 General Election. The Division of Elections shall determine the funding level per voter based on the number of registered voters in the state for the 2004 General Election.

In order for a county supervisor of elections to be eligible to receive state funding for poll worker recruitment and training, the county must certify to the Division of Elections that the county will provide matching funds for poll worker recruitment and training in the amount equal to fifteen percent of the amount to be received from the state. The county must also submit training plans to the department for approval to ensure consistency of training across the state.

Additionally, to be eligible, a county must segregate state poll worker recruitment and training distributions and required county matching dollars in a separate account established to hold only such funds. Funds in this account must be used only for the activities for which the funds were received. Any funds remaining in the fund at the end of the fiscal year shall remain in the account to be used for the same purposes for subsequent years or until such funds are expended.

Poll Worker Recruitment
And
Training Funds Plan
Gadsden County Florida
Supervisor of Elections – Shirley Green Knight

Poll Worker Recruitment:

- a. Local Newspaper Ads
- b. Radio Ads
- c. Printed brochures about duties and responsibilities of a poll worker.

Poll Worker Training Center:

- a. Lap Top Computers
- b. Projector
- c. Projector screen
- d. Video Training Tapes on new voting equipment
- e. Video Training Tapes for poll workers
- f. Other items needed for a poll worker training center.

Please contact this office for any additional information need to receive funding.

Shirley Green Knight
Supervisor of Elections
Gadsden County, Florida

Gadsden County BOCC BUDGET AMENDMENT FORM

DATE: 5/16/06 FY: 2006 DEPARTMENT: Board of County Commissioners

AGENDA ITEM REFERENCE (IF NECESSARY): Matching Funds for Supervisor of Elections (Poll Workers)

Account Number (Fund-Obj-Program)	Account Description	<input type="checkbox"/>	<input type="checkbox"/>
New-New New-New	Poll Worker Recruitment and Training Funds Poll Worker Recruitment and Training Activities	Increase Revenue 7,829.31	Increase Appropriation 7,829.31
0991-59901 0991-59106	GF: Reserve for Contingency Non-Operating:Transfers to Grant	Decrease Appropriation (1,175)	Increase Appropriation 1,175
New-3811000 New-New	Transfer from General Fund Poll Worker Recruitment and Training Activities	Increase Revenue 1,175	Increase Appropriation 1,175
Total			

Explanation: To realize State Appropriation of training and Recruitment funds for Poll Workers and to provide 15% County Match

Approved By:
COUNTY MANAGER

Marlon Brown

MANAGEMENT & BUDGET DIRECTOR:

Davin Sugas

Action By (If Necessary):
BOCC

☒ Resolution
☐ Motion

OMB-BA# 060024

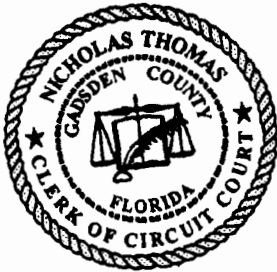
RESOLUTION NO. 2006-0 33

WHEREAS, the Board of County Commissioners of Gadsden County, Florida, approved a budget for fiscal year 2006; and,

WHEREAS, the Board of County Commissioners, pursuant to Chapter 129, Florida Statutes, desires to amend the budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Gadsden County, Florida, hereby amends the budget as reflected on the Budget Amendment Form attached hereto and incorporated herein by reference.

Adopted this 16th day of May, 2006.



Attest: Nicholas Thomas, Clerk of the Court
Gadsden County, Florida

by: Niriel Stranghn, Deputy

Gadsden County, Florida

by: [Signature]

Chairman

Board of County Commissioners

Board of County Commissioners

Agenda Report

Holt/Price
5-0

Date of Meeting: May 16, 2006

Date Submitted: May 8, 2006

To: Honorable Chairman and Members of the Board

From: Marlon Brown, County Manager
William D. McCord, Growth Management Director

Subject: Approval of Visioning Consultant Contract

Statement of Issue:

This report is provided to request approval of a contract for \$9,950 to inform the Board on the status of the "Visioning" process to be held in the Spring and acquire the services of Optimum Enterprises, Inc. of Orlando, FL to provide facilitation and other consulting services for the Visioning Process occurring in May through June and other services necessary to complete the visioning process as described in a contract between the County and the Florida Department of Community Affairs.

Background:

The Board of County Commissioners entered into a contract with the Department of Community Affairs to implement an Urban Services Boundary (USB) study and to incorporate a "visioning" in order to begin the process of identifying what land use and land development characteristics will be required within a designated USB. The visioning process is an optional planning activity offered as part of the grant in order to implement Senate Bill 360 (Chapter 163.3177 F.S.) Staff mailed requests for proposals with a maximum of the \$10,000 to selected consultants to assemble socio-economic and physiographic information on the county and present best management practices and examples and facilitate each of the workshops/charettes and to prepare a report on the findings. This was further described in the March 14, 2006 County Commission workshop. At the workshop staff reported that the County did not receive responses to the County's request for proposal for contracted planning services. That is when county staff contacted Optimum and one other firm to inquire of their interest in providing the visioning exercise services. Staff selected Optimum to perform the services for less than \$10,000. A contract for less than \$10,000 does not require formal Board review.

Analysis:

Optimum is a qualified and able consultant to perform the basic work tasks in order to fulfill the contract. The County staff feels assured that Optimum can complete the contract services for the fee listed (\$9,950) and has received the signed contract. Optimum is now under contract to provide similar services for the City of Gretna and has additional experience in Gadsden County. Although the statute only requires the visioning process to address the proposed establishment of an Urban Services Boundary, staff believes that this process also presents the opportunity to obtain additional information that will be helpful in amending the Comprehensive Plan including evaluating existing land use and infrastructure policies housing policies, environmental policies, etc. and land development regulations. The schedule of all the workshops is provided in attachment #2. The notices have been placed in the newspapers and distributed by the Public information officer. Additional special notices were mailed to "stakeholder" groups throughout the county.

Options:

1. Approve the contract for Optimum Enterprises, Inc., of Orlando, FL for \$9,950 for visioning services as described in the attachment #1.
2. Authorize staff to proceed with the visioning process and do not approve the proposed contract.
3. Discretion of the Board

Recommendation: Move Option #1.

Approve the contract for Optimum Enterprises, Inc., of Orlando, FL for \$9,950 for visioning services as described in the attachment #1.

Attachments:

1. Services Contract with Optimum Enterprises, Inc.
2. Schedule of Visioning Workshops/Charettes

SERVICES CONTRACT
(Professional)

This Services Contract, dated _____, 2006, between Gadsden County (the County) and Optimum Enterprises, Inc. (the Contractor) named hereinafter:

Contractor Name: Optimum Enterprises, Inc.
Contact: W. Carl Merrell, President
Address: 823 Hallowell Circle
Orlando, Florida 32828
Phone: 407-737-2919 or 407-620-2561
Fax: 407-737-2919

1. **SERVICES TO BE RENDERED AND RATES OF PAYMENT.** Contractor shall render the services described in Exhibit A and the County shall compensate Contractor for said services as described in Exhibit B, provided that a proper invoice therefore shall be rendered and said services shall be performed to the satisfaction of the Florida Department of Community Affairs (FDCA) and the County. The County shall resolve all claims and disputes under this Services Contract.

2. **TERM.** This Services Contract shall commence on the date first set forth above and shall continue for a period of Sept 1, 06 terminating at the end thereof unless earlier terminated in accordance with the terms of this Services Contract.

3. **INDEMNITY AND PAYMENT FOR CLAIMS**

A. **INDEMNITY:** The Contractor shall indemnify and hold harmless the County, its officers and employees, attorneys and agents from all liabilities, damages, losses and costs, including, but not limited to, reasonable attorneys fees, to the extent caused by Contractor or his employees, officers or agents during the performance under this Services Contract, provided, however, that Contractor shall not be liable hereunder for the sole negligence of the County, its officers and employees, attorneys and agents. The parties agree that 1% of the total compensation to the Contractor for performance of this Agreement is the specific consideration from the County to the Contractor for the Contractor's indemnity agreement.

It is specifically agreed between the parties executing this Services Contract that it is not intended by any of the provisions of any part of the Services Contract to create in the public or any member thereof, a third party beneficiary hereunder, or to authorize anyone not a party to this Services Contract to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Contract.

B. **PAYMENT FOR CLAIMS:** Contractor guaranties the payment of all just claims for materials, supplies, tools, or labor and other just claims against the Contractor or any subcontractor, in connection with this Services Contract. Final acceptance and payment does not release the Contractor from its obligations hereunder until all such claims are paid or released.

4. **COMPLIANCE WITH LAWS.** The Contractor shall comply with all federal, state and local laws and ordinances applicable to the work or payment for work thereof, and shall not discriminate on the grounds of race, color, religion, sex, national origin, age, or disability in the performance of work under this Agreement.

5. INSURANCE

A. GENERAL LIABILITY. The Contractor shall carry and keep in force during the period of this Services Contract a general liability insurance policy or policies with a company or companies authorized to do business in Florida, affording public liability insurance with combined bodily injury limits of at least \$100,000 per person and \$ 300,000 each occurrence, and property damage insurance of at least \$ 100,000 each occurrence, for the services to be rendered in accordance with this Services Contract, as well as the indemnity provided hereinabove.

B. AUTOMOBILE LIABILITY. The Contractor shall also carry and keep in force during the period of this Services Contract automobile liability insurance policy or policies for all vehicles operated by the Contractor in the performance of services hereunder with a company or companies authorized to do business in Florida, affording liability insurance with combined bodily injury limits of at least \$100,000 per person and \$ 300,000 each occurrence, and property damage insurance of at least \$ 100,000 each occurrence, for the services to be rendered in accordance with this Services Contract, as well as the indemnity provided hereinabove.

C. COUNTY AS ADDITIONAL INSURED. The County shall be named as an additional insured on the foregoing policy (ies). Each such policy shall provide for written notification of the County no less than 30 days prior to the expiration or cancellation of coverage.

D. WORKERS COMPENSATION. The Contractor shall maintain workers compensation insurance in force as required by Florida Law.

E. PROOF OF INSURANCE. The Contractor shall deliver proof of the foregoing insurance to the County prior to performing any work hereunder.

6. SUBJECT TO FUNDING. This Services Contract is entered into subject to the amounts budgeted by the Board of County Commissioners as available for expenditure during this fiscal year and the County shall not be liable hereunder for any amounts in excess thereof. Nothing herein contained shall prevent the making of contracts for periods exceeding one year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years.

7. TERMINATION AND DEFAULT

A. This Services Contract may be canceled by the County in whole or in part at any time the interest of the County requires such termination. The County also reserves the right to seek termination or cancellation of this Agreement in the event the Contractor shall be placed in either voluntary or involuntary bankruptcy. The County further reserves the right to terminate or cancel this Agreement in the event an assignment is made for the benefit of creditors. This Services Contract may be canceled by the Contractor only by mutual consent of both parties.

B. If the County determines that the performance of the Contractor is not satisfactory, the County shall have the option of (a) immediately terminating the Agreement, or (b) notifying the Contractor of the deficiency with a requirement that the deficiency be corrected within a specified time, otherwise the Agreement will be terminated at the end of such time, or (c) take whatever action is deemed appropriate by the County.

C. If the County requires termination of the Agreement for reasons other than unsatisfactory performance of the Contractor, the County shall notify the Contractor of such termination, with instructions as to the effective date of termination or specify the stage of work at which the Agreement is to be terminated.

D. If the Agreement is terminated before performance is completed, the Contractor shall be paid only for that work satisfactorily performed. All work in progress will become the property of the County and will be turned over promptly by the Contractor.

E. The County may issue a verbal or written Stop Work order to Contractor at any time, and Contractor shall immediately cease all performance under this Service Contract until otherwise instructed. Contractor shall have no claim for delay or other damages associated with the Stop Work order and shall be compensated only for services performed to the satisfaction of the FDCA and the County.

8. CONTRACTOR'S ORGANIZATION. Contractor certifies that:

 / Contractor is a natural person.

 / Contractor is a partnership duly formed under the laws of _____, the partners being _____.

X/ Contractor is a corporation duly formed under the laws of Florida.

 / Contractor is a _____ duly formed under the laws of _____.

9. MISCELLANEOUS

A. The Contractor shall not sublet, assign or transfer any work under this Services Contract without the prior written consent of the County.

B. The Contractor and the County agree that the Contractor, its employees, and subcontractors are not agents of the County as a result of this Services Contract for any purposes.

C. All words used herein in the singular form shall extend to and include the plural. All words used in the plural form shall extend to and include the singular. All words used in either gender shall extend to and include the other gender.

D. This Services Contract embodies the whole agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained herein, and this Services Contract shall supersede all previous communications, representations, or agreements, either verbal or written, between the parties hereto.

E. It is understood and agreed by the parties hereto that if any part, term or provision of this Services Contract is by the courts held to be illegal or in conflict with any law of the State of Florida, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Services Contract did not contain the particular part, term or provision held to be invalid.

F. This Contract shall be governed by and construed in accordance with the laws of the State of

Florida.

G. Venue in any legal action related to this Contract shall be in Gadsden County.

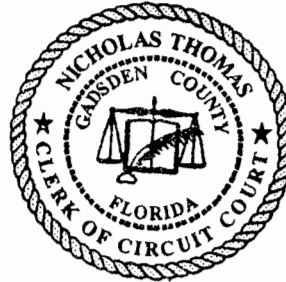
Executed on the date first above written.

GADSDEN COUNTY

Chad J. Hix

ATTEST:

Murice Strough, Deputy for
Nicholas Thomas, Clerk



Optimum Enterprises Inc. (CONTRACTOR)

[Signature]
Signature of Contractor's Authorized Representative

W. Carl Merrell, President
Printed or typed name and title of Authorized Representative

EXHIBIT A
SERVICES TO BE RENDERED

The County has entered into a contractual agreement with the FDCA to conduct a visioning exercise that may lead to revisions of the existing Comprehensive Plan. This exercise will involve identifying development policies that should be implemented to better coordinate existing and proposed infrastructure facilities with land use patterns, including the possible development or adoption of an "Urban Services Boundary."

The County's visioning process shall follow a specific schedule as described below. The Contractor shall provide draft materials and a finished product to the County compliant with the County's contract with FDCA and relevant state statutes. Other communities within Gadsden County have received similar grants for visioning exercise and would be interested in participating in the process. This would require a separate contract with the participating city and Contractor which would involve additional funding from participating cities. Additional contracting and funding by participating municipalities may also be included in the contract.

SCOPE OF WORK AND SCHEDULE OF DELIVERABLES

The Contractor will begin the process of compiling socio-economic data, spatial and location information and existing and planned infrastructure facilities and capacities using existing sources and shall prepare/present examples of innovative best management practices, including "smart growth" initiatives presented both verbally and visually, in a series of community charettes. After the community meeting the consultants shall categorize and rank by subject matter community preferences and needs in a summary report and comprehensive report for the presentation of the findings with recommendations and action to the County Planning Commission and Board of County Commissioners.

The Contractor shall perform specific work tasks incorporating the functions generally described above and more specifically as described below. Deliverables shall be provided to the Growth Management Department and the County Manager to ensure the technical specifications of the contract are met on schedule, are within budget and are provided within the context of the County's contract with the FDCA.

<u>Deliverable</u>	<u>Completion date by:</u>	<u>Payment</u>
1. Sign the contract for services	April 15, 2006	\$1,000
2. Meet with representatives of the County and participating cities (if necessary) to discuss strategy and data collection efforts.	May 10, 2006	\$950
3. Present staff with materials to be used in the charettes and outlines of workshops/meeting agendas.	June 1, 2006	
4. Working with the County and participating municipalities (if	June 15, 2006	\$2,000

necessary), provide visual representations the desired land use patterns and character of the community during the years 2006-2016, including a draft Urban Service Boundary.

5. Schedule and Conduct six charettes in the six municipalities in the County.	July 1, 2006	\$4,000
6. Compile the finding of the charettes, identify existing policy and design standards consistent with or adverse to issues identified in the charettes, and present, in a Summary Report and a detailed report with meeting and charette notes. The findings and recommendations will be given to the Planning Commission and Board of County Commissioners.	August 1, 2006	\$1,000
7. In coordination with staff, draft a plan amendments for the 10 year financially feasible capital facilities plan for the area within an identified Urban Services Area, and prepare a draft plan amendment incorporating The vision and identifying the Urban Services Boundary Consistent with SB 360.	September 15, 2006	\$1,000
TOTAL		\$9,950

EXHIBIT B
METHOD AND RATES OF PAYMENT

The contract amount will not exceed \$9, 950 dollars unless agreed to by all parties via an amendment to the contract. Upon completion of each of the deliverables consistent with the timeframes provided and consistent with the contract that the County has with the Florida Department of Community Affairs, and upon a determination by the FDCA and the County that the work has been satisfactorily performed, the County shall pay the consultant as described above.

Options:

1. Approval to give the Chairman authority to execute contract for Health and Human Services Study.
2. Do not give the Chairman the authority to execute contract for Health and Human Services contract.
3. Provide Board Direction.

Recommendation:

Option 1

**Ann C. Smith
2913 Joyce Drive
Tallahassee, FL 32303
(850) 562-2678**

April 28, 2006

Gadsden County Board of County Commissioners
Post Office Box 1799
Quincy, Florida 32353

Dear Sirs:

RE: Property ID # 2-18-3N-1W-0000-00412-0700

We want to be added to the 5/16/06 Planning Board Agenda. We want to request an administrative zoning change for this property. This property has been in our family for more than sixty years. Our 83 year old mother owns this property and needs to sell it ASAP. A recent survey showed that the property only contains 3.79 acres (more or less). Selling the property is needed to provide money to keep our mother in an assisted living facility.

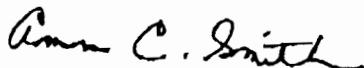
Recently after we had a buyer, we found out that the property has been changed to commercial zoning. We were unaware of this change since for sixty years the property has contained a small, wooden house and cleared fields for crops. A recent appraisal by a Quincy appraiser compared the property to other like size residential property and did not state that the property was zoned commercial.

The buyer does not want the property if it is commercial. This has caused a hardship on our family since the buyer is an extended family member and our father wanted the property to remain in the family. Since this small acreage is away from the intersection, the property would not be easy to sell as commercial property at this time in Concord.

My sister, Maybelle C. Montford, and I handle our mother's financial affairs. One of us will be attending the 5/16/06 meeting if we can be placed on the agenda.

Please let me know if we get put on the agenda for this meeting. Thank you for your assistance in this matter.

Sincerely,



Ann C. Smith

Board of County Commissioners Workshop Request

Date of Meeting: May 16, 2006

Date Submitted: April 26, 2006

To: Honorable Chairman and Members of the Board

From: Marlon Brown, County Manager
Farnita Saunders, Community Development Director

Subject: Affordable Housing in Gadsden County

Statement of Issue:

This workshop item presents the Gadsden County Board of County Commissioners (BOCC) a comprehensive overview and understanding of Affordable Housing needs in Gadsden County. This workshop will also address issues related to national, statewide and local housing statistics, factors affecting affordability and effective strategies the County may implement to make homes more affordable for Gadsden County residents.

Background:

During the 1960's, the traditional loan required potential homeowners to contribute 20% as a down payment towards the purchase of the home. This represented those who were well prepared to do so and had saved a significant portion of their income for this purpose. Additionally, the Post War era resulted in the need to address housing for veterans once they returned from military service and transitioned into the workforce as civilians. Thus came the concept of public housing; however, the purpose of public housing was intended only as such—transitional housing until families could afford to purchase a home.

Several government guaranteed and insurance programs such as the Veterans Administration and the Federal Housing Administration began to address the issues related to the requirement that homeowners contribute 20% towards the purchase of a home and created programs that required little or no down payment based upon the individual's eligibility. Secondary market lenders such as Freddie Mac (FLHMC) and Fannie Mae (FNMA) also made major contributions to the lending industry by making funds available to primary lending institutions to make underwriting guidelines more flexible and to provide mortgages that best matched the needs of each individual.

As housing costs continue to increase and incomes remain stagnant or increase at a much slower pace than housing costs, the state of Florida has been forced to explore creative ways to make housing more affordable, even in rural areas such as Gadsden County.

In 1992, the William E. Sadowski Affordable Housing Act was created under Section 420.907-9079, Florida Statutes and Chapter 67-37.007, Florida Administrative Code to provide guidance for the State Housing Initiatives Partnership Program (SHIP). The purpose of the SHIP Program is to assist in meeting specific housing needs of very low, low and moderate income households and to expand the production and preservation of affordable housing. SHIP funds are collected through documentary stamp tax revenue from the sale of homes and then deposited into the Local Government Housing Trust Fund. Total actual disbursements are dependent upon documentary stamp collections. Funds are allocated on a population-based formula. From the dedicated source of funding, Gadsden County utilizes its SHIP allocation to assist first time homebuyers with down payment and closing costs to purchase a new home and to assist existing home owners rehabilitate their homes.

Over the past few years, increasing housing costs for housing in Gadsden County have served as a tremendous barrier to individuals and families purchasing or constructing a home as a first time home buyers. Additionally, individuals who currently own their homes can no longer afford to purchase their second home. As a result, the lending market through its primary and sub-prime lenders, have attempted to provide more flexible lending products and further relax underwriting guidelines. Although current subsidies through the SHIP program, Rural Development and relaxed lending products assist with the home buying process, increasing costs make it almost impossible for very low and low income families to purchase a home. This issue continues to present a nationwide and statewide question – “How Can Homes Become More Affordable”? Gadsden County must now explore this question, address barriers to affordable homeownership and create strategies to continue to assist those who need it most.

Analysis:

Like many counties throughout the State of Florida, Gadsden County has experienced its share of growth. This is particularly the case as Gadsden County has become the bedroom community to neighborhood Leon County, once experienced by Wakulla County. Many people are attracted to Gadsden County because the cost to purchase or construct a home may result in cost savings of approximately \$20,000 - \$60,000 per home. This equates to a savings in their mortgage payments of \$120 - \$360 per month, \$1,440 - \$4,320 annually and \$43,200 - \$129,600 over the 30 year term of a conventional mortgage.

This is becoming increasingly more attractive as families desire the American dream of homeownership. Families are willing to travel greater distances to their places of employment in exchange for the cost savings for the home. Yet, tremendous barriers still exist for low income families and County staff continues to seek ways to reduce some of the barriers to homeownership. The most challenging task is assisting potential homeowners who are most often discouraged because they face major credit issues and

have excessive debt related to their income. These and other factors continue to present barriers to residential mobility.

This workshop will quantify each of these factors for different types of households and illustrate how affordability might be changed by aggressively addressing credit issues, debt to income constraints, market constraints, land/development costs, developer incentives, flexible lending products and reviewing existing County policies in the Comprehensive Plan and Land Development Code related to affordable housing.

The workshop is organized in five (5) sections:

- Section I: Affordability in Gadsden County – “What Does This Mean?”
- Section II: Factors Affecting Affordable Housing (Controlled and Uncontrolled)
- Section III: Commissioners Viewpoint of Affordability (Interactive Mock Exercise)
- Section IV: The Partners Viewpoint – Developers, Policy Makers, Lenders, Realtors
- Section V: Strategies/Plan of Action – “Where Does Gadsden County Go From Here?”

The BOCC is requested to approve staff to aggressively address and implement strategies that are most feasible to the County and its residents. Some of those include, strengthening local partnerships with the development team (realtors, developers, housing policy makers, lenders, non-profits, etc. through a development consortium), County investing financial resources to further subsidize the cost of affordable housing, providing additional incentives such as density bonuses to developers willing to offer set asides for very low and low income families in their developments and the County may consider becoming its own developer in an attempt to control the cost of housing.

Fiscal Impact:

The fiscal impacts related to this workshop will vary and are dependent upon which affordable housing strategies are most feasible and are approved by the BOCC.

Partnership Establishment/Consortium – Little or no cost to the County for this strategy and is strongly recommended in conjunction with all agreed upon strategies. This would essentially create a referral source for Gadsden County residents once a homeownership course is completed and lenders within the consortium would be responsible for working with each potential homeowner to ensure they are credit worthy and meet eligibility requirements for State loan programs and lender specific affordable loans.

County Invest Financial Resources – The County should consider making a long term (annual) commitment of financial resources to affordable housing for its residents by providing a minimum amount of funding to assist in subsidizing the cost of housing. This would come in the form of additional funds for down payment/closing cost assistance to supplement grant funding through SHIP. Note: SHIP funds will primarily be dedicated to rehabilitation as leverage with the County’s Community Development Block Grant (CDBG) funds for the next three years, therefore, additional funds will be required to replace this source of funding.

Density Bonuses/Waive Building Permit Fees – The County may consider granting density bonuses to developers who are willing to commit a specific percentage of housing units dedicated for those with incomes at or below 80% of the Area Median Income. This would capture those with very low and low incomes. Waiving permit fees would only apply to units that are included in the set aside requirement with costs varying based upon the size of the home.

County As Its Own Developer – This would require the need to apply for loan funding to acquire land for development or to consider infill development of existing lots gained through a code enforcement mechanism. Lots owned free and clear of mortgages can be deeded to the homeowner with affordability periods of ten (10) years. The home owner would then only be responsible for the cost of the home and not the land.

The amount of funds requested would depend upon the number of homes to be developed and the County's loan would be paid back as homeowners obtain first mortgage financing through a lender of their choice.

Options:

- Option 1: Approve staff to address specific strategies for making homes more affordable for Gadsden County residents and the BOCC is requested to select strategies that best meet the needs of the County and its residents. Any combination of strategies may be selected.
- Option 2: Do not approve staff to address specific strategies for making homes more affordable for Gadsden County residents.
- Option 3: Provide other direction.

Recommendation(s):

- Option 1: Approve staff to address specific strategies for making homes more affordable for Gadsden County residents and the BOCC is requested to select strategies that best meet the needs of the County and its residents.

Attachments:

The following attachments, exercises and supplies will be provided at the Workshop.

- Power Point Presentation
- Commissioner Mock Financial Exercise
- Housing Priority (Paradigm Shift) Exercise
- Calculator

Gadsden County
Community Development Administration
Workshop

AFFORDABLE HOUSING

**“WHAT DOES THIS REALLY
MEAN IN GADSDEN COUNTY”**

PRESENTED TO:

Gadsden County Board of County Commissioners

May 16, 2006

- EDWARD J. DIXON, CHAIRMAN
- BRENDA A. HOLT, VICE – CHAIR
- STERLING L. WATSON
- EUGENE LAMB, JR.
- DERRICK E. PRICE

PURPOSE OF WORKSHOP

- Educational Forum
- Interactive – Hands On
- Allow Open Dialogue/Discussion
- Explore/Create Affordable Homeownership Strategies

Organization of Workshop

5 Segments

- Affordable Housing Basics
- Barriers to Affordability in Gadsden County
- Interactive Session – Commissioners New Home Purchase
- Solutions/Strategies to Make Homes More Affordable in Gadsden County
- Community Development Professionals

Affordable Housing Basics

Definitions

AFFORDABLE ??? – What Does This Mean?

- Not absolute – only a point of reference.

- Suggests great value for a low cost.



- \$200,000 is Affordable For Family A.



- \$200,000 is Not Affordable for Family B.

Affordable Housing Basics

Definitions

AFFORDABLE HOUSING

- Affordable Housing – “Housing whose cost does not exceed 30% of Household Income when that income is less than 80% of Area Median Income.”

Affordable Housing Basics

WHY 30% - Is it Theoretical??

- Prudent credit underwriting practices.
- More than 30% - lifestyles may change
- Dependence on excessive credit.
- Simple Philosophy More debts = Less Home
- Exceptions to 30% guideline.

Definitions

HOUSEHOLD INCOME

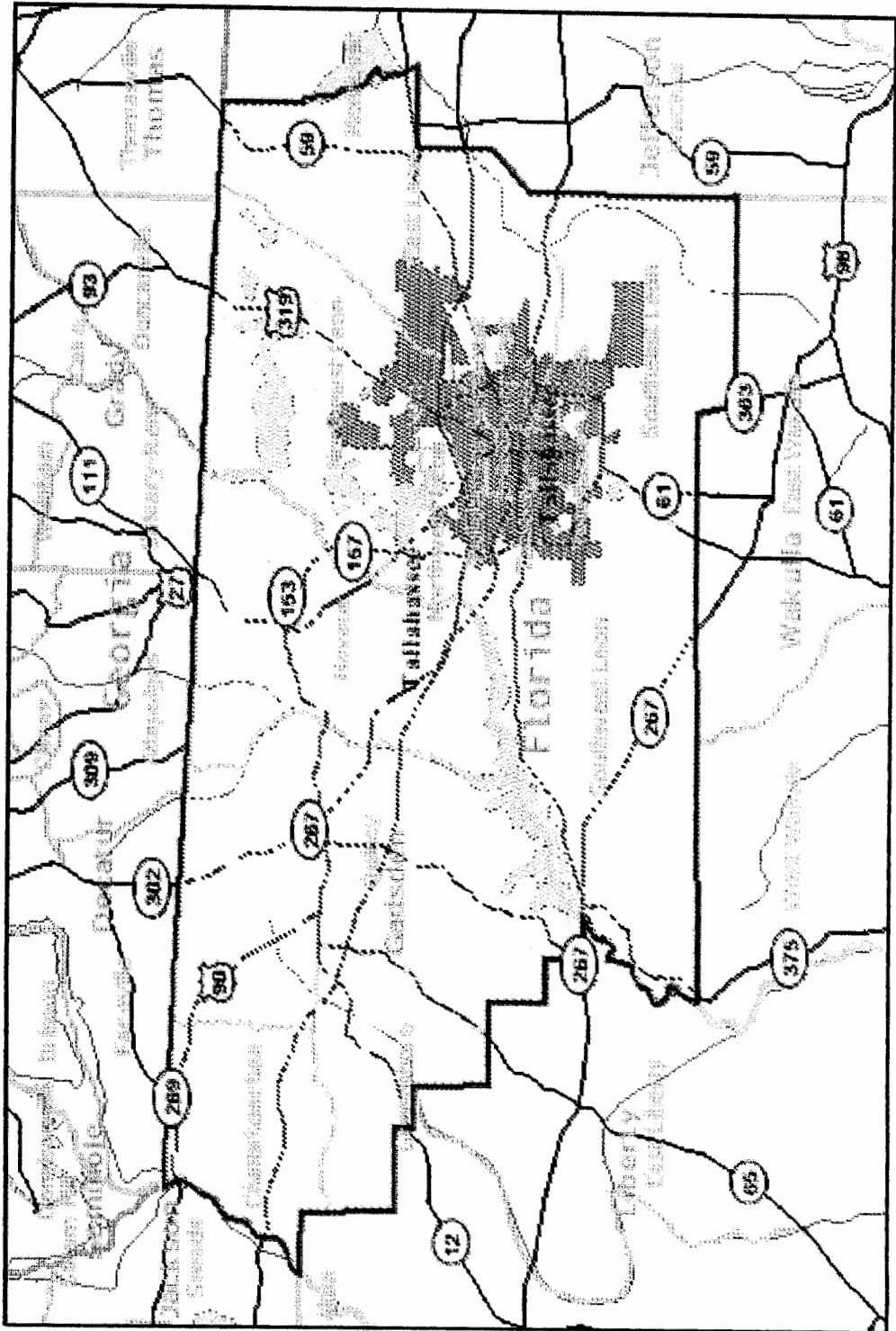
- Household income is derived from average earned incomes for families of different sizes as measured during the Census data.

Definitions

AREA MEDIAN INCOME or AMI

- Determined by geographic boundaries that include several census tracts.
- Sampling may be poor
- Geographic borders – blending of incomes
my result in distortion of AMI

Metropolitan Statistical Area Quincy and Tallahassee – One MSA



AREA MEDIAN INCOME

Gadsden County

\$58,500

INCOME CATEGORIES

- Very Low Income = 50% or below AMI
- Low Income = 51% - 80% of AMI
- Moderate Income = 81% - 95% of AMI**
- Moderate Income = 80% - 120% of AMI***

(***Usually recognized more in Florida Programs)

Comprehensive Plan and Very Low Income (Policy 3.1.7)

- The County will define Very Low-Income person or Very Low-Income Household to mean one or more natural persons, or family, that has a total annual gross household income that does not exceed 50 percent of the median annual income adjusted for family size for households within the county, or the non-metropolitan median for the State, whichever amount is greatest.

Comprehensive Plan and Low-Income (Policy 3.1.6)

- The County will define Low- Income person or Low- Income Household to mean one or more natural persons, or family, that has a total annual gross household income that does not exceed 80 percent of the median annual income adjusted for family size for households within the county, or the non-metropolitan median for the State, whichever amount is greatest.

Comprehensive Plan and Moderate-Income (Policy 3.1.5)

- The County will define Moderate - Income person or Moderate - Income Household to mean one or more natural persons, or family, that has a total annual gross household income that does not exceed 120 percent of the median annual income adjusted for family size for households within the county, or the non-metropolitan median for the State, whichever amount is greatest.

Definitions

AREA MEDIAN INCOME

- 30% of AMI = \$17,550
- Very Low Income = \$29,250 or 50% AMI
- Low Income = \$46,800 or 80% AMI
- Moderate Income= \$70,200 or 120% AMI

Income Limits 2006.pdf

NOTE: The above limits are based upon a family of four (4). Income Limits are adjusted for family size.

INCOME LIMITS

# of persons	1	2	3	4**	5	6	7	8
30% of AMI	\$12300	14050	15800	17550	18950	20350	21750	23150
Very Low 50%	20500	23400	26350	29250	31600	33950	36250	38600
Low 80%	32750	37450	42100	46800	50550	54300	58050	61800

***Note: Limits for Family of Four is the baseline.

WHAT DOES “AFFORDABLE HOUSING” REALLY MEAN?

- Generally accepted definition of Affordable Housing
- Household to pay no more than 30 percent of its annual income on housing.

“AFFORDABLE HOUSING” Purchase Price Scenario

Person Earning \$25,000 per year

- Spend no more than \$7,500 per year
- Equates to \$625.00 per month for housing
- Can afford approx. \$110,000 home – no debt. 5.50% interest rate
- Can afford approx. \$98,000 home – no debt
6.50% interest rate
- Can afford approx. \$93,000 home – no debt

“AFFORDABLE HOUSING” Realistic Numbers

\$17,750/year 4 person household,

\$5,325 annually, \$443.75 per month

- \$78,000 home @ 5.5% interest rate – no debt
- \$42,000 if \$200.00 auto payment or other debt
- \$70,000 home @ 6.5% interest rate – no debt
- \$38,000 if \$200.00 auto payment or other debt
- \$66,000 home @ 7.0% interest rate
- \$36,000 if \$200.00 auto payment or other debt

“AFFORDABLE HOUSING”

What do we do???

- Assist through other Down Payment/Closing Cost Assistance Programs
- Counsel Families – consider additional income
- Seek low interest rate programs
- County to consider purchase of property – below market prices and resale to homeowners.

Affordable Housing Goal

- The increase the supply of affordable housing for very low and low-income families in Gadsden County.
- Comprehensive plan – FLU -3 Rural Residential subsection.
- References Low and Very Low Housing Initiatives approved by Community Development.

Barriers to Affordability in Gadsden County

- Lack of Down Payment/Closing Costs 😊
- 😊
- Credit Issues/Challenges
- Excessive Debt
- Change in priorities
- Increasing Housing Costs

Down Payment/Closing Costs- Mortgage Assistance

- Variety of Programs Available
- SHIP Assistance (Subject to Funding Availability)
- Single Family Mortgage Revenue Bond Program – Florida Housing Finance Corp.
- Homeownership Opportunity Program – FHFC
- 0% Down Rural Development
- Other Flexible Financing Programs –Flex 100

Credit Challenges

MAJOR BARRIERS

- Not responsible with Credit
- Change in spending priorities
- Excessive credit cards (revolving debt)
- Charge Offs and Collections
- Late Payment History (30, 60, 90 day late)
- Bankruptcy and Foreclosures

Credit Challenges

- Lack of Education
- Change in priorities
 - #1 - Mortgage
 - #2 - Auto Payment
 - #3 - Credit Cards
 - #4 - Household Debts- Home Phone & Cable,
Etc.
 - #5 - Cell Phone

Change in Priorities

- #1 - Cell Phone
- #2 - Auto Payment
- #3 - Home Phone
- #4 - Rent/Mortgage
- #5 - Credit Cards

REALITY CHECK

- Not every one will purchase a home
- Good Faith – Best Effort to assist
- Willingness on behalf of individual
- Some will purchase a mobile home due to affordability
- Some will continue to rent

Commissioners New Home Purchase

- INTERACTIVE EXERCISE
- Personal Financial Profile

Community Development Professionals Perspective

- Lenders
- Consultants
- Developers
- Realtors
- Other Interested Parties

Solutions/Strategies

- Continue homebuyer counseling and education courses
- Expand homeownership counseling through lenders
- Create consortium of lenders to work with homeowners throughout process
- Density bonuses or cluster provision for developers willing to provide “affordable housing.”

Solutions/Strategies

- Consider expedited review process for affordable housing developments
- Consider fee waivers or fee reductions
- Consider additional revenue to commit to affordable housing assistance – First Come First Serve Basis

Contact Information

**Farnita L. Saunders, Director
Community Development Administration**

**221 N. Madison Street
Quincy, Florida 32351**

Phone: (850) 875-8659

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E-mail: farnitas@gadsdengov.net

Attachment 2

FY 2006 MEDIAN FAMILY INCOMES FOR STATES, METROPOLITAN
AND NONMETROPOLITAN PORTIONS OF STATES

	----- TOTAL	FY 2006 METRO	----- NONMETRO	----- TOTAL	1999 METRO	----- NONMETRO
ALABAMA	51400	54800	45200	41657	44345	36633
ALASKA	72900	78700	68200	59036	61161	54260
ARIZONA	54900	57100	40950	46723	48590	34682
ARKANSAS	45300	51200	40000	38664	42408	34268
CALIFORNIA	64100	64600	50800	53024	53451	42074
COLORADO	65400	67850	53900	55870	58000	44319
CONNECTICUT	81000	81500	75900	65521	65943	61354
DELAWARE	67350	71450	55100	55258	58619	45203
DISTRICT OF COLUMBIA	60100	60100	.	46283	46283	.
FLORIDA	54800	55600	44100	45625	46303	36703
GEORGIA	58400	64900	46350	49280	52536	37277
HAWAII	67600	71300	59900	56961	60118	50547
IDAHO	50850	56650	47700	43490	46523	39157
ILLINOIS	66600	69900	52200	55545	58262	43476
INDIANA	58800	60500	53500	50261	51692	45683
IOWA	57800	63800	53550	48005	52409	43847
KANSAS	59300	66400	49800	49624	55623	41651
KENTUCKY	49100	57900	40100	40938	48265	32782
LOUISIANA	48800	51700	40000	39774	42193	32654
MAINE	55600	61100	49300	45179	49629	40087
MARYLAND	75900	76800	61500	61875	62636	50109
MASSACHUSETTS	75700	75700	71700	61663	61673	58382
MICHIGAN	62100	65500	51200	53457	56384	44086
MINNESOTA	68200	74700	55100	56872	62325	45957
MISSISSIPPI	40700	48900	36500	37405	43160	33535
MISSOURI	57000	63300	44800	46045	50949	36187
MONTANA	48600	51900	46900	40488	43226	39044
NEBRASKA	59400	67500	51400	48032	54645	41598
NEVADA	59550	59650	59050	50849	51078	49209
NEW HAMPSHIRE	71000	77000	62900	57577	62442	50966
NEW JERSEY	81200	81200	.	65370	65370	.
NEW MEXICO	46200	52800	39100	39425	43195	33627
NEW YORK	61500	62900	49900	51691	52887	41753
NORTH CAROLINA	53800	57900	47100	46335	49800	40571
NORTH DAKOTA	57000	65100	51800	43656	49842	39664
OHIO	58400	60300	51800	50037	51617	43778
OKLAHOMA	48800	53000	42600	40709	44258	35546
OREGON	58900	63300	48300	48680	51880	39834
PENNSYLVANIA	60000	62200	50600	49184	50959	41452
RHODE ISLAND	64550	63950	.	52780	52780	.
SOUTH CAROLINA	52900	55400	46600	44227	46219	38930
SOUTH DAKOTA	52600	59200	48000	43234	48701	39484
TENNESSEE	51200	55000	43500	43517	46735	36972
TEXAS	54300	56600	43100	45862	47797	36410
UTAH	57450	60000	49300	51022	52316	41227
VERMONT	62100	70800	58900	48625	55412	46087
VIRGINIA	66400	71800	48950	54169	58055	39000
WASHINGTON	62200	64700	49900	53761	55868	42260
WEST VIRGINIA	46800	51800	41600	36484	40433	32454
WISCONSIN	62200	65800	54900	52912	56008	46677
WYOMING	58800	59400	58500	45685	46159	45472
US	59600	62400	47700	50046	52413	40111

STATE:FLORIDA

-----I N C O M E L I M I T S-----

PROGRAM		1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
Cape Coral-Fort Myers, FL MSA									
FY 2006 MFI: 56000									
	30% OF MEDIAN	11750	13450	15100	16800	18150	19500	20850	22200
	VERY LOW INCOME	19600	22400	25200	28000	30250	32500	34700	36950
	LOW-INCOME	31350	35850	40300	44800	48400	51950	55550	59150
Deltona-Daytona Beach-Ormond Beach, FL MSA									
FY 2006 MFI: 50300									
	30% OF MEDIAN	10550	12100	13600	15100	16300	17500	18700	19950
	VERY LOW INCOME	17600	20100	22650	25150	27150	29150	31200	33200
	LOW-INCOME	28200	32200	36250	40250	43450	46700	49900	53150
Fort Walton Beach-Crestview-Destin, FL MSA									
FY 2006 MFI: 57800									
	30% OF MEDIAN	12150	13900	15600	17350	18750	20150	21500	22900
	VERY LOW INCOME	20250	23100	26000	28900	31200	33500	35850	38150
	LOW-INCOME	32400	37000	41650	46250	49950	53650	57350	61050
Gainesville, FL MSA									
FY 2006 MFI: 54500									
	30% OF MEDIAN	11450	13100	14700	16350	17650	18950	20250	21600
	VERY LOW INCOME	19100	21800	24550	27250	29450	31600	33800	35950
	LOW-INCOME	30500	34900	39250	43600	47100	50600	54050	57550
Jacksonville, FL MSA									
Baker County, FL HMPA									
FY 2006 MFI: 52500									
	30% OF MEDIAN	11050	12600	14200	15750	17000	18250	19550	20800
	VERY LOW INCOME	18400	21000	23650	26250	28350	30450	32550	34650
	LOW-INCOME	29400	33600	37800	42000	45350	48700	52100	55450
Jacksonville, FL HMPA									
FY 2006 MFI: 60300									
	30% OF MEDIAN	12650	14500	16300	18100	19550	21000	22450	23900
	VERY LOW INCOME	21100	24100	27150	30150	32550	34950	37400	39800
	LOW-INCOME	33800	38600	43450	48250	52100	55950	59850	63700
Lakeland, FL MSA									
FY 2006 MFI: 49500									
	30% OF MEDIAN	10400	11900	13350	14850	16050	17250	18400	19600
	VERY LOW INCOME	17350	19800	22300	24750	26750	28700	30700	32650
	LOW-INCOME	27700	31700	35650	39600	42750	45950	49100	52250
Miami-Fort Lauderdale-Miami Beach, FL MSA									
Fort Lauderdale, FL HMPA									
FY 2006 MFI: 60600									
	30% OF MEDIAN	12750	14550	16400	18200	19650	21100	22550	24000
	VERY LOW INCOME	21200	24250	27250	30300	32700	35150	37550	40000
	LOW-INCOME	33950	38800	43650	48500	52400	56250	60150	64000
Miami-Miami Beach-Kendall, FL HMPA									
FY 2006 MFI: 55900									
	30% OF MEDIAN	11750	13400	15100	16750	18100	19450	20750	22100
	VERY LOW INCOME	19550	22350	25150	27950	30200	32400	34650	36900
	LOW-INCOME	31300	35750	40250	44700	48300	51850	55450	59000
West Palm Beach-Boca Raton, FL HMPA									
FY 2006 MFI: 64400									
	30% OF MEDIAN	13500	15450	17350	19300	20850	22400	23950	25500
	VERY LOW INCOME	22550	25750	29000	32200	34800	37350	39950	42500
	LOW-INCOME	36050	41200	46350	51500	55600	59750	63850	68000
Naples-Marco Island, FL MSA									
FY 2006 MFI: 66100									
	30% OF MEDIAN	14650	16750	18850	20950	22650	24300	26000	27650
	VERY LOW INCOME	24450	27900	31400	34900	37700	40500	43300	46050
	LOW-INCOME	39100	44700	50250	55850	60300	64800	69250	73700

STATE:FLORIDA

-----I N C O M E L I M I T S-----

PROGRAM	1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
Ocala, FL MSA FY 2006 MFI: 44900	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	9400 15700 25150	10750 17950 28700	12100 20200 32300	13450 22450 35900	14550 24250 38750	15600 26050 41650	16700 27850 44500
Orlando, FL MSA FY 2006 MFI: 57400	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	12050 20100 32150	13750 22950 36700	15500 25850 41300	17200 28700 45900	18600 31000 49550	19950 33300 53250	21350 35600 56900
Palm Bay-Melbourne-Titusville, FL MSA FY 2006 MFI: 57300	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	12050 20050 32100	13750 22900 36700	15500 25800 41250	17200 28650 45850	18600 30950 49500	19950 33250 53200	21350 35550 56850
Panama City-Lynn Haven, FL MSA FY 2006 MFI: 51600	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	10850 18050 28900	12400 20650 33050	13950 23200 37150	15500 25800 41300	16750 27850 44600	18000 29950 47900	19200 32000 51200
Pensacola-Ferry Pass-Brent, FL MSA FY 2006 MFI: 51900	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	10900 18150 29050	12450 20750 33200	14000 23350 37350	15550 25950 41500	16800 28050 44800	18050 30100 48150	19300 32200 51450
Port St. Lucie-Fort Pierce, FL MSA FY 2006 MFI: 54600	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	11500 19100 30600	13100 21850 34950	14750 24550 39350	16400 27300 43700	17700 29500 47200	19000 31650 50700	20350 33850 54200
Punta Gorda, FL MSA FY 2006 MFI: 50800	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	10700 17800 28450	12200 20300 32500	13750 22850 36600	15250 25400 40650	16450 27450 43900	17700 29450 47150	18900 31500 50400
Sarasota-Bradenton-Venice, FL MSA FY 2006 MFI: 58400	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	12250 20450 32700	14000 23350 37350	15750 26300 42050	17500 29200 46700	18900 31550 50450	20300 33850 54150	21700 36200 57900
Tallahassee, FL MSA								
Tallahassee, FL HMFA FY 2006 MFI: 58500	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	12300 20500 32750	14050 23400 37450	15800 26350 42100	17550 29250 46800	18950 31600 50550	20350 33950 54300	21750 36250 58050
Wakulla County, FL HMFA FY 2006 MFI: 49400	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	10800 17950 28750	12300 20500 32850	13850 23100 36950	15400 25650 41050	16650 27700 44350	17850 29750 47600	19100 31800 50900
Tampa-St. Petersburg-Clearwater, FL MSA FY 2006 MFI: 54400	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	11400 19050 30450	13050 21750 34800	14650 24500 39150	16300 27200 43500	17600 29400 47000	18900 31550 50450	20200 33750 53950

STATE:FLORIDA

-----I N C O M E L I M I T S-----

PROGRAM	1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
Vero Beach, FL MSA FY 2006 MFI: 55500	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	11650 19450 31100	13300 22200 35500	15000 25000 39950	16650 27750 44400	18000 29950 47950	19300 32200 51500	20650 34400 55050
Bradford County, FL FY 2006 MFI: 46900	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	9950 16550 26500	11350 18900 30300	12800 21300 34050	14200 23650 37850	15350 25550 40900	16450 27450 43900	17600 29350 46950
Calhoun County, FL FY 2006 MFI: 38500	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	9300 15450 24700	10600 17650 28250	11950 19850 31750	13250 22050 35300	14300 23800 38100	15350 25600 40950	16450 27350 43750
Citrus County, FL FY 2006 MFI: 44000	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	9300 15450 24700	10600 17650 28250	11950 19850 31750	13250 22050 35300	14300 23800 38100	15350 25600 40950	16450 27350 43750
Columbia County, FL FY 2006 MFI: 42900	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	9300 15450 24700	10600 17650 28250	11950 19850 31750	13250 22050 35300	14300 23800 38100	15350 25600 40950	16450 27350 43750
DeSoto County, FL FY 2006 MFI: 41600	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	9300 15450 24700	10600 17650 28250	11950 19850 31750	13250 22050 35300	14300 23800 38100	15350 25600 40950	16450 27350 43750
Dixie County, FL FY 2006 MFI: 37400	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	9300 15450 24700	10600 17650 28250	11950 19850 31750	13250 22050 35300	14300 23800 38100	15350 25600 40950	16450 27350 43750
Flagler County, FL FY 2006 MFI: 55500	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	11650 19450 31100	13300 22200 35500	15000 25000 39950	16650 27750 44400	18000 29950 47950	19300 32200 51500	20650 34400 55050
Franklin County, FL FY 2006 MFI: 37400	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	9300 15450 24700	10600 17650 28250	11950 19850 31750	13250 22050 35300	14300 23800 38100	15350 25600 40950	16450 27350 43750
Glades County, FL FY 2006 MFI: 40700	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	9300 15450 24700	10600 17650 28250	11950 19850 31750	13250 22050 35300	14300 23800 38100	15350 25600 40950	16450 27350 43750
Gulf County, FL FY 2006 MFI: 43300	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	9300 15450 24700	10600 17650 28250	11950 19850 31750	13250 22050 35300	14300 23800 38100	15350 25600 40950	16450 27350 43750
Hamilton County, FL FY 2006 MFI: 36500	30% OF MEDIAN VERY LOW INCOME LOW-INCOME	9300 15450 24700	10600 17650 28250	11950 19850 31750	13250 22050 35300	14300 23800 38100	15350 25600 40950	16450 27350 43750

STATE:FLORIDA

-----I N C O M E L I M I T S-----

	PROGRAM	1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
Hardee County, FL FY 2006 MFI: 39000	30% OF MEDIAN	9300	10600	11950	13250	14300	15350	16450	17500
	VERY LOW INCOME	15450	17650	19850	22050	23800	25600	27350	29100
	LOW-INCOME	24700	28250	31750	35300	38100	40950	43750	46600
Hendry County, FL FY 2006 MFI: 41800	30% OF MEDIAN	9300	10600	11950	13250	14300	15350	16450	17500
	VERY LOW INCOME	15450	17650	19850	22050	23800	25600	27350	29100
	LOW-INCOME	24700	28250	31750	35300	38100	40950	43750	46600
Highlands County, FL FY 2006 MFI: 43400	30% OF MEDIAN	9700	11100	12450	13850	14950	16050	17150	18300
	VERY LOW INCOME	16150	18450	20750	23050	24900	26750	28600	30450
	LOW-INCOME	25850	29500	33200	36900	39850	42800	45750	48700
Holmes County, FL FY 2006 MFI: 41300	30% OF MEDIAN	9300	10600	11950	13250	14300	15350	16450	17500
	VERY LOW INCOME	15450	17650	19850	22050	23800	25600	27350	29100
	LOW-INCOME	24700	28250	31750	35300	38100	40950	43750	46600
Jackson County, FL FY 2006 MFI: 44000	30% OF MEDIAN	9300	10600	11950	13250	14300	15350	16450	17500
	VERY LOW INCOME	15450	17650	19850	22050	23800	25600	27350	29100
	LOW-INCOME	24700	28250	31750	35300	38100	40950	43750	46600
Lafayette County, FL FY 2006 MFI: 42400	30% OF MEDIAN	9300	10600	11950	13250	14300	15350	16450	17500
	VERY LOW INCOME	15450	17650	19850	22050	23800	25600	27350	29100
	LOW-INCOME	24700	28250	31750	35300	38100	40950	43750	46600
Levy County, FL FY 2006 MFI: 36800	30% OF MEDIAN	9300	10600	11950	13250	14300	15350	16450	17500
	VERY LOW INCOME	15450	17650	19850	22050	23800	25600	27350	29100
	LOW-INCOME	24700	28250	31750	35300	38100	40950	43750	46600
Liberty County, FL FY 2006 MFI: 41100	30% OF MEDIAN	9300	10600	11950	13250	14300	15350	16450	17500
	VERY LOW INCOME	15450	17650	19850	22050	23800	25600	27350	29100
	LOW-INCOME	24700	28250	31750	35300	38100	40950	43750	46600
Madison County, FL FY 2006 MFI: 38200	30% OF MEDIAN	9300	10600	11950	13250	14300	15350	16450	17500
	VERY LOW INCOME	15450	17650	19850	22050	23800	25600	27350	29100
	LOW-INCOME	24700	28250	31750	35300	38100	40950	43750	46600
Monroe County, FL FY 2006 MFI: 61000	30% OF MEDIAN	12800	14650	16450	18300	19750	21250	22700	24150
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37800	40250
	LOW-INCOME	34150	39050	43900	48800	52700	56600	60500	64400
Okeechobee County, FL FY 2006 MFI: 42300	30% OF MEDIAN	9300	10600	11950	13250	14300	15350	16450	17500
	VERY LOW INCOME	15450	17650	19850	22050	23800	25600	27350	29100
	LOW-INCOME	24700	28250	31750	35300	38100	40950	43750	46600
Putnam County, FL FY 2006 MFI: 41500	30% OF MEDIAN	9300	10600	11950	13250	14300	15350	16450	17500
	VERY LOW INCOME	15450	17650	19850	22050	23800	25600	27350	29100
	LOW-INCOME	24700	28250	31750	35300	38100	40950	43750	46600

STATE:FLORIDA

-----I N C O M E L I M I T S-----

PROGRAM	1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
Suwannee County, FL FY 2006 MFI: 40800								
30% OF MEDIAN	9300	10700	12000	13350	14400	15500	16550	17600
VERY LOW INCOME	15600	17800	20050	22250	24050	25800	27600	29350
LOW-INCOME	24900	28500	32050	35600	38450	41300	44150	47000
Taylor County, FL FY 2006 MFI: 41800								
30% OF MEDIAN	9300	10600	11950	13250	14300	15350	16450	17500
VERY LOW INCOME	15450	17650	19850	22050	23800	25600	27350	29100
LOW-INCOME	24700	28250	31750	35300	38100	40950	43750	46600
Union County, FL FY 2006 MFI: 44500								
30% OF MEDIAN	9450	10800	12100	13450	14550	15650	16700	17800
VERY LOW INCOME	15700	17950	20200	22450	24250	26050	27850	29650
LOW-INCOME	25150	28750	32350	35900	38800	41650	44550	47400
Walton County, FL FY 2006 MFI: 45500								
30% OF MEDIAN	9550	10900	12300	13650	14750	15850	16950	18000
VERY LOW INCOME	15950	18200	20500	22750	24550	26400	28200	30050
LOW-INCOME	25500	29100	32750	36400	39300	42200	45150	48050
Washington County, FL FY 2006 MFI: 39500								
30% OF MEDIAN	9300	10600	11950	13250	14300	15350	16450	17500
VERY LOW INCOME	15450	17650	19850	22050	23800	25600	27350	29100
LOW-INCOME	24700	28250	31750	35300	38100	40950	43750	46600

Effective March 8, 2006
FHFC Posted March 13, 2006

Florida Housing Finance Corporation
Multifamily Rental Programs and SHIP (all)
2006 Income Limits Adjusted To Household Size

City (County)	Percentage Category	Number of Persons in Household								Multifamily Rental Bond Income Limits NOT by Household Size		
		1	2	3	4	5	6	7	8	Lower	80%	Eligible 150%
Vero Beach MSA (Indian River)	28%	10,892	12,432	14,000	15,540	16,772	18,032	19,264	20,524	36,075	44,400	83,250
	30%	11,650	13,300	15,000	16,650	18,000	19,300	20,650	22,000			
	35%	13,615	15,540	17,500	19,425	20,965	22,540	24,080	25,655			
	40%	15,560	17,760	20,000	22,200	23,960	25,760	27,520	29,320			
	45%	17,505	19,980	22,500	24,975	26,955	28,980	30,960	32,985			
	50%	19,450	22,200	25,000	27,750	29,950	32,200	34,400	36,650			
	55%	21,395	24,420	27,500	30,525	32,945	35,420	37,840	40,315			
	60%	23,340	26,640	30,000	33,300	35,940	38,640	41,280	43,980			
Median: 55,500	80%	31,100	35,500	39,950	44,400	47,950	51,500	55,050	58,600			
	120%	46,680	53,280	60,000	66,600	71,980	77,280	82,560	87,960			
Bradford County	30%	9,950	11,350	12,800	14,200	15,350	16,450	17,600	18,750	30,745	37,850	82,200
	33%	10,923	12,474	14,058	15,609	16,863	18,117	19,371	20,592			
	35%	11,585	13,230	14,910	16,555	17,885	19,215	20,545	21,840			
	40%	13,240	15,120	17,040	18,920	20,440	21,960	23,480	24,960			
	45%	14,895	17,010	19,170	21,285	22,995	24,705	26,415	28,080			
	50%	16,550	18,900	21,300	23,650	25,550	27,450	29,350	31,200			
	60%	19,860	22,680	25,560	28,380	30,660	32,940	35,220	37,440			
Median: 46,900	80%	26,500	30,300	34,050	37,850	40,900	43,900	46,950	49,950			
	120%	39,720	45,360	51,120	56,760	61,320	65,880	70,440	74,880			
Calhoun County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500	28,665	35,300	82,200
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370			
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280			
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190			
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100			
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920			
Median: 38,500	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600			
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840			
Citrus County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500	28,665	35,300	82,200
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370			
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280			
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190			
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100			
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920			
Median: 44,000	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600			
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840			

Effective March 8, 2006
FHFC Posted March 13, 2006

Florida Housing Finance Corporation Multifamily Rental Programs and SHIP (a1) 2006 Income Limits Adjusted To Household Size										Multifamily Rental Bond Income Limits NOT by Household Size		
City (County)	Percentage Category	Number of Persons in Household								Lower 65%	80%	Eligible 150%
		1	2	3	4	5	6	7	8			
Columbia County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500	28,665	35,300	82,200
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370			
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280			
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190			
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100			
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920			
Median: 42,900	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600			
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840			
DeSoto County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500	28,665	35,300	82,200
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370			
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280			
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190			
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100			
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920			
Median: 41,600	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600			
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840			
Dixie County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500	28,665	35,300	82,200
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370			
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280			
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190			
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100			
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920			
Median: 37,400	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600			
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840			
Flagler County	30%	11,650	13,300	15,000	16,650	18,000	19,300	20,650	22,000	36,075	44,400	83,250
	33%	12,837	14,652	16,500	18,315	19,767	21,252	22,704	24,189			
	35%	13,615	15,540	17,500	19,425	20,965	22,540	24,080	25,655			
	40%	15,560	17,760	20,000	22,200	23,960	25,760	27,520	29,320			
	45%	17,505	19,980	22,500	24,975	26,955	28,980	30,960	32,985			
	50%	19,450	22,200	25,000	27,750	29,950	32,200	34,400	36,650			
	60%	23,340	26,640	30,000	33,300	35,940	38,640	41,280	43,980			
Median: 55,500	80%	31,100	35,500	39,950	44,400	47,950	51,500	55,050	58,600			
	120%	46,680	53,280	60,000	66,600	71,880	77,280	82,560	87,960			

Effective March 8, 2006
FHFC Posted March 13, 2006

Florida Housing Finance Corporation
Multifamily Rental Programs and SHIP (all)
2006 Income Limits Adjusted To Household Size

City (County)	Percentage Category	Number of Persons in Household								Multifamily Rental Bond Income Limits NOT by Household Size		
		1	2	3	4	5	6	7	8	Lower		Eligible
										65%	80%	150%
Franklin County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500	28,665 35,300 82,200		
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370			
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280			
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190			
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100			
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920			
Median: 37,400	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600			
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840			
Glades County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500	28,665 35,300 82,200		
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370			
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280			
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190			
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100			
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920			
Median: 40,700	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600			
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840			
Gulf County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500	28,665 35,300 82,200		
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370			
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280			
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190			
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100			
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920			
Median: 43,300	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600			
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840			
Hamilton County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500	28,665 35,300 82,200		
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370			
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280			
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190			
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100			
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920			
Median: 36,500	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600			
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840			

Effective March 8, 2006
FHFC Posted March 13, 2006

Florida Housing Finance Corporation Multifamily Rental Programs and SHIP (all) 2006 Income Limits Adjusted To Household Size										Multifamily Rental Bond Income Limits NOT by Household Size		
City (County)	Percentage Category	Number of Persons in Household								Lower 65%	80%	Eligible 150%
		1	2	3	4	5	6	7	8			
Hardee County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500	28,665	35,300	82,200
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370			
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280			
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190			
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100			
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920			
Median: 39,000	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600			
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840			
Hendry County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500	28,665	35,300	82,200
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370			
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280			
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190			
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100			
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920			
Median: 41,800	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600			
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840			
Highlands County	30%	9,700	11,100	12,450	13,850	14,950	16,050	17,150	18,300	29,965	36,900	82,200
	35%	11,305	12,915	14,525	16,135	17,430	18,725	20,020	21,315			
	40%	12,920	14,760	16,600	18,440	19,920	21,400	22,880	24,360			
	45%	14,535	16,605	18,675	20,745	22,410	24,075	25,740	27,405			
	50%	16,150	18,450	20,750	23,050	24,900	26,750	28,600	30,450			
	60%	19,380	22,140	24,900	27,660	29,880	32,100	34,320	36,540			
Median: 43,400	80%	25,850	29,500	33,200	36,900	39,850	42,800	45,750	48,700			
	120%	38,760	44,280	49,800	55,320	59,760	64,200	68,640	73,080			
Holmes County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500	28,665	35,300	82,200
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370			
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280			
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190			
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100			
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920			
Median: 41,300	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600			
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840			

Effective March 8, 2006
FHFC Posted March 13, 2006

**Florida Housing Finance Corporation
Multifamily Rental Programs and SHIP (all)
2006 Income Limits Adjusted To Household Size**

City (County)	Percentage Category	Number of Persons in Household								Multifamily Rental Bond Income Limits NOT by Household Size		
		1	2	3	4	5	6	7	8	Lower 65%	80%	Eligible 150%
Jackson County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500	28,665	35,300	82,200
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370			
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280			
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190			
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100			
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920			
Median: 44,000	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600			
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840			
Lafayette County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500	28,665	35,300	82,200
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370			
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280			
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190			
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100			
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920			
Median: 42,400	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600			
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840			
Levy County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500	28,665	35,300	82,200
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370			
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280			
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190			
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100			
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920			
Median: 36,800	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600			
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840			
Liberty County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500	28,665	35,300	82,200
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370			
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280			
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190			
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100			
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920			
Median: 41,100	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600			
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840			

Effective March 8, 2006
FHFC Posted March 13, 2006

Florida Housing Finance Corporation Multifamily Rental Programs and SHIP (all) 2006 Income Limits Adjusted To Household Size									
City (County)	Percentage Category	Number of Persons in Household							
		1	2	3	4	5	6	7	8
Walton County	30%	9,550	10,900	12,300	13,650	14,750	15,850	16,950	18,000
	35%	11,165	12,740	14,350	15,925	17,185	18,480	19,740	21,035
	40%	12,760	14,560	16,400	18,200	19,640	21,120	22,560	24,040
	45%	14,355	16,380	18,450	20,475	22,095	23,760	25,380	27,045
	50%	15,950	18,200	20,500	22,750	24,550	26,400	28,200	30,050
	60%	19,140	21,840	24,600	27,300	29,460	31,680	33,840	36,060
Median: 45,500	80%	25,500	29,100	32,750	36,400	39,300	42,200	45,150	48,050
	120%	38,280	43,680	49,200	54,600	58,920	63,360	67,680	72,120
Washington County	30%	9,300	10,600	11,950	13,250	14,300	15,350	16,450	17,500
	35%	10,815	12,355	13,895	15,435	16,660	17,920	19,145	20,370
	40%	12,360	14,120	15,880	17,640	19,040	20,480	21,880	23,280
	45%	13,905	15,885	17,865	19,845	21,420	23,040	24,615	26,190
	50%	15,450	17,650	19,850	22,050	23,800	25,600	27,350	29,100
	60%	18,540	21,180	23,820	26,460	28,560	30,720	32,820	34,920
Median: 39,500	80%	24,700	28,250	31,750	35,300	38,100	40,950	43,750	46,600
	120%	37,080	42,360	47,640	52,920	57,120	61,440	65,640	69,840

Florida Housing Finance Corporation (FHFC) Income Limits are based upon figures provided by the United States Department of Housing and Urban Development (HUD) and are subject to change. The FHFC will provide updated limits when this occurs.

in Floor Area Ratio, the ration of total square footage of a projects floor space to its overall area, or in Maximum Impervious area, which is the ratio, in percent, of all pavement, sidewalk, and floor areas to the total lot area. Gravel areas and porous pavements may be considered at a 50% rate depending on the design submitted for permitting.

- (A) **Urban Service Area (5:1)** is intended to provide the widest range of mixed uses and the highest density and intensity of development. Urban infrastructure exists or is planned for expansion, extension, or installation to provide for clustering, residential, commercial, industrial, agricultural, recreation and public and historic land uses. 75% of a development must be within the USA boundary to be allowed to build at the 5:1 density.

Residential densities shall not exceed the following:

No central water and sewer	1 unit/acre
No central sewer, paved roads and central water	2 units/acre
Central water and sewer	5 units/acre

The intensity of non-residential use, as measured by land coverage, shall not exceed sixty-five (65%) per USA district.

The relative proportion of land uses is intended to be 50% residential, 25% commercial, 20% light industrial, and 5% for the remainder of the land use categories.

- (B) **Rural Residential** Rural residential density is based on a minimum lot size of one acre. Clustering is permitted for site built homes based on the net developable acreage not in conservation lands or flood plains to a minimum lot size of one half acre. Neighborhood commercial (up to 2% of the acreage in each established community area with a 75% Maximum Impervious area ratio), agricultural, recreation and public and historic land uses are permitted.

Single family residential homes are located on one acre or larger home sites. Clustering of lots may be permitted for site built homesites down to a minimum lot size of 0.5 acres based on the net developable land area not in conservation lands or flood plains. Density considerations may be made up to a minimum lot size of 0.25 acres for regulated low income or very low income housing initiatives that are approved by the Department of Community Development.

Land use amendments to Rural Residential from Agricultural Land Uses must be adjacent to existing Rural Residential Areas.

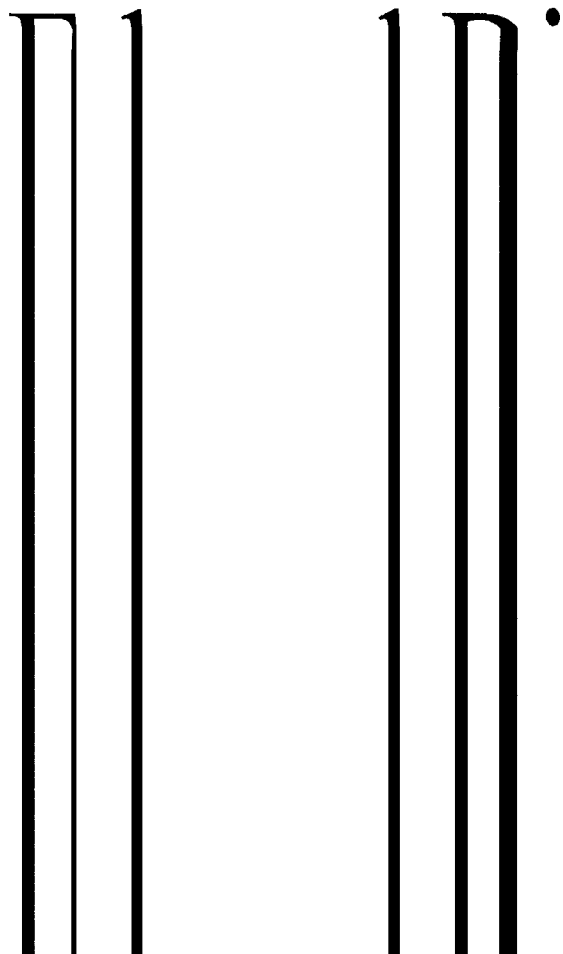
- (C) **Agricultural**
Agricultural 1 - 1 dwelling unit per five (5) acres (1:5);
Agricultural 2 - 1 dwelling unit per ten (10) acres (1:10);
Agricultural 3 - 1 dwelling unit per 20 acres (1:20).

Agricultural (including accessory structures) and residences associated with forest management (not exceeding three (3) temporary residences per forest management work

Financial Profile

Designed Especially
for

Commissioner



Financial Profile

Designed Especially
for

Commissioner
Edward Dixon

Purchase Address

710 Water Valley Avenue
Quincy, Florida 01562

The Bank of Financing for Everyone
1255 Everyone's Financing Street
Everyone, Florida 32256

May 16, 2006

To: Commissioner Edward Dixon
From: Mortgage Underwriter

Proposed Property Address - 450 West Challenger Boulevard
Summerdale, Tennessee 25688

We are pleased to inform you that your loan request to purchase property at the above referenced address has been reviewed and we have determined the following:

- Your income is: \$75,000 per year or \$6250.00 per month
- Other debts total: \$500.00 per month
- Your credit scores are: 500, 650, 765
- You are eligible for a home price of: \$ 365,000
- The House you desire to purchase is: \$275,000

At this time, you are not eligible to purchase the home you desire, and must improve

Should you have any questions, please feel free to contact Jane Mary Doe at 966-856-0000.

Commissioner Dixon

What must you do to purchase this home?

- A. Increase your income or add an additional person with additional income
- B. Go out and purchase a boat and then consider purchasing another house one year later
- C. Improve Credit scores by paying current debts in a timely manner.
- D. Reduce other debt of \$2,500 in order to qualify for this beautiful home that you really want.

Possible Answers (Please select One):

- A
- B
- C
- A and B

Financial Profile

Designed Especially
for

Commissioner
Sterling Watson

Purchase Address

2558 Landover Trail
Riverdale, Georgia 25688

The Bank of Financing for Everyone
1255 Everyone's Financing Street
Everyone, Florida 32256

May 16, 2006

To: Commissioner Sterling Watson
From: Mortgage Underwriter

Proposed Property Address - 2558 Landover Trail
Riverdale, Georgia 33650

We are pleased to inform you that your loan request to purchase property at the above referenced address has been reviewed and we have determined the following:

- Your income is: \$28,000 per year or \$2333.33 per month
- Other debts total: \$1500.00 per month
- Your credit scores are: 500,525,540
- You are eligible for a home price of: \$0
- The House you desire to purchase is: \$120,000

At this time, you are not eligible to purchase the home you desire and should seek to purchase a home within the eligible purchase price of \$0.

Should you have any questions, please feel free to contact Jane Mary Doe at 966-856-0000.

Commissioner Watson

What must you do to purchase this home?

- A. Increase credit scores to 620-750
- B. Buy your son an ATV.
- C. Reduce other debt of \$1,500 in order to qualify for this beautiful home that you really want.
- D. Purchase a diamond ring at Helzberg Jewelers for \$5,000.

Possible Answers (Please select One):

- A
- A and C
- B
- C
- D

Financial Profile

Designed Especially
for

Commissioner
Derrick Price

Purchase Address

8695 River Water Estates
Destin, Florida 25841

The Bank of Financing for Everyone
1255 Everyone's Financing Street
Everyone, Florida 32256

May 16, 2006

To: Commissioner Derrick Price
From: Mortgage Underwriter

Proposed Property Address - 8695 River Water Estates
Destin, Florida 25841

We are pleased to inform you that your loan request to purchase property at the above referenced address has been reviewed and we have determined the following:

- Your income is: \$250,000 per year or \$20,833.33 per month
- Other debts total: \$15,600 per month
- Your credit scores are: 502, 555, 585
- You are eligible for a home price of: \$ 0
- The House you desire to purchase is: \$1,500,000

At this time, you are not eligible to purchase the home you desire and should seek to purchase a home within the eligible purchase price of \$0.

Should you have any questions, please feel free to contact Jane Mary Doe at 966-856-0000.

Commissioner Price

What must you do to purchase this home?

- A. Pay off debt
- B. Increase credit card limits to get cash
- C. Pay off debt
- D. Enroll in college to obtain student loans to assist in paying off debt.

Possible Answers (Please select One):

- A and C
- B
- C
- A or D
- D

Financial Profile

Designed Especially
for

Commissioner
Brenda Holt

Purchase Address

105 Crestview Way
Chattahoochee, Florida 10258

The Bank of Financing for Everyone
1255 Everyone's Financing Street
Everyone, Florida 32256

May 16, 2006

To: Commissioner Brenda Holt
From: Mortgage Underwriter

Proposed Property Address - 105 Crestview Way
Chattahoochee, Florida 10258

We are pleased to inform you that your loan request to purchase property at the above referenced address has been reviewed and we have determined the following:

- Your income is: \$15,000 per year or \$1250.00 per month
- Other debts total: \$0 per month
- Your credit scores are: 740,742,760
- You are eligible for a home price of: \$ 66,000
- The House you desire to purchase is: \$85,000

At this time, you are not eligible to purchase the home you desire and should seek to purchase a home within the eligible purchase price of \$66,000.

Should you have any questions, please feel free to contact Jane Mary Doe at 966-856-0000.

Commissioner Holt

What must you do to purchase this home?

- A. Seek a low interest rate program and qualify for down payment and closing cost assistance to afford your home.
- B. Add your brother to the loan in order to purchase the home.
- C. Get a loan from Loan Savers to deposit into your bank to have more liquid assets.
- D. Never buy a home because you have excellent credit.

Possible Answers (Please select One):

- A
- B
- C
- D

Financial Profile

Designed Especially
for

Commissioner
Eugene Lamb

Purchase Address

450 West Challenger Boulevard
Summerdale, Tennessee 25688

The Bank of Financing for Everyone
1255 Everyone's Financing Street
Everyone, Florida 32256

May 16, 2006

To: Commissioner Eugene Lamb
From: Mortgage Underwriter

Proposed Property Address - 450 West Challenger Boulevard
Summerdale, Tennessee 25688

We are pleased to inform you that your loan request to purchase property at the above referenced address has been reviewed and we have determined the following:

- Your income is: \$50,000 per year or \$4166.67 per month
- Other debts total: \$1000.00 per month
- Your credit scores are: 602, 655, 675
- You are eligible for a home price of: \$38,000
- The House you desire to purchase is: \$275,000

At this time, you are not eligible to purchase the home you desire and should seek to purchase a home within the eligible purchase price of \$38,000.

Should you have any questions, please feel free to contact Jane Mary Doe at 966-856-0000.

Commissioner Lamb

What must you do to purchase this home?

- A. Increase your income or add an additional person with additional income
- B. Go out and purchase a boat and then consider purchasing another house one year later
- C. Buy your daughter a car after you purchase your boat
- D. Reduce other debt of \$1,000 in order to qualify for this beautiful home that you really want.

Possible Answers (Please select One):

- A
- B
- C
- A or D
- D

HOUSING ELEMENT

INTRODUCTION

The following goals, objectives and policies constitute the Housing Element providing for decent, safe and sanitary housing at affordable costs and in sufficient quantities to meet the needs of the existing and future population projected for the County. The *Data and Analysis* for the Housing Element are not part of the adopted comprehensive plan but serve as the basis for formulation of the required goals, objectives and policies pursuant to Rule 9J-5.010, Florida Administrative Code.

This element of the County's comprehensive plan establishes a guide to address the future housing needs of the County. The Housing Element addresses the main goal for housing within the County through the year 2010, as well as measurable objectives which are established to meet the County's housing goal. In addition, each objective is followed by one or more corresponding policies to provide guidance and direction toward the accomplishment of each stated objective.

GOAL, OBJECTIVES AND POLICIES

GOAL 3: TO ENCOURAGE AND PROMOTE THE AVAILABILITY OF AFFORDABLE, DECENT, SAFE AND SANITARY HOUSING TO MEET THE NEEDS OF THE EXISTING AND PROJECTED POPULATION OF THE COUNTY.

OBJECTIVE 3.1: The County shall assist the private sector in meeting the needs of the existing and projected population for the provision of 1350 new dwelling units by the year 2010 of which 15 percent of the dwelling units will be for affordable housing and farm worker housing.

Policy 3.1.1: The County shall permit the construction of affordable housing within Urban Service Areas, Commercial Areas, and Rural Residential Areas which are served by supporting infrastructure as established in other elements of this comprehensive plan.

Policy 3.1.2: The County shall continuously review all pertinent ordinances as well as the permitting process for the purpose of streamlining requirements, and amending or adding other requirements to increase private sector participation in meeting housing needs, while continuing to ensure the health, safety and welfare of the residents.

Policy 3.1.3: The County shall monitor all existing land development regulations to effectively assist in meeting established housing objectives. The County shall provide for concurrent reviews, better coordination and consolidation of functions in the permitting process of the Department of Planning and Zoning for land use changes in the issuance of development orders; Health Department for septic permits; and Department of Building Inspection for construction permits and certificates of occupancy.

Policy 3.1.4: The County will work with relevant federal, state, regional and private agencies to provide, construct and/or rehabilitate housing, including farm worker housing in the land use

categories referred to in Policy 3.1.1. If clustering methods are applied, the agricultural areas may be used for siting low and very low income projects.

Policy 3.1.5: The County will define "Moderate-Income Person" or "Moderate-Income Household" to mean one or more natural persons, or a family, that has a total annual gross household income that does not exceed 120 percent of the median annual income adjusted for family size for households within the county, or the non-metropolitan median for the State, whichever amount is greatest.

Policy 3.1.6: The County will define "Low-Income Person" or "Low-Income Household" to mean one or more natural persons, or a family, that has a total annual gross household income that does not exceed 80 percent of the median annual income adjusted for family size for households within the county, or the non-metropolitan median for the State, whichever amount is greatest.

Policy 3.1.7: The County will define "Very Low-Income Person" or "Very Low-Income Household" to mean one or more natural persons, or a family, that has a total annual gross household income does not exceed 50 percent of the median annual income adjusted for family size for households within the county, or the non-metropolitan median for the State, whichever amount is greatest.

OBJECTIVE 3.2: The County shall promote the maintenance of a safe and sanitary housing stock and an annual reduction of substandard housing conditions as well as the establishment of provisions for the structural and aesthetic improvement of housing through updating the existing minimum housing standards. These standards are as provided by the Southern Standard Building Congress or the Florida Building Code, when enacted.

Policy 3.2.1: The County shall include minimum housing standards which shall address the quality of housing and stabilization of neighborhoods through its neighborhood conservation and rehabilitation strategies administered through the Gadsden County Community Development Department and the Gadsden County Department of Code Enforcement. The Community Development Department shall regularly identify standard condition housing (owner-occupied and rental) in need of routine maintenance and deteriorated (owner-occupied and rental) housing in need of minor repairs, along with strict enforcement of the County's Nuisance Ordinance. The County shall utilize the Nuisance Ordinance to address the storage of disabled motor vehicles and other unsightly articles in yards as well as work with owners and renters to upgrade units to housing code standards.

Policy 3.2.2: In addition to improved and increased code enforcement activities, the County shall use the Office of Grants and Special Projects as its lead entity to seek and use CDBG grants, FHA grants, sweat equity, and where possible owner investment for the conservation, rehabilitation and/or demolition of identified substandard housing. The County shall assist not-for-profit entities such as Habitat for Humanity in achieving their goals of providing safe and decent housing to qualifying low and very low income families.

Policy 3.2.3: The County shall continue to prioritize and target assistance to blighted neighborhoods by seeking funding on an annual basis for capital improvements and/or operating budget improvements in such neighborhoods.

Policy 3.2.4: The County shall promote the use of clustering, transfer of development rights, and other innovative redevelopment and infill strategies to strengthen the existing housing stock in its efforts to reduce the number of substandard housing units.

Policy 3.2.5: In order to target areas for housing needs funding, the County shall repeat the Housing Conditions Survey in a manner similar to the baseline study performed in 1988 to assess changes in conditions and location of housing stock in the county. This study should be performed as near to the Census anniversary in year 2000 and successive decennial years as is practicable.

OBJECTIVE 3.3 The County will provide for affordable housing by guiding multifamily units in Urban Service Areas and Rural Residential Areas with supporting public facilities. The Future Land Use Map will allow for mobile homes parks in Commercial and Urban Service Areas.

Policy 3.3.1: The County shall establish a Housing Finance Committee that includes a citizen-based Affordable Housing Partnership Committee to make specific recommendations to the County for the development of housing for low and moderate income persons and to coordinate volunteers for housing repairs and maintenance of low income housing, particularly for the needs of the elderly.

Policy 3.3.2: The County shall monitor and revise the existing fair housing ordinance, as needed, to provide for equal opportunity in the sale of land and rental of housing in accordance with established state and federal standards.

Policy 3.3.3 The County shall define a Mobile Home per the Florida Statutory definition: 'FS 320.01(2)(a), "Mobile Home" means a structure (fabricated prior to June 15, 1976) transportable in one or more sections, which is eight body feet or more in width and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, and electrical systems contained herein....'

Policy 3.3.4: The County shall define a Manufactured Home per the Florida Statute definition: 'FS 320.01(2)(b), "Manufactured Home" means a mobile home fabricated on or after June 15, 1976, in an off site manufacturing facility for installing or assembly at the building site, with each section bearing a seal [HUD] certifying that it is built in compliance with the Federal Manufactured Homes Construction and Safety Standards Act. Per FS 320.8285(5) The Department of Motor Vehicles shall be responsible for construction standards and the County shall be responsible for land use, zoning requirements, setbacks, site development, property line requirements, and subdivision controls.

Policy 3.3.5: The County shall define a Manufactured Building per the Florida Statute definition: FS 553.36(11) "Manufacture Building" means a closed structure, building assembly or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service system manufactured in manufacturing facilities for installation or erection, with or without

other specified components, as a finished building or as part of a finished building, which shall include, but not be limited to, residential, commercial, institutional, storage and industrial structures.

Policy 3.3.6: The County shall regulate the proper placement and set-up of mobile and manufactured homes, and manufactured buildings under the auspices of the Department of Building Inspections. In addition, the County shall prohibit placing of mobile homes, or modular home without first acquiring a permit, and prohibit the occupancy of any mobile home, or modular home unless certain square footage, width, and codes are met and prohibit the installation of electrical services until proper permits have been issued. Replacement housing units will not be issued a certificate of occupancy until the existing housing structure is removed from the property. Recreational vehicles shall not be permitted as residential units in any land use category or use.

Policy 3.3.7: The County shall continue to provide increased opportunities for low and moderate income housing through increased densities in the Urban Service Areas and Rural Residential Areas, cluster and zero-lot line developments, reduction of impact fees, encouraging the designation of affordable housing units in new developments, allowing multi-family housing developments in most residential zoning categories.

Policy 3.3.8: Mobile home parks shall be located in Urban Service Areas and Commercial areas. Manufactured Home Subdivisions for housing meeting the current H.U.D. guidelines for Modular Home Construction may be permitted in all residential land uses. Mobile or manufactured homes shall be restricted from existing platted neighborhoods that were originally sold with deed restrictions or covenants restricting the permanent placement of mobile or modular homes regardless of the term or expiration of the original covenant or restriction.

OBJECTIVE 3.4: The County shall facilitate and allow group homes or foster care facilities, as licensed or funded by the Florida Department of Children and Family Services, within residential areas or areas of residential character.

Policy 3.4.1: Group homes of six or fewer residents which otherwise meet the definition of a community residential home shall be allowed in single-family or multifamily zoning without approval by the local government, provided that such homes shall not be located within a radius of 1,000 feet of another existing such home with six or fewer residents. Such homes with six or fewer residents shall not be required to comply with the notification provisions of Section 419.001 F. S.; provided, however, that the sponsoring agency or the Department of Children and Family Services notifies the local government at the time of home occupancy that the home is licensed by the Department of Children and Family Services. This policy shall foster non-discrimination of these special needs groups.

Policy 3.4.2: The County shall avoid concentrating group homes in order to maintain the existing rural or residential integrity and character of the area. A home that is located within a radius of 1,200 feet of another existing community residential home in a residential or agricultural zone shall be an over concentration of such homes that substantially alters the nature and character of the area. A home that is located within a radius of 500 feet of an area of single family residences substantially alters the nature and character of the area.

OBJECTIVE 3.5: The County shall continue to request grant funding for programs for the conservation, rehabilitation or demolition of condemned housing that have been declared an immediate threat to public safety by the Department of Building Inspection, along with housing that may be in need of repairs which have not been (and do not need to be) condemned. An average of 10 households per year from 2000 - 2010 will be rehabilitated and/or relocated in the County to standard housing units.

Policy 3.5.1: The hazardous building ordinance shall require the conservation, rehabilitation or demolition of housing and other structures which pose a threat to public safety.

Policy 3.5.2: The County shall apply for federal, state and/or private foundation housing assistance where it has been determined that the County has competitive standing in any ranking process for determining program award.

OBJECTIVE 3.6: The County shall adopt a Historic Preservation Ordinance to ensure that historically significant housing will be identified and protected for future uses by 2003.

Policy 3.6.1: The County shall assist in the identification, rehabilitation, improvement and adaptive reuse of historically significant housing through technical assistance and economic assistance programs such as grant applications, transfer of development rights, and designation of historically significant sites.

Policy 3.6.2: The County, through the Department of Planning and Zoning, will cooperate with the state and local historical organizations in their efforts to provide public information, education and technical assistance to historic preservation programs.

Policy 3.6.3: The County shall continually update all historic resources in the unincorporated areas.

Policy 3.6.4: The County shall encourage the maintenance, restoration or rehabilitation of historic structures through adaptive reuse, and permissive use for professional offices, home occupations studio operations on the Florida Art Trail or residential purposes.

OBJECTIVE 3.7: The County shall provide for a Uniform Relocation Assistance Program and Real Property Acquisition Policies for persons that may have been displaced by the County's action.

Policy 3.7.1: The County shall assure that reasonably located, standard housing at affordable costs is available to persons displaced through public action prior to their displacement.

OBJECTIVE 3.8: The County shall continue to support implementation of the housing assistance programs initiatives for the County.

Policy 3.8.1: The County will continue to monitor each federal, state and local subsidy program/activity identified for consideration in the implementation of the adopted housing element to ensure the timely initiation and participation in such designated housing implementation programs and activities.

COMMUNITY DEVELOPMENT
PROFESSIONALS

LENDERS

CONSULTANTS

DEVELOPERS

REALTORS

OTHER INTERESTED PARTIES

Board of County Commissioners Workshop Discussion Item



Date of Meeting: May 16, 2006

Date Submitted: April 27, 2006

To: Honorable Chairman and Members of the Board

From: Marlon Brown, County Manager
Davin J. Suggs, Director, OMB – Information Technology

Subject: Update on the Development of the Gadsden County Information Technology Plan

Statement of Issue:

This item seeks to provide the Board with an informational update on the development of the Gadsden County Information Technology Plan.

Background:

In December of 2005 the Board authorized staff to solicit and purchase consulting services for the development and implementation of an IT strategic plan. Staff identified that the development and implementation of an IT strategic plan was vital to applying technology in a manner that would enhance the efficiency and effectiveness of service delivery within the County.

Analysis:

Staff within the Office of Management and Budget – Division of Information Technology (OMB-IT) has worked, aided by the use of professional consultants, to develop a strategic plan that would aid Gadsden County government in realizing the necessary benefits from the proper use of technology to assist staff in its goal of transforming the County into a high performance organization.

The development of the IT strategic plan is now in its final stages and staff is currently working with potential vendors in forecasting estimated costs to assist in the development of corresponding operating and capital budget requests. The following information is being provided as an update as to the content of the plan thus far. It is staff's intent to present the completed strategic plan along with corresponding operating and capital budget requests during the Board budget workshops in June.

Workshop Discussion Item: Update on the Development of the Gadsden County Information Technology Plan

May 9, 2006

Page 2 of 4

Overview of IT Strategic Plan

Issue

During the development of the IT strategic plan staff has determined that current Gadsden County IT operations and programs are insufficient and sub-standard. Examples of these inefficiencies include:

- All County departments and divisions do not reside on a single network.
- Countywide IT operations are fragmented and decentralized.
- Current IT infrastructure assets (Servers, etc...) are insufficient
- The ability to share data and information countywide is severely limited.
- The County does not own its current e-mail system.
- Current organizational wide IT training levels are insufficient.
- There is no standardization with regards to IT hardware (desktop computers, laptops, printers, etc...)
- The County's current telecommunications system is based on old technology and is not cost-effective.
- There is a high level of inconsistency in the use of software applications and operating systems.
- Staffing and financial resources for information technology are insufficient.
- The County does not possess the proper facilities to accommodate what infrastructure it has.
- The County does not currently possess a plan for emergency or disaster related situations with regards to information technology.
- Current available capabilities with regards to web and internet technologies are not being fully utilized.

Solution

Staff recommends IT programs and services be developed and maintained in a manner that promotes the cost-effective application of sound technological ideas, methods, and solutions as a valued resource which is integrated into the daily production and provision of public services. Examples of this vision of the Gadsden County IT program include, but are not limited to:

- ✓ All Board departments and divisions, and potentially all County related organizations, existing on a fully integrated data, voice, and video network.
- ✓ Standardized use and application of proven technologically advanced, yet proven and cost-effective, hardware and related IT systems.
- ✓ Standardized use of software applications utilized to enhance the implementation of current and future County business processes, services, and operations.

- ✓ Full utilization of available web and internet technologies in the delivery of information and services, and in the interaction with employees, citizens, and the business community.
- ✓ A modern cost-effective telecommunications system.
- ✓ Systems and applications that ensure the security of County data and information.
- ✓ Sound management plans with the regard to business continuity and IT –related emergency management.
- ✓ A budget that appropriates sufficient financial, staffing, and other physical resources for a sustainable IT program.
- ✓ A centralized yet responsive system of managing IT operations and services within the County.

Implementation of the Proposed Solution

There are four major initiatives which will govern the work of Gadsden County IT staff over the next five years towards the achievement of the vision/solution presented. These initiatives represent the primary steps that are necessary in the development of an efficient, effective and sustainable county IT program. These initiatives are:

1. **Establishment** of a solid, reliable, consistent, and centralized IT foundation upon which the County can build upon at a pace that is determined to be acceptable by County leadership.
2. **Enhancement** of the current production and provision of County services through the practical, yet innovative application of technology resources.
3. **E-Government** services and solutions to extend the current capabilities of the organization in a manner that provides increased interaction and accessibility to employees, citizens, business partners, and other members of the public.
4. **Expansion** of technology resources, operations, and services to encompass other Gadsden County public service related organizations and other parties as to be determined by the Board.

Completion of IT Strategic Plan

Currently OMB-IT staff is in the final stages of developing initial specific objectives and project plans directly related to the 8 core areas of concern. The identification of these projects will provide a clear and coherent list of activities necessary to achieve successful implementation of the previously mentioned four major initiatives. Staff is scheduled to complete the task of objective and project identification in a timeframe that allows

Workshop Discussion Item: Update on the Development of the Gadsden County
Information Technology Plan

May 9, 2006

Page 4 of 4

accurate anticipated budget requests to be presented to the Board during the June budget workshops.

Fiscal Impact:

A true reflection of the actual fiscal impact can not be determined at this time. The analysis of this impact will be presented in detail for discussion during the June budget workshops.

Recommendation:

No action is required at this time.



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

JEB BUSH
Governor

THADDEUS L. COHEN, AIA
Secretary

APR 26 2006

The Honorable Edward J. Dixon
Gadsden County Commission
Post Office Box 1799
Quincy, Florida 32353-1799

Re: CDBG Contract 06DB-3K-02-30-01-E08
Monitoring Report (Procurement of Professional Services)

Dear Commissioner Dixon:

We have conducted a desk monitoring of this project. This letter, which contains no "findings" or "concerns" is a summary of the review and does not require a response. The following area was monitored: procurement of professional services.

Procurement (Professional Services)

Procurement of CDBG-funded contracts must comply with applicable federal procurement regulations and state laws. The principal federal CDBG procurement regulation is contained in 24 CFR 85.36. Procurement of certain professional services is also subject to 287.055, Florida Statutes, (also known as the Consultants Competitive Negotiation Act, or CCNA). The state program rule (9B-43) also specifies some procurement procedures.

The selections of Summit Professional Services as grant administrator and David H. Melvin as engineer were reviewed. There are no findings.

During review of the engineering contract, it was noted that \$34,000 for surveying, permitting and soils/geotechnical services are included in the fee. These services are "additional" engineering which are not subject to the fee limitation of the CDBG program rule. However, the engineer must provide you additional information about the need for these services and the County must submit that information to the Department with a request for our approval if CDBG funds will be requested for them.

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100
Phone: (850) 488-8466/Suncom 278-8466 FAX: (850) 921-0781/Suncom 291-0781
Internet address: <http://www.dca.state.fl.us>

CRITICAL STATE CONCERN FIELD OFFICE
2796 Overseas Highway, Suite 212
Marathon, FL 33050-2227
(305) 289-2402

COMMUNITY PLANNING
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
(850) 488-2356

EMERGENCY MANAGEMENT
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
(850) 413-9969

HOUSING & COMMUNITY DEVELOPMENT
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
(850) 488-7956

The Honorable Edward J. Dixon
Page Two

This letter also documents compliance with grant agreement condition #4. If you have any questions, please call Steve Fellerman at 922-1881.

Sincerely,

A handwritten signature in black ink, reading "Monya Newmyer". The signature is fluid and cursive, with the first name "Monya" and last name "Newmyer" clearly distinguishable.

Monya Newmyer, Community Program Manager
Florida Small Cities CDBG Program

MN/sf

cc: Nancy Gee - Gadsden County
Scott Modesitt - SPS
Rachel White (DCA)

GADSDEN COUNTY

FLORIDA

Gadsden County Chamber of Commerce

P: 850.627.9231 F: 850.875.3299

208 North Adams Street Quincy, Florida 32351

February County Report

Gadsden County- January Economic Activity Profile

Unemployment:

Labor Force: 20,117

Employed: 19,328

Unemployed: 789

Florida (January 2006): 3.0%

Unemployment Rate: 3.9%

Gadsden (Year ago): 4.9%

National: 4.7%

County Building Permits:

Total Number of Permits: 111

Total Value Residential:

Property Values for 2005:

Total: \$1.075 Billion

Increase from 2004: \$156 million

February Operation Highlights

- **ACT database- over 1600 Entries of Stakeholders**
- **GadsdenFLA.com Website construction- 95% + Complete- Still Updating**
- **FAMU Small Business Institute Partnership- over 134 inquiries sent**
- **TCC Partnership for business support and economic development- collateral and website development assistance- In Progress**
- **Gadsden County Chamber benefits and services for membership for 2006**
- **Development of New Collateral for Community and Economic Development Completed**
- **Doing Business Locally Program- under development (Indigo Key) Havana & Midway has committed. Chattahoochee is reviewing. Quincy has declined.**
- **Developing strategic Economic Development Plan and Website for Gretna**
- **Working with more than 33 businesses on recruitment and training of workers with TCC and Workforce Plus**
- **Working on 13 Economic Incentive business programs with Opportunity Florida**
- **Affordable/ Workforce Housing Development County wide**
- **Working with 6 citizens on Employment Opportunities**
- **Working with 7 local businesses regarding marketing, management & financial support**
- **Working on several community projects including: Boys & Girls Club Initiative, Boy & Girl Scouts support program and Gadsden Learn Scholarship**
- **Working on Chamber Speaker Series- to start in January 2006- First Speaker Bill Nelson**
- **Working on future Speaker Series- Dr. Bill Law and Dale Carnegie Institute**

February Meeting Highlights

- **Met with Debra Rackley at the Gadsden County Technical Institute**
- **Attended Healthy Start Board meeting**
- **Hosted Community Luncheon**
- **Met with Principals of Project Span**
- **Attended Gadsden Community Health Council Board meeting**
- **Attended Northwest Florida Legislative Day at the Capital**
- **Attended Florida's Great Northwest Board meeting**
- **Attended Boys and Girls Club start up Committee meeting**
- **Attended Gadsden Development Board meeting**
- **Attended Allen Boyd Town Hall meeting**
- **Attended Quincy City Commission meeting**
- **Attended Leon County Economic Development Council Board meeting**
- **Attended North Florida Fair Board meeting**
- **Attended Turbocor groundbreaking in Tallahassee**
- **Met with Principals of Project "Home"**
- **Met with Workforce Plus regarding job placement program**
- **Hosted FAMU Small Business Institute Consulting Program**
- **Met with Tallahassee Community College regarding business support program**



Gadsden County Chamber of Commerce

P: 850.627.9231 F: 850.875.3299

208 North Adams Street Quincy, Florida 32351

Chamber Board Priorities 2006

- ☐ Gadsdenfla.com website- Expansion
- ☐ Motion Picture, Film and Television Development- Infrastructure
- ☐ Youth Programs- Boy Scouts, Girl Scouts and Boys & Girls Club
- ☐ Build Membership- Get Involved
- ☐ Educate- Speaker Series
- ☐ Collateral- Tourism, Relocation, Economic Development
- ☐ Workforce Housing
- ☐ Job Enhancement- Training- (Workforce Plus and Tallahassee Community College)
- ☐ Small Business Support- Tallahassee Community College and FAMU Small Business Institute
- ☐ Establish Gadsden County as a Manufacturing and Distribution Hub (5 Business Parks)
- ☐ Develop Economic Profile for Gadsden County by month

Active February Economic Development

- **Project “Monte”**- Ongoing project ~ Quincy
- **Project “Bob”**- Manufacturing company, 50 jobs, \$3 million investment, working on incentives package and site development/selection ~ County 2006 Decision
- **Project “Build”**- Very major building products manufacturing, working on incentives package with Enterprise Florida, Opportunity Florida, Department of Agriculture- \$30 million investment, 105 jobs, public company, would be corporate headquarters – 290,000 square feet of manufacturing with 10,000 square feet of office space. Working on Site selection and financing details ~ County→ Now competing with Mississippi and Louisiana- No Decision
- **Project “Little River”**- Very Large Multi-use, Multi-phase home and business park ~ County – No Decision
- **HD Plastics**- Large plastic recycling company- site location, bonds, incentives, grants- Opening Spring 2006 ~ Quincy → Now delayed due to financing- May resurface in Summer of 2006
- **Holiday Inn Express**- In Construction phase ~ Quincy
- **Comfort Inn**- In Construction Phase ~ Midway
- **Weavex Expansion**- Master Site planning, expansion and business development ~ to add 100,000 square feet
- **Project “Coffee”**-2006 Decision ~ Quincy
- **Ram Construction**-10/90 Project Final Development- 6 buildings at 10/90 (3 are now open) ~ Midway
- **Ring Power**- Major- Under Construction ~ Midway
- **Walgreens**- Construction phase ~ Quincy
- **Project “Grocery 2”**- New Business Lead ~ Midway
- **Gadsden County History and Heritage Center**- Downtown location ~ 2006 Quincy
- **Project “Vaccine”**- Working with Tallahassee Leon County Economic Development and FAMU on a major initiative regarding a statewide vaccination program- (FAMU has put this on hold)~ County

- **Project “Hatch”**- 6-25,000 Office buildings~ Midway
- **Piggly Wiggly**- Under construction ~ Quincy Spring 2006 Opening
- **Best Western**- Now Open ~ Midway
- **Project “Electric”**- Distribution Center (4th Meeting- 2 site locations)~ Quincy 50,000 to 60,000 square feet → 2006 Decision
- **Project “Venz”**- Very Large Multi- phased / use project ~ County
- **Ford Tractor Dealership**- under development~ Midway
- **Quincy Business Park**- Marketing and Development
- **Project “Quincy Creek”**- Commercial / Housing Project~ 2006 County
- **Project “HH”**- large housing project
- **National Cabins**- Now Open~ Quincy
- **Project “Kitchen”** – Large Manufacturing and distribution facility~ 2006 Decision ~ County
- **Project “Soft”**- Large technology company relocation to Gadsden County- 100 + employees~ 2006 Decision ~County
- **Gadsden County Correctional Institute Expansion 2006**~ Gretna
- **Project “Win”**- Large Manufacturing & Distribution Company- 100+ jobs~ 2006 Decision~ Midway
- **Project “Span”**- Large Manufacturing- 200,000 square feet- 100+ jobs- County wide search~ Many Meeting and Visits- March 2006 Decision
- **Project “Light”**- Extremely Large Project in county- non-disclosure agreement signed~ 2006/2007 Decision
- **Project “Talc”**- Large Distribution Company- 100+ employees~ Quincy- Quincy Business Park- 2006 Decision
- **North Florida Vault**- Local company- 10 new jobs~ Quincy- Now located in Southside Business Park
- **Project “Top”**- Relocation from South Florida- Great Company~ Midway , Quincy, 35 Employees- **2006 Decision**
- **Project “Drink”**- Distribution Company~ 15 jobs~ Quincy Business Park- Spring 2006 Decision

- **Project “Home”**- Manufacturing- 60 Jobs~ Havana- 2006 Decision
- **Project “Threes Company”**- 3 Companies, relocation from up North~ Countywide search, 100 + jobs- Decision in 90 days
- **ABC Distribution Company**- in Midway- now open
- **Lindy’s Fried Chicken**- Under Construction~ Midway



Florida Department of Transportation

JEB BUSH
GOVERNOR

1074 Highway 90
Chipley, Florida 32428

DENVER J. STUTLER, JR.
SECRETARY

Post Office Box 607
Chipley, Florida
March 13, 2006

Mr. Marlon Brown, County Manager
Gadsden County
P.O. Box 1799
Quincy, Florida 32353

Subject: Signage for Pat Thomas Law Enforcement Academy
Location: SR 8 (I-10) at the Midway Exit
Section No.: 50001
County: Gadsden

Dear Mr. Brown:

We are in receipt of your request for signage at the subject location. It is always helpful when potential problems and suggestions for their solution are brought to our attention so that a timely investigation can be made.

We will schedule a field review at this location and advise you of the results upon completion. Please be aware that it may take up to 6 to 8 weeks to complete. However, once the review is finalized, we will advise you of what improvements, if any, should be made at this location.

If you would like to inquire upon the status of your request, please feel free to contact me at (850) 415-9280.

Sincerely,

Charley Locke
Traffic Operations
Permits/Access Management

CL/ts

Cc: June Coates, P.E., District Traffic Operations Engineer
Dawne McKee, P.E., Assistant District Traffic Operation Engineer
Teresa Eidson, Traffic Operations
Brian Pettis, Traffic Operations



Florida Department of Transportation

JEB BUSH
GOVERNOR

1074 Highway 90
Chipley, Florida 32428

DENVER J. STUTLER, JR.
SECRETARY

April 20, 2006

Edward J. Dixon, Chairman
Board of Commissioners
P. O. Box 1799
Quincy, Fl 32353

Subject: **NO PARKING ON RIGHT OF WAY – S.R. 267 SOUTH
(PAT THOMAS BOULEVARD) FROM JUST NORTH
OF SPRINGS STREET TO JUST SOUTH OF COX
LANE, BOTH SIDES OF ROADWAY, GADSDEN
COUNTY, SECTION 50080**

Dear Chairman Dixon:

The department has approved the installation of "No Parking on Right of Way" signs on S.R. 267 South (Pat Thomas Boulevard). The signs will be installed just north of South Springs Street to just south of Cox Lane for both sides of roadway.

This change is being made in accordance with the Manual on Uniform Traffic Control Devices as amended and adopted by the Department under Rule 14.15.010. The change has evolved from recommendations determined from an approved engineering study and report.

This regulation will become effective upon placement of the implementing traffic control device (Florida Statutes 316.074) but no sooner than fourteen (14) days from the date of this notice pursuant to Florida Statutes 335.10.

Sincerely,

June Coates, P.E.
District Traffic Operations Engineer

JC/MJ/j

- cc: Major Mark R. Trammell, Florida Highway Patrol, 2100 Mahan Drive, Tallahassee, Fl 32308-6199
- cc: Sheriff Morris A Young, Gadsden County Sheriff's Department, Post Office Box 186, Quincy, Fl 32353-1709
- cc: Chief Gerald McSwain, Quincy Police Department, 121 West Jefferson Street, Quincy, Fl 32353

Page 2
Mr. Edward J. Dixon, Chairman
April 20, 2006

REGULATION NO. DATE APPROVED	ROUTE NO. COUNTY	LOCATION	REGULATION
3PR06-04 04/19/06	S.R. 267 (South)	Section 50080 at North of Springs M.P. 13.432 to South of Cox M.P. 13.677	No Parking on Right of Way, East and West Side



THE PHOENIX ENVIRONMENTAL GROUP, INCORPORATED

2916 East Park Avenue • Tallahassee, FL 32301

Telephone: (850) 878-3331

Fax: (850) 878-2383

March 17, 2006

Mr. Tom Franklin
Northwest District Branch Office (NWDOT)
2815 Remington Green Circle
Suite A
Tallahassee, Florida 32308-1513

RE: File 20-0251418-001-DF Gadsden County Board of County Commissioners
SR65 Realignment

Dear Tom,

As discussed, the Army Corps review of the project and the State review have some significant and diametrically opposed differences. In order for the project to remain viable some key issues with the Army Corps office will need to be addressed. We are working toward that end; however, the City of Quincy, Engelhard and the Army Corps will need to make more progress and/or review their desire to proceed before we can address some of the other outstanding issues. Therefore, please accept this letter as our request for an extension.

As agent for the Engelhard Corporation (a partner in the application for the SR65 realignment) and on behalf of the Gadsden County Board of County Commissioners, I respectfully request a 60 day extension on the above referenced permit application in order to allow us continued time to negotiate with the Army Corps and gather the information addressed by the State and the Federal review.

If you have any questions, please call me at your convenience at 850-878-3331

Sincerely,

Mark Friedemann

Mark Friedemann
Executive Vice President
The Phoenix Environmental Group, Inc.

Cc: Dave Mihalik, Engelhard
Gadsden County Board of County Commissioners
Mike Dentzau, BDI



GADSDEN COUNTY
Board of County Commissioners
DEPARTMENT OF PUBLIC WORKS

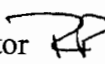
MARLON BROWN
County Manager

ROBERT M. PRESNELL
Director

1284 High Bridge Road
Post Office Box 1799
Quincy, Florida 32353-1799
(850) 875-8672 ♦ (850) 875-8676 FAX

COMMISSIONERS:
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District 1
STERLING L. WATSON
District 2
DERRICK E. PRICE
District 3
BRENDA A. HOLT
District 4
EDWARD J. DIXON
District 5

MEMORANDUM

Date: April 20, 2006
To: Edward Dixon, Chairman
From: Robert Presnell, Public Works Director 
Subject: Joe Adams Road Community Concerns

As you requested I have reviewed the items that were requested by the neighborhood and determined that several of the issues can be addressed by the County. First, a complete sign inventory and speed limit study are being done. New replacement signs as well as additional signage will be installed along Joe Adams Road. The speed limit will be lowered to a minimum of 35 MPH. If the study indicates a lower limit is required that limit will be posted.

Betsy Lane and Ray Road should be paved in the next 24 months unless substantial changes are made to the current paving program. Ray Road is already listed and Betsy Lane would be done at the same time. As far as the sidewalk issue, Public Works still recommends that we complete the majority of our paving priorities in the next 2 years. At that time Public Works could then gear up in house as we did with paving to construct sidewalks and other neighborhood amenities countywide at a much reduced rate than contracting.

Traffic enforcement, street lighting, and bus stop issues will have to be handled by the respective governing bodies.

If you or the citizens along Joe Adams Road need any further information or assistance please let me know.

AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON JUNE 6,
2006, THE FOLLOWING PROCEEDINGS WERE
HAD, VIZ.

PRESENT: Edward J. Dixon, Chair
Brenda Holt, Vice-Chair
Eugene Lamb
Sterling Watson
Derrick Price
Paul Sexton, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

Invocation and Pledge of Allegiance

Chair Dixon called the meeting to order. Commissioner Price led in the invocation and Commissioner Holt led in pledging allegiance to the U.S. flag.

Amendments and Approval of the Agenda

Add to the Consent Agenda as Item 9:

Approval of the Revised Agreement with City of Quincy to become a partner with the City of Quincy Parks and Recreation Department for the First Annual Gadsden County Table Tennis Tournament

Add to the General Business Agenda:

24-A Post Approval of Contract for Robertsville/St. John Fire Station Site Preparation with Goliath Group, Inc.

24-B Approval of Cost Increase for Robertsville/St. John Fire Station

Add to the County Manager's Agenda:

25-A Extension of Library Hours

Add to the County Attorney's Agenda:

27-A Quit Claim Deed to St. Joe Paper Company

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

AWARDS, PRESENTATIONS, AND APPEARANCES

1. **Gadsden Community Health Council Presentation**

Executive Director Maximo Martinez addressed the Board with alarming statistics regarding health issues of the citizens of Gadsden County. He made a Power Point Presentation then presented several health care initiatives. He explained the initiatives in detail.

At the end of the presentation he proposed a voter referendum to seek approval of the Indigent Care Surtax which would impose ½ cent sales tax in Gadsden County. In turn, he proposed that the money generated be used to tackle the health care disparities that he highlighted in the presentation.

The action plan which he presented was the following:

1. Establish Partnership, Roles and Responsibilities
2. Conduct Study to Develop Plan and System Model
3. Presentation of Plan and Model for Approval and Adoption via Ordinance by BOCC (July - Initiates Referendum to be Placed on Ballot for November)
4. Effectively Market Benefits of Plan and Model; August through November (GCHC Responsibility; Request for BOCC Funding)

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSISONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE INIATIVES AND PLAN OF ACTION PRESENTED BY MR. MARTINEZ. IT ALSO INCLUDED APPROVAL TO PURSUE THE BALLOT REFERENDUM TO IMPOSE THE INDIGENT HEALTHCARE SURTAX AND HIRE A CONSULTANT TO FORMULATE A PLAN TO BE BROUGHT BACK TO THE BOARD FOR REVIEW AND FINAL ADOPTION.

2. **Authorization to Provide the Gadsden Community Health Council with Additional Funding OF \$15,000 FOR FY 2006**

OMB-BA#060025

The Health Council requested \$15,000 in additional funding to allow the Council to acquire consultant services to develop a program plan and model for providing comprehensive healthcare services to indigent citizens of Gadsden County. The plan will be used to seek potential funding resources made available to the County as a result of legislation passed by the 2005 Florida Legislature.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0, BY VOICE VOTE, TO APPROVE THE ABOVE STATED BUDGET AMENDMENT.

3. **Update by Tallahassee Community College and Workforce Plus on the Gadsden County Youth Program - Gadsden Student Training Academy For Reaching Success (GSTARS)**

Mr. Rick Frazier and Kimberly Moore addressed the Board and gave a report of the program success as outlined in the attached quarterly report.

Discussion followed.

They asked the Board to approve and authorize the use of county letterhead and chairman's signature on a letter soliciting partners from the business community for the program.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE STATED REQUEST.

4. **2007 Barn Day - "Official Jamestown Community" Event Request**

Ms. Kay Lay addressed the Board. She explained that the State of Virginia will be celebrating its 400th anniversary of the founding of the Jamestown Colony. Gadsden County is the only county in the State of Florida asked to participate in their celebration because of the unique tie between the County and to Virginia. John Smith came from Virginia with the first tobacco seed to Gadsden County. He helped to develop the hybrid with the Cuban tobacco that became world famous.

The Barn Day celebration at the "I Hear Hester Singing Barn" in the Sawdust community has been selected to be one of the official Jamestown Community events. It will give

Gadsden County an opportunity to be showcased.

In order to make the event official, The Virginia 2007 Community Program requires the endorsement of the local governing body. She asked the Board the sign the official application.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 - 1 TO SIGN THE APPLICATION. CHAIR DIXON CAST THE LONE DISSENTING VOTE EXPLAINING THAT HE WOULD LIKE TO SEE THE ENTIRE STORY TOLD - NOT JUST THE "FEEL GOOD."

CONSENT AGENDA

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT: (ITEMS 5 - 15 BELOW)

5. Approval of Minutes
 - April 4, 2006 Regular Meeting
 - April 11, 2006 Special Meeting
 - April 25, 2006 Regular Meeting
6. Ratification of Approval to Pay County Bills
 - A/P Dated: 05/19/03; 05/26/06; 06/02/06
 - Payroll Dated: 05/25/06
7. Approval of Signature on Application for Revenue Sharing 2006-07 Fiscal Year
8. Approval of [Employee Assistance Program Agreement With Eileen McCann](#), L.C.S.W., C.E.A.P. (EAP) \$3,104.00 for the period May 15, 2006 through May 14, 2007
9. Approval of Partnership with the City of Quincy Parks and Recreation Department for the First Annual Gadsden County Table Tennis Tournament ([Revised Agreement per the amended agenda](#))
10. Approval of Signatures for Special Assessment Lien and Rehabilitation Contract - Elijah and Dorothy Key
11. Approval of Signatures for Special Assessment Lien Anatasia Robinson
12. Approval of Award of Bid 06-05 to Rex Shiver Landscaping for .2675 square foot

13. Approval of Quit Claim Deed for Right of Way Correction for County Road 12
14. Approval of Execution of Non-Profit Funding Agreements
15. Approval of the Reappointment of Michael Jordan to Quincy-Gadsden Airport Authority

CONSENT ITEMS PULLED FOR DISCUSSION (none)

PUBLIC HEARINGS - 6:00 P.M.

16. **Public Hearing - Administrative Text Amendments to the Comprehensive Plan CPA 2005-12AD for Transmittal**

Growth Management Director Bill McCord announced the opening of a public hearing for the proposed Comp Plan Amendment stated above. He described the changes in detail (see attachment for further detail)

He specifically mentioned the following changes:

- Changes to Rural Residential Land Use Category Exhibit A
- Two new land use categories -
 - o High Density Residential Category (Repeal Policy 1.1.15 and
 - o Mixed Use Land Use Category allowing a variety of uses. (Minimum and Maximum requirements)
- Changes made to the Housing Element and Infrastructure Element to provide consistency in the Code and to insure that any development greater than two units per acre would have to provide central water and sewer.

Planning Commission Action: May 22, 2006 - recommended approval based on the findings listed in the attached agenda report.

Chair Dixon called for public comments.

The following people addressed the Board with questions and or comments.

Marion Lasley - opposed to some of the definitions and

opposed to sewage treatment plants - She asked the Board to work with the cities to expand services as opposed to allowing self contained sewage treatment systems in high density developments.

Bryant Rowe with Russell Development - In support of amendments. Encouraged the Board to allow higher densities for affordable housing and allow for treatment plants.

Larry Ganus - Opposed to new amendment unless the Board can set criteria and designate where the high density developments can occur. He also urged the Board to set urban service boundaries where the infrastructure can be concentrated.

Bob Cambrick - In favor of the amendment

Frank Rowan - In favor of the amendment

Greg Gregory - recognized for questions

Lola Murphy - recognized for questions

Discussion followed among the Board.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO TRANSMIT THE ADMINISTRATIVE TEXT AMENDMENTS TO THE COMPREHENSIVE PLAN CPA 2005-12AD.

17. **Public Hearing - River Oak Plantation Comprehensive Plan Amendment - CPA 2005-22 - Large Scale Plan Amendment for Transmittal Changing the Future Land Use Map** (Changes 38 acres from AG3 to Mixed Use; 253 acres from AG3 to Rural Residential; 407 Acres from AG3 to Conservation; 125 acres from AG3 to AG2)

Owner: River Oak Plantation, LLC

Applicant: Creative Planing Group

Location of Property: North side of US 90, west of Little River, approximately 4 miles east of the Quincy City Limits in Township 2 North, Range 3 West Sections 10,11,14,15,22 & 23

Tax ID: 3-22-2N-3W-0000-00420-0000 & 3-22-2N-3W-0000-00410-0000

Type of Action: Quasi legislative

Planning Commission Recommendation: May 22, 2006 Meeting voted 6 - 2 to recommend approval based on findings listed in the attached agenda report.

Staff Recommendation: Approval based on findings listed in the agenda report.

Mr. McCord explained that this land use amendment would change a total of 823 acres from Ag3 to several different land use categories. He explained that the applicant wants to provide a type of development which will be like other mixed use packages. He said it is in the City of Quincy Utility Service Area, but there is no city central sewer service infrastructure in place.

Mr. McCord addressed the proposal as shown in the attached agenda packet. He recommended approval of Option # 1 approving the land use amendment request (CPA-2005-22).

He briefed the Board with details as contained in the attached agenda report.

Vice-Chair Holt called for public comments.

The following people were recognized for comments and questions:

Larry Ganus pointed out that the only portion of the parcel that will be serviced by the central sewer will be the mixed use. The rural residential lots will be served by individual septic tanks. He voiced concerns about the project.

Marion Lasley pointed out that the plan should have been accompanied by a conceptual plan analysis and it is absent from the application and she did not think the Board should move on it.

Bob Cambrick responded that he felt that the application was complete.

Commissioner Lamb stated that he felt that it was strange that the Planning Commissioners appeared before the County Commission to make comments in person even though the Commission has the benefit of their report and recommendation. He asked Mr. McCord to relay to them that he thought that once the vote is taken by them, they should support the outcome of their vote and not appear before the

County Commission in opposition to it.

**UPON MOTION BY COMMISSIONER PRICE AND SECOND BY
COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE TO
APPROVE RIVER OAK PLANTATION COMPREHENSIVE PLAN AMENDMENT -
CPA 2005-22 - LARGE SCALE PLAN AMENDMENT FOR TRANSMITTAL.**

18. **Public Hearing - Variance Request V-2006-03 - Towhee
Subdivision Variance Request**
Type of Hearing: Quasi Judicial

Owner: Bobby Harrell

Applicant: Bobby Harrell

Issue: Mr. McCord explained that this parcel is a 4-acre portion of a 5-acre parcel located on the North side of SR 12 approximately 2 ½ miles west of Havana at the entrance of Hidden Lakes subdivision. The property where the minor subdivisions are proposed is a single parcel of land that was excluded from the Hidden Lakes Subdivision. It has Rural Residential land use, which requires 1-acre lots, or if clustering is applied, they could go down to ½ acre lots. There is central water available to the property, but no sewer is available anywhere in the area.

He went on to say that Mr. Harrell brought in a plan (in the agenda packet) indicating his desire to cut the out-parcel into nine lots through minor subdivisions. Ordinarily, minor subdivisions would not come to the Board for review.

The applicant has requested a variance of one lot to allow a minor subdivision of eight lots. Six of the lots would be on the easterly portion of three acres and the other two lots would be on the wet side of Hidden Lakes Road. No lot would have direct access to and from Highway 12 except for the one lot which already has a curb cut from Highway 12.

Mr. Harrell is also asking for another variance to allow him to have a cul de sac without the turn around radius. It would just be a dead end street. The Cul de sac would be 350 ft. long and it would only serve the five lots.

The applicant is asking for a third variance for the two northerly lots because of the Comp Plan requirement to provide a 60 ft. right-of-way. Mr. Harrell asked for a variation of 15 feet to allow for a front set back of 20 ft. from the roadway line.

Planning Commission Recommendation: May 22, 2006 voted 6 - 1 to deny the request for the variances.

Mr. Bobby Harrell was administered an oath by Muriel Straughn, deputy clerk.

He said that he will honor the 25 ft. buffer zone on the west side of the property.

Sandy Beare was administered an oath by Muriel Straughn, deputy clerk. She offered a statement of her concerns in writing as an exhibit for the record. It included a copy of the settlement agreement in case 97-1330-CAA.

She concluded her remarks by asking the Board to deny the variance requests.

Mr. Harrell addressed the Board again.

Mr. McCord was administered an oath for his previous testimony by Muriel Straughn.

The Board found that this request does not meet the criteria for practical hardship for variance.

A MOTION WAS MADE BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE TO DENY THE VARIANCE REQUEST.

COMMISSIONER HOLT LATER RESCINDED HER MOTION.

Further discussion followed.

Ms. Sandy Harrell was administered an oath by Muriel Straughn, deputy clerk.

She asked to clarify what the Board wants to see when the project comes back to the Board.

Chair Dixon stated, "I think we want to see the 25 ft. buffer, the cul de sac incorporated into the end of the 350 ft. ; and ½ acre lots."

Mr. McCord clarified also that those requirements would allow for only seven lots.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO CONTINUE THIS HEARING UNTIL THE NEXT MEETING. COMMISSIONER LAMB WAS NOT PRESENT FOR THIS VOTE.

19. **Public Hearing - Variance Request V-2006-04 - Holiday Inn Express Sign Variances**

Type of Hearing: Quasi Judicial

Owner: Vasant and Usha Patel by Kiwi Hospitality, Inc.

Applicant: Victor and Hemant Patel

Location of the Property: At the intersection of I-10 and Pat Thomas Parkway

The Patels requested approval of two variances: one to increase the permitted four square feet in area by an additional 2.125 square feet to allow two detached on premise parking and traffic signs (totaling 6.125 square feet in area to be erected on the site of a proposed hotel; and a second to allow a third wall sign to be placed on one façade of the building.

Chair Dixon called for public comments. There was no response.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE SIGN VARIANCE AS REQUESTED. COMMISSIONER LAMB WAS NOT PRESENT FOR THIS VOTE.

20. **Public Hearing - Approval of Correction to Previously Approved Budget Amendment for Funding for Gadsden Community Hospital Settlement Agreements** [OMB-BA-#060026 Resolution 2006-033](#)

County Manager Brown explained that the Board voted on May 2, 2006 to approve a resolution and budget amendment authorize the provision of funding for the recent settlement between the State of Florida, Ashford Healthcare Systems and Gadsden County. Subsequent to that meeting the Clerk's Finance Office discovered there was an error in the amendment. The attached amendment and resolution corrects that mistake.

Chair Dixon called for public comments. There was no response.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE CORRECTED BUDGET AMENDMENT AND RESOLUTION STATED ABOVE.

21. **Public Hearing - Ordinance on Expenditures of Funds for
Miscellaneous Purposes** [Ordinance 2006-018](#)

Commissioner Watson asked to receive some sort of reporting so that the Board can be aware of what is being spent for these miscellaneous expenditures. He said, "I would like to see a running report when the Manager chooses to make those purchases."

Chair Dixon called for public testimony. There was no response.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE ORDINANCE. COMMISSIONER LAMB WAS NOT PRESENT FOR THIS VOTE.

22. **Discussion Item on Proposed Burnett II Minor Subdivision
(MSD-2006-02)Continued from May 16, 2006 and April 25.**

Mr. James Burnette is requesting a permit for a second minor subdivision to be created from the parent parcel. He also requested a variance to allow seven mobile homes to be served by the unpaved roadway.

County Manager Brown introduced the above item reminding them that it was continued from previous meeting.

Owner: Mr. James Burnette

Applicant: Mr. James Burnette

Location: 38.48 Acres located on the north side of SR 12 approximately 2.5 miles west of Havana.

Mr. McCord reported that at the time of the Comp Plan adoption, Mr. Burnette owned a large parcel of land that has been subdivided through the minor subdivision process, which is an administrative review process. He has come back now after several years and desires to subdivide the property into four more lots which will essentially make the development a major subdivision as opposed to a minor subdivision. He questioned whether the developer might be subverting the major subdivision process by doing a series of minor subdivisions.

Mr. McCord called attention to the agenda report, which contains a number of citations from the Code and a more

thorough description of the concern he has about this type of development. He asked for directions.

Staff Recommendation: Require a Type II review of the proposed subdivision to be platted per Chapter 177, Florida Statutes, and comply fully with procedural and design requirements of the Code.

The staff was given instruction at the May 16, 2006 meeting to verify whether the homes in the subdivision are modular or mobile homes and come back to the Board. If the homes are determined to be modular, the Board agreed to consider a variance.

The staff submitted photos of the structures in the subdivision. There were determined to be mobile homes.

Mr. Burnette addressed the Board.

A MOTION WAS MADE BY COMMISSIONER HOLT TO APPROVE THE STAFF RECOMMENDATION AND REQUIRE A TYPE II REVIEW. THE MOTION DIED FOR A LACK OF A SECOND.

Commissioner Watson stated that he was not opposed to allowing a type I review and allow two additional homes to be placed on the unpaved road due to the fact that the lots are so large.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE TYPE I REVIEW OF THE NEW MINOR SUBDIVISION AND ALLOW THE VARIANCE TO ALLOW SEVEN MOBILE HOMES ON THE UNPAVED STREET BECAUSE OF THE SIZE OF THE LOTS.

23. **Approval of Resolution 2006-34 - Moving the Apalachicola Northern Railroad Station in Greensboro**

The Greensboro Depot, constructed by and formerly used by the Apalachicola North Railroad, has been located near the edge of the tracks in Greensboro for many years. With the recent construction of the Progress Energy Transmission line through Greensboro, the station building will need to be relocated since it is now located within Progress Energy's utility right-of-way. The resolution is in support for re-locating the depot.

As a result of the construction of the power line, progress

Energy intended to demolish the depot. The West Gadsden Historical Society Incorporated requested Progress to move the building and donate it to the historical society.

The cost of moving the depot will be borne by Progress and other parties. The County will have no fiscal impact from moving the structure.

Progress Energy originally proposed mitigation to lessen the impact of the power line on the area properties including planting vegetation which could grow to obscure views of the power line.

Progress Energy has offered to either move the depot or to provide the landscaping, but not both.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE RESOLUTION REQUESTING PROGRESS ENERGY TO MOVE THE DEPOT.

24. **Approval of Chattahoochee Library Revised Gross Maximum Price (GMP) [Addendum No. 2 to Cook Brothers Inc. Contract](#)**

Mr. Brown stated that the Chattahoochee Library construction cost have come in at about \$150,000 more than anticipated. The public works department will do the site construction work to cut down on the costs of the library.

He asked the Board to approve the Addendum No. 2 between Cook Brothers and the County which includes the revised GMP of \$1,000,000.

The original estimated cost was \$850,000. The revised cost was \$1 million.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ADDENDUM # 2 TO THE COOK BROTHERS CONTRACT.

24a. **Post Approval of Contract with Goliath Group, Inc. for Site Preparation Work for Robertsville/St. John Fire Station and approval of two invoices submitted for payment (The first invoice was for \$15,402.50 and the second for \$55,000.00)**

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER

PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE CONTRACT WITH GOLIATH AND THE TWO INVOICES.

- 24b. **Approval of Cost Increase for Robertsville/St. John Fire Station - Cost increased from \$275,000 to \$344,000.**

UPON MOTION COMMISSIONER PRICE AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE COST INCREASE TO THE ROBERTSVILLE/ST. JOHN FIRE STATION.

COUNTY MANAGER'S AGENDA

25. **Grand Opening of the William McGill Library**

Extended Hours of Operation

There was discussion about extending the hours of operation of all the libraries. Chair Dixon proposed that there be uniform hours every day and also be opened on Sunday afternoon. He proposed that it be open from 10 a.m. until 9:00 p.m. Monday through Saturday and 1 - 5 on Sunday.

He asked the manager to come back with an analysis to support the extended hours.

There was a consensus that Chair Dixon would bring back a proposal at the June 20 meeting for the new hours of operation.

Mr. Sam Hawkins made the suggestion that there be some advertising for the libraries informing the public.

COUNTY ATTORNEY'S AGENDA

26. **Update on Gadsden Community Hospital**

Paul Sexton reported that the bankruptcy judge approved the order approving the county's agreement with Ashford Healthcare for the process to get the AHCA licenses and the CMS Medicare licenses and contracts transferred over to the County.

27. **Miscellaneous Items (none)**

- 27a. **Quit Claim Deed to St. Joe Paper Company**

See the attachments for details.

St. Joe has asked the County to execute the attached deed. He explained that it involves the property which was swapped back in 1973 that provided the County with the land that the Pat Thomas Law Enforcement Academy is on. The deeds had a reverter stating that if construction did not begin by a date certain, the property would go back to the owners. St. Joe wants to market the property which the county deeded to them for the exchange. The Title company has asked that the title be cleared up and agreeing that there is no reverter rights. St. Joe will do the same for the property on which the Academy sits. It basically will solidify the ownerships in a reciprocal manner.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE QUIT CLAIM DEED TO ST. JOE PAPER COMPANY.

Citizens Requesting to be Heard on Non-Agenda Items

28. **Ms. Wauchula Odom - Request for Permission for Second Mobile Home on Property**

Ms. Odom addressed the Board. She stated that she applied for a permit to place a mobile home for her daughter on a parcel of land where she already has a home. They got the septic tank installed without a problem. She stated that the county staff led her to believe that everything was in order and all she had to do was come by the office and pick up the permit. Based on that telephone conversation, the manufacturer delivered the home. She later learned that she could not get the permit.

Mr. McCord stated that the parcel which Ms. Odom was referring to was 2.96 acres in size in located in AG1 land use category which requires density of 1:5. Her own home is in the middle of the property. He explained that somehow a former owner was allowed to subdivide their 5 acre lot in violation to the Comp Plan in 1999. The property was sold and somehow got a mobile home placed on the non-conforming lot. The property has been bought and sold a number of times.

A lawsuit 99-958-CAA developed and there was a settlement agreement reached with the developer. However, the chairman's signature was not on the copy of the agreement

Gadsden County Board of County Commissioners
June 6, 2006 Regular Meeting

in his file. As a provision of the settlement agreement, it specifically stated that the lot will not be further subdivided. (The developer was James Thompson.)

Mr. McCord stated that putting another mobile home on the already non-conforming lot simply cannot be done in compliance with the Code.

There was a consensus that the attorney should look into trying to come to some type of interagency agreement that when a parcel is subdivided and deeds recorded at the courthouse or when a septic tank is permitted, the process should begin at the Planning Department. The Planning Department should begin the process rather than be the last agency a person comes to for permitting. All other steps should follow some type of certification from the Planning Department.

Mr. Sexton interjected that if the board is inclined to allow the second mobile home on the parcel, he suggested that the two not be placed on the same lot, but separate lots. If two homes are placed on the left hand parcel, you would be allowing a use that is definitely non-conforming as a new use and it would not meet the family homestead provision because the overall lot is too small. If the second home is placed on the right hand parcel, it would at least be on an independent parcel and the Board would be dealing with a slightly different issue. Somehow, the County allowed that parcel and it must have a use.

Ms. Odom asked, "When I went to the Planning Office, why was I given permission to do it then?"

Chair Dixon stated, "We don't know. We just don't know. I will be honest with you. All he is saying is that if you put the other home over there, you would have less of an issue."

It was suggested that the boundary lines be moved.

Chair Dixon told Ms. Odom, "If everything is legal, then he (Mr. McCord) will do an administrative adjustment that can help you. If those documents that he found are not legal and have not been approved by the Board in a settlement agreement, he will bring us something back - if he can come up with a solution to your situation. Even if he can't, he's going to bring it back to us and we are going to

decide from there."

McCord asked, "I am just wondering if by moving the boundary, are we recognizing that the non-conforming lot is a lot of record that we are going to recognize if it was improperly created?"

Sexton:

I think one of the factors to be considered is whether there was or not communication with Planning and Zoning that created an assumption or belief that they were in a permit able situation. If that is something that your office can't confirm, then I think that comes off the table and makes it more difficult to approve what they have done. But, if the County has somewhat precipitated this by not stopping them when they had the chance, assuming that they had the chance, then, you know."

Chair Dixon asked Mr. McCord to check it out.

Gail Baxley, a resident of Merritt Lane, addressed the Board. She said, "At the time all of this was done, the homeowners in the area were very much against this rezoning and dividing up. We came before the Commission at that point and time and urged that it not be approved. But, there was nothing that we could do it seemed. It was pushed through, just exactly as it was done. Those people in the County and especially that area, the developer knew what he was doing, knew that his intent was to do this, and now you see the result of it. So, I would urge you not to continue a bad example. Bear in mind that these are five acre and ten acre and twenty acre home sites out there. Don't go ahead with this subdivision or create an error on an error."

Unidentified person:

There is a situation right now in Midway where the Post Office is refusing to deliver mail to new residents in Rustling Pines and future residents in Ryan's Point. I am just bringing this to your attention. I am not sure that there is anything that the Board can do about it. But, I would like for someone to investigate it. I have customers who have bought homes from me and they are expecting to get a simple letter at their home and they are being told that they are not going to deliver. They are going to develop some clustering system, some centralized mail box system.

Gadsden County Board of County Commissioners
June 6, 2006 Regular Meeting

But, anyway, in Rustling Pines, the traffic is going to be an absolute nightmare if they keep with this.

The second word is the moratorium. The end of the moratorium is coming up and I am trying to get a idea of when it is going to be voted on and if it is going to be possibly extended. Trying to get a feeling from the Board as to which way it might go."

Chair Dixon responded, "We don't know."

Sam Hawkins, President of NAACP, addressed the Board. He asked Commissioner Watson to meet with the NAACP an their next meeting on Thursday to answer questions from his constituents. Mr. Hawkins said, "We would like to see you at that meeting. We have met with every commissioner on this Board except you."

Lynn Poucher, of the West Gadsden Historical Society, addressed the Board. She thanked the Board for passing the resolution in favor of moving the Greensboro Depot.

Lola Murphy stated that she purchased a septic tank permit in February 2005 which will expire in October. She said she spent \$400 for the permit and she would hate for it to expire an not be able to use it. (Ms. Murphy has been before the Board on a number of occasions requesting permission to split her property to allow another home placement for her son.)

Ed Allen stated, "There are a lot of rumors going around about the code violations out at Lake Talquin... We are trying to get Tracy to do his job. We are asking him to clean up some of these RV homes and some of the homes down there. It is totally a mess. All we want is for Tracy to do his job. Simple as that."

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Lamb

Commissioner Lamb commended the manager and staff on a job well done for the William McGill Library Dedication.

Commissioner Watson

There was nothing to report.

Commissioner Price

There was nothing to report.

Commissioner Holt

Commissioner Holt asked the Commission to look at scheduling a breakfast for the legislative delegation to meet with local officials to look at the upcoming legislative agenda.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO DIRECT THE COUNTY MANAGER TO SCHEDULE A BREAKFAST FOR THE LEGISLATIVE DELEGATION TO BEGIN WORK ON THE NEXT LEGISLATIVE AGENDA. THE BREAKFAST SHOULD BE SCHEDULED FOR JULY.

She also commended the staff on the library dedication service.

Commissioner Dixon

Chair Dixon also commended the staff for the dedication service for the new library. He specifically remarked that the portrait of Mr. McGill was especially beautiful and he felt that Ms. McGill was very pleased.

He also stated that the meeting room was named the "Margaret Lawson Johnson" meeting room.

RECEIPT AND FILE

30. Memo from Clerk Thomas - Budget Request for FY 2006-2007

Notice from City of Midway - Comprehensive Plan Amendment - Small Scale Land Use Amendment of West Gadsden Regional Park

Chamber of Commerce - March County Report

Letter of Request from Gadsden Community Health Start Coalition, Inc.

Gadsden County Board of County Commissioners
June 6, 2006 Regular Meeting

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR
DECLARED THE MEETING ADJOURNED AT 10:35 P.M.

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A SPECIAL MEETING OF THE BOARD
OF COUNTY COMMISSIONERS HELD IN
AND FOR GADSDEN COUNTY, FLORIDA ON
JUNE 14, 2006, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

PRESENT: Edward J. Dixon, Chair
Brenda Holt, Vice-chair
Eugene Lamb
Sterling L. Watson
Derrick Price
Thornton Williams, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

CALL TO ORDER

Chair Dixon called the meeting to order at 6:05 p.m. stating the date and purpose of the meeting.

The agenda was amended to include discussion regarding the Dirt Road Paving program. (The staff requested direction as how to proceed with the road selection process for dirt roads to be paved.)

Discussion of Draft [Protocols](#) for High Performance Boards

Dr. Larry Gross addressed the Board. He gave a brief review of the matters discussed at the retreat on March 10, 2006. He then presented the Board with the draft of protocols which he developed based on the dialogue at the retreat and individual interviews with each of the commissioners. See attachment.

No action was taken.

[Billboard Regulations](#)

Mr. McCord explained that this workshop came about as a result of a request from the Tourist Development Council. They approached the Board some months back and requested that the ban on billboards in the County be rescinded so that local businesses could attract travelers to their locations. (from I-10 and major highways) They suggested also that the County could utilized billboards to highlight events in the County.

Mr. McCord explained that the process to rescind the ordinance would have to begin with the Planning Commission and the process would take a lot of time.

He cautioned the Commissioners that if they should decide to rescind the ordinance, there would be no guarantee that the owners of those billboards would post local advertisements on them. There could actually be advertisements placed on them that have absolutely nothing to do with Gadsden County. He cautioned them also that they could not control the content of those boards.

Discussion followed among the board.

The following people were recognized for comments:

Jim Kellum spoke in support of billboards. He suggested that among the four I-10 exits in Gadsden County, that 100 - 150 billboards would be proper.

Betty Kellum also spoke in support of billboards. She said that she had talked with Tom Cunningham of Lamar Signs who indicated to her that Gadsden County merchants would have first right of refusal on any sign placed in the County.

Mike Dorian was opposed to billboards. He filed a picture of a billboard that is located on US 27 that has been vacant for more than a year. He was of the opinion that the Code allowed for removal of that sign. He asked that the Code Enforcement staff look into it. He also suggested that abandoned or blank signs might become a real eyesore to the landscape if they are allowed.

Marion Lasley was opposed to billboards.

More discussion followed among the Board.

Commissioner Lamb stated that he was in favor of revisiting the county's position on billboards.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO ASK THE PLANNING COMMISSION TO WORK WITH THE BUSINESS COMMUNITY ON THE BILLBOARD ISSUE AND COME TO A POINT OF ONENESS, THEN PRESENT THEIR RECOMMENDATION TO THE BOARD.

DIRT ROAD PAVING

Mr. Brown reported that there is \$809,000 of the road bond money left and the staff has requested direction from the Board as how to allocate the remaining dollars. That amount would pave 9.5 miles of road.

Public Works Director Robert Presnell gave the Board an update on the road paving status. He directed their attention to the attachments to the agenda report which demonstrates the number of unpaved roads by district. The report demonstrated that District 3 had the greatest number of miles of unpaved roads.

Discussion followed.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 3 - 2, BY VOICE VOTE, TO ALLOCATE THE REMAINING ROAD BOND FUNDS TO PAVE DIRT ROADS IN DISTRICT 3.

Mr. Presnell then reported that he was already beginning to dismantle the third road paving crew and machinery assigned to it as they have almost accomplished their paving goals.

Commissioner Watson and Commissioner Lamb were excused at this juncture. (8:00 p.m.)

Information Technology Plan

OMB Director Davin Suggs briefed the Board as to the current situation with the Information Systems (including the telephone system) of the county offices. He then introduced James McKenzie, a consultant hired to help develop a strategic plan to bring the county's system more in line with current technology.

Mr. McKenzie and Mr. Suggs presented pertinent information and described the various stages of development that must follow in order to bring about an efficient level of service delivery within the County. See the attached information.

Mr. Suggs then asked for input and direction from the Board.

There was a consensus that Mr. Suggs should bring back a prioritized plan of action along with funding options about how to implement the plan.

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR
DECLARED THE MEETING ADJOURNED AT 8:30 P.M.**

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

IN A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA, ON JUNE 20,
2006, THE FOLLOWING PROCEEDINGS WERE
HAD, VIZ.

PRESENT: Edward J. Dixon, Chair
Brenda Holt, Vice-Chair
Sterling L. Watson
Eugene Lamb
Derrick Price
Paul Sexton, County Attorney
Marlon Brown, County Manager
Jean Chesser, Recording Secretary
for the Clerk

CALL TO ORDER

The meeting was called to order by Chair Dixon with a prayer by the County Manager and pledge of allegiance to the US flag led by Commissioner Holt.

AMENDMENTS AND APPROVAL OF THE AGENDA:

The agenda was amended as follows:

ADD:

1. Additional information provided for the Appreciation Plaque and Resolution to Dr. Jessie Furlow.
- 5a. Board Concurrence for chosen candidate for the Gadsden County Health Department Administrator position.
- 5b. Presentation of Appreciation Plaque by United Way of the Big Bend to the Board of County Commissioners.
- 5c. Presentation of Gadsden County 2005 Audit.
- 16a. Approval of Extended Operating Hours and Staffing for the William E. Bill McGill Library.
- 16b. Approval of Protocols for the Gadsden County Board of County Commissioners

18. Replacement of original Item 18 to be the Lease
Negotiation with North Florida Medical Centers, Inc.
20. Presentation and Approval of County Manager's Annual
Evaluation.

DELETE:

18. Approval of County Solicitation Policy.

**A MOTION WAS MADE BY COMMISSIONER HOLT AND SECONDED BY
COMMISSIONER PRICE FOR APPROVAL OF THE AGENDA AMENDMENTS.
THE BOARD VOTED UNANIMOUSLY (5-0), BY VOICE VOTE, IN FAVOR OF
THE MOTION.**

AWARDS, PRESENTATIONS AND APPEARANCES:

County Manager Brown stated a plaque of appreciation was to be given to Dr. Furlow for 24 years of dedicated, loyal and outstanding medical service to the citizens of Gadsden County. Mr. Brown stated Dr. Furlow has had a long and very distinguished career.

Chair Dixon asked that Dr. Furlow be brought forward for the presentation and requested that the Commissioners stand with him as the presentation was made. He read **"Resolution No.2006-037 Recognition of Dr. Jessie Furlow"** as it was being presented to Dr. Furlow by Commissioner Holt.

Chair Dixon also stated the Resolution and associated presentation proclaimed **"June 20, 2006 and each day annually from this day forward as the Dr. Jessie Furlow Day in Gadsden County."**

There was a standing ovation by the Commissioners and audience in honor of Dr. Furlow.

Dr. Furlow addressed the Commission and audience, stating she was not sure she was deserving of the recognition. She said when she first came to Gadsden County she was not sure how long she would stay, but after meeting the kind and generous people in Gadsden County it had become home and that she loved everybody here and wanted to continue to do as much as she could, whenever possible, and that she really appreciated it and she expressed thanks to everyone.

Chair Dixon said an audit had been done in the past (about 2 years ago) on the North Florida Medical Center, looking at the health care in Gadsden County and Dr. Furlow had been asked how many patients she saw. Chair Dixon stated Dr. Furlow politely responded that she didn't really know. He said one of Dr. Furlow's aides stated Dr. Furlow had 21,000 office visits that she had attended to during that year. Chair Dixon said he did not know how she did it, but that they wanted to thank her for all she had done and continues to do for Gadsden County.

Commissioner Holt discussed what a blessing Dr. Furlow was to this County and its citizens. She recalled a statement from Dr. J.M. Griffin when he was speaking of Dr. Furlow and he said, "That Gal really knows what she is doing". She said the people don't know how blessed they have been with the skills and talents of surgery, as well as the great bedside manner of Dr. Furlow.

There was a second standing ovation honoring Dr. Jessie Furlow.

ITEM 2 Presentation of of the Gadsden County 2006 Legislative Appropriations

Mr. Chris Doolin of Christian B. Doolin & Associates presented the Board with a report on the actions of the Florida Legislature Pertaining to Gadsden County. He said a specific response to each request by the Board was included in the report as shown in the attached agenda packet, as well as a narrative review the staff should look at very closely. He said the workshops and meetings with the different municipalities was a major effort with significant fundamental progress being made for the future for this County. He said the success was based on people working together, a good economic year in the Capitol, and by prioritizing where the needs could be justified and documented. He discussed the executive summary showing \$6.2 million coming into this community, not inclusive of the County's normal housing and revenue sharing. He said the rural economic development would have a long-term impact for the County.

Gadsden County Water/Sewer Infrastructure Study **\$350,000**
Havana Sewer Expansion of **\$135,000**
Gretna Inflow/Infiltration of Collection System **\$500,000**

Two additional projects funded by the Legislature but vetoed by the Governor was the \$100,000 Rosedale Water Association

Improvements and the Havana Loop Connection - North Main for \$17,500.

Public Safety/Criminal Justice **\$777,000** - Mr. Doolin said this would be an offset to the County's budget. He said of the anticipated \$1.2 million coming in that would not have come in included a **\$400,000** grant to help restore, renovate and enhance the courthouse.

Mr. Doolin said a lot of progress was not made on the regional jail. He stated there were issues with the State putting the felony and parole violators in the jail. He also said a study will be done this year by the Legislative Committee on Intergovernmental Relations to address the jail and corrections issues. Mr. Doolin said the impact of State parole violators being in the county jail needs to be brought up from the grass roots up as it is costing the County money and the concept of a regional jail, if it is something that is do-able. He said they need to work on that some more and talk about it some more.

Revenue sharing for fiscally constrained counties **\$804,411**

Mr. Doolin said Gadsden County generates about \$1.1 million per mill in revenue sharing, that the County is identified as a fiscally constrained county and the \$804,411 in recurring operational dollars has never been received by this County before. He cautioned the Commission on this as it had been a very controversial issue. He cautioned the Commission to use these funds in non-recurring initiatives - fund balance, debt retirement, something that you know if it is used this year you would not be bound from a recurring expenditure. He said the County should also be prepared to document how the money is used so that they could go forward and tell the State how the new money benefited this County.

Solid Waste/Recycling Funding **\$191,000.**

Transportation **\$2.2 million** of the State's \$70 million for small counties will come into Gadsden County (\$1,365,549 in SCRAP funds and \$844,670 in SCOP funds).

Recreational Programs - received 3 grants - **\$585,500** (\$181,500 for the Sawdust Park FRDAP and \$400,000 for Park Street Park Phase III and IV).

Library Funding - Mr. Doolin said the Legislature maintained the current level of funding for the State Library Grants Program and that there were no changes to the equalization portion of the formula. He said the County receives over \$300,000 in library funding and that small counties have received quite a boost in the equalization portion. He said there is a threat on this as some of the larger counties are looking at the State Library Fund having not increased and they don't feel the smaller counties should be entitled.

Mr. Doolin said health care is a very import issue in this County and the rural hospital issue was used in bringing the health care issues of Gadsden to the forefront. He said there had been a request for \$3 million and the response from the Legislature was that Gadsden County didn't even have the license, that it was in bankruptcy and asked how they could fund \$3 million. He said within 24 hours there was a meeting with the head of the agency, the delegation and the chairman and they were working on a plan. He said we need to focus pretty heavily in the ready initiative on health care.

On Emergency Management, Mr. Doolin said they worked on the County to coincide with the efforts in Chattahoochee. He said the Legislature had included \$750,000 in funding to support a special and general purpose shelter in Chattahoochee but that it was vetoed by the Governor. Mr. Doolin also said he knew that Commissioner Holt and others were committed to a regional emergency management plan and he felt they should dialogue with the Regional Planning Council as to how the County should deal with that issue. He said he had received a list of EOC centers and Gadsden County was not on it, and that a study had been done by DCA on the condition of EOC centers in the State. He said, believe it or not, there are some worse off than Gadsden County. He said getting on the list was tough and they were not successful in that regard.

Mr. Doolin there was a major housing bill passed on affordable housing that would give the County staff the opportunity to sink their teeth into it and do some things. He also said there were some responsibilities the County would have in terms of identifying surplus property.

Protection of Water Resources as explained by Mr. Doolin was a huge issue and that nothing had come forward to threaten it in terms of water transfers. He said water is North Florida's pot of gold.

In summary, Mr. Doolin said the County had a successful first effort, team effort, and they should continue working very hard on those issues and all of it would pay off. He said on the outside looking in people are saying about Gadsden County, "something is happening here". He said the efforts put forth by staff were very positive. He addressed page 2 of the attached agenda document and that every county and city should have a grant application in place in areas where they are doing good. On road projects he said the County needs to hold its base, do well and figure out, without necessarily dealing directly with the Legislature, where the pots of funds are available. He said the County has a waiver of match which they were able to secure and match could be waived on many of the projects. Mr. Doolin said for the future, a meeting was set up with the legislative delegation in July so things were already beginning to move forward. He said everyone involved needs to be focused on where they can make traction and that the County was to be congratulated.

Chair Dixon expressed his thanks to Mr. Doolin for all efforts he had made on behalf of the County.

The County Manager explained they are at the end of Mr. Doolin's contract and requested direction from the Commission for him to sit down with Mr. Doolin and negotiate a contract for next year's legislative session.

UPON A MOTION BY COMMISSIONER LAMB AND A SECOND BY COMMISSIONER PRICE FOR THE COUNTY MANAGER TO PROCEED WITH CONTRACT NEGOTIATIONS WITH MR. DOOLIN FOR NEXT YEAR'S LEGISLATIVE SESSION, THE BOARD VOTED UNANIMOUSLY 5-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Chair Dixon stated that the only people in the County that didn't get anything didn't ask for anything. He said if you didn't ask, you almost definitely won't get anything, but everybody that asked for something in the County's request got most of what they asked for.

ITEM 3. UPDATE ON OPPORTUNITY FLORIDA:

Mr. Rick Marcum, Community Development Director of Opportunity Florida agreed with Chair Dixon's comments and further stated that the government is run by those who show up and that was 60% of the battle, just doing that. He made a presentation to the Commission on economic development and stated it had been a good legislative year for economic development in Florida,

and that the Governor had been good to the rural communities. He said Gadsden County being a participant of rural critical economic concern was a benefit. Mr. Marcum said there had previously been a real disconnect between Opportunity Florida and Gadsden County and that he wanted to assure the Commission that disconnect no longer existed. He said the State of Florida was a little under the national average on income and that the rural counties were 34% less than their urban cousins. He said in the eight counties in Opportunity Florida, they had created over 3,000 new jobs since 2001, with an additional 1,000 that would be added this year alone. Mr. Marcum advised the Commission of the affordable housing study on Opportunity Florida's website and urged them to read it. He said two entities had been formed, a community development corporation and a community land trust. He said the land trust is the key ingredient for bringing a workforce and affordable housing to the region. Mr. Marcum said they had done a broad band study on internet coverage and it was determined that without low cost money from a business standpoint it would never happen. He said a company out of Georgia had been awarded a loan of \$33.8 million to bring broad band into Northwest Florida and Southern Georgia. He said Opportunity Florida had received a grant and will be providing and hosting web sites and domain names for \$70.00 per year. He said they feel broad band is the trade route for new commerce. He said one of the negative barriers for the rural communities was the inability to compete on mega projects and with a regional web site they would be able to compete. He said Enterprise Florida had set aside \$2 million to do three regional catalyst mega studies and invited the Commission to attend the meeting on August 30 in Chipley, Florida. He said the meeting would address thinking regionally, rather than just for the county, sharing risks and rewards and that Gadsden County had as much a chance of being the location site as any county located in the Opportunity Florida region. After further discussion, Mr. Marcum said he appreciated Gadsden County's continued support in the program and that great strides had been made in the past two years.

Commissioner Holt asked of the 3,000 jobs how many came into Gadsden County, and Mr. Marcum said he though Gadsden County was in the four hundreds, that the information had been provided by Fairfax and he said he would have them send the Commission a report, and break out the numbers by county. After further discussions, Commissioner Holt said she would like to see something on combined efforts to bring the type of

jobs wanted in Gadsden County before all of the land is used up.

Ms. Farnita Saunders addressed the Commission assuring them that Gadsden County is represented on the Opportunity Florida Board, that Gadsden County would not be under-represented and that she would keep the Commission abreast of what was being done.

ITEM 4. Presentation by the American Red Cross - Hurricane Biz Exercise for Gadsden County:

Mr. Chris Floyd addressed the preparedness level of businesses in Gadsden County for a hurricane 2 category storm approaching, passing over and then being able to stay in business after the storm has struck the County, and he briefly discussed the Hurricane Biz Exercise to be held at Tri-Eagle Sales on July 13 From 9:00 AM - 1:00 PM. A copy of the 2006 Hurricane Survival Guide was given to each of the commissioners and over 12,000 copies has already been disseminated throughout Gadsden County. He also said in reference to emergency management, they had just received grant funding to buy shelter supplies for Gadsden and the other seven counties, and within the next three months plans to have additional cots and equipment on hand in Gadsden County in the form of two additional support trailers, and as West Gadsden comes on line as a new shelter, hopefully by the end of this hurricane season, they would have the additional space in that facility.

In response to Commissioner Holt, Mr. Floyd said East Gadsden is currently the one risk shelter in Gadsden County with a number of churches inspected and approved as host shelters in the County.

Commissioner Lamb asked if Mr. Floyd had been in contact with Ring Power in Midway as a shelter. He said Mr. Floyd may want to contact Ring Power and communicate with them.

Mr. Floyd said he did not believe Ring Power's building was being built to American Red Cross standards 4496 for a shelter. He said the County, Red Cross and Sheriff's Department should work together as additional funds are available from this year's legislative session to bring on line additional shelter space and his recommendation would be to first take a look at the parts of East Gadsden that need to be shuttered so those areas could be available as additional space at East Gadsden High School.

**ITEM 5. Presentation of 2nd Annual North Florida Community
Faith Based Substance Abuse Summit:**

Pastor Stanley B. Sims, Program Director, addressed the Commission requesting assistance in hosting the up-coming 2nd annual community and faith-based substance abuse prevention summit. He said this year's summit will be held at the Quincy Conference Center in Quincy with an anticipated 400 guests. He said Gadsden County has united with Leon and Wakulla Counties to reduce substance abuse in the three counties. He said the State Department of Children and Family Services has designated H.E.L.P. A.D Gadsden County's designated substance abuse coalition. He said rural counties have been an attractive area for methamphetamine camps, and it is not a problem now but it is coming if we just lie down and go to sleep on it. He said they want to set up a more comprehensive level in joining with the Sheriff's Department and having safer and supervised activities for children to attend and be in year-round. One that the school system will be able to refer the children to, and that those were their issues of concern. Mr. Sims also said their new office is located in the downtown Planter's Exchange Office, Suite # 18. He also said their strategies had changed as the Federal Government no longer wants coalitions to provide services, but be literally unpaid lobbyists going out and advocating for the reduction in substance abuse. He also said the other two counties have joined on and he asked Gadsden County to do the same by sponsorship support and also providing a representative for the PSA (Public Service Announcement) that Mike Vasilinda of Capitol News will be doing for them on July 17 & 18, with the summit being on August 7.

Chair Dixon asked Mr. Sims to get with the county manager and the county manager would then make a recommendation to the Board.

ITEM 5a. Board Concurrence of candidate for the Gadsden County Health Department's Administrator Position.

Mr. Maximo Martinez, current Acting Director for the Gadsden County Health Department, introduced Ms. Sylvia Byrd as the State Health Office's selection as Administrator for the Gadsden County Health Department, and he requested concurrence from the Commission.

Ms. Byrd briefly addressed the Commission and expressed her concerns for the citizens of this County, stated she had set high performance goals for herself to work as a team, to be viable and visible in the community, to be successful as an integral part of all the public health teams in the County.

Chair Dixon expressed his confidence in Ms. Byrd and stated he had nothing but great things to say about her and that he hoped she would bring great energy to the Health Department. He said that he hoped the Board would concur with him in his beliefs.

UPON A MOTION BY COMMISSIONER LAMB AND A SECOND BY COMMISSIONER HOLT TO ACCEPT THE RECOMMENDATION FOR MS. BYRD AS ADMINISTRATOR OF THE GADSDEN COUNTY HEALTH DEPARTMENT, THE BOARD VOTED 5-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Chair Dixon said he would like to be the first to welcome Ms. Byrd home.

5b. Presentation of Appreciation Plaque to the Board of County Commissioners by United Way of the Big Bend.

Ms. Willie Smith presented an appreciation plaque to the Commissioners and expressed thanks on behalf of the United Way to the Commission for their contributions during this year. Ms. Smith stated Gadsden County was one of the eight counties in the Big Bend United Way. She said \$135,000 had been raised and all of the funds would be given out by a group of Gadsden County volunteers at Thomas Memorial Baptist Church. She said the different agencies will come in, make their presentations and the volunteers will decide which ones from Gadsden County will get the dollars. She mentioned the various organizations that were funded last year.

5c. Presentation of the Gadsden County Fiscal Year 2005 Audit.

Mr. Richard Law addressed the audit as having covered and combined the entire County. The report covered the Board, Clerk, Sheriff, Property Appraiser, Tax Collector and Supervisor of Elections and reflects the entire County as it relates to the audit of the federal grants that flow through the County. He discussed pages 1 & 2 of the financial report and said his firm expressed an unqualified opinion that the financial statements are fairly presented in generalized accounting acceptance principles, that everything was square on the accounting principles. He suggested the Commission

read the management discussion and analysis overview beginning on page 3 of the audit report and said there was very meaningful information in the overview. He said the fund balance in the full accrual is very high but on the fund basis it is a little lower and there are reconciliations in the report to show the difference between full and modified accrual. He discussed the auditor's report beginning on page 58 concerning internal control and compliance. He said on the internal control there was a material weakness related to the lack of segregation of duties in the computer department -one person in charge and had too much access to where there was not enough checks and balances. He said this had been evidenced in prior years, but a person has been hired this year and the key is that the duties be segregated between the person that was already there and the new person to have checks and balances and that controls are strong enough to prevent any fraud or error. He said there was also a material weakness in control in the Sheriff's Office which does affect some of the grants he has in his operation. He said the Sheriff had more to do to fix his control problems than just hiring one person. Mr. Law said he had talked to the Sheriff about these issues and the Sheriff will have to respond to the auditing firm in a rebuttal letter, just as the Board would. He said he thought the Commission should be aware that the Sheriff had some things to address to improve his controls to prevent any problems.

Chair Dixon asked if Mr. Law was telling them this would be a budget issue and Mr. Law responded that he did not know how the Sheriff would allocate his resources, that he needed more personnel.

Mr. Law stated one of the accountants in the Clerk's Office would be going to part-time and those duties would need to be replaced as well. Mr. Law said he hoped the person that would be hired would be capable of functioning well as they were strapped. He said the Clerk's Office works very hard to keep the books in order and if anything should happen to Connie, things would shut down and the Board needed to be aware of that. He said he hoped the Board could talk with the Clerk and arrange for him to have a little more capacity.

Chair Dixon said that would not happen.

Mr. Law said well, he was suggesting it.

Chair Dixon said he was just joking.

Mr. Law said he was suggesting it because you never know when an accident or illness could occur, and that the Clerk's Finance Office was working on bare bones. He said the Clerk's Office had some internal weaknesses that did not affect the Commission and that they had corrected some of the internal control weaknesses that affected the Board last year, but they haven't had the manpower to make their own internal control over the Clerk's Office as strong as they need to be - they are a little short handed.

Mr. Brown said he would address the Clerk's issues in the workshops scheduled for 6/21 and 6/22. He said not to get into details, but that it was a repeat of last year's issues where they were not getting the information from the Clerk's Office coming to the meetings to discuss what the issues are.

Mr. Law addressed page 68 of the report and stated some corrections had been made on prior year's findings. He said some improvements had been made under segregation of duties on the Board's side, payroll, cash disbursement, direct deposits, travel advances, and invoice cancellation. He said they noted again as in the prior year that the road contract with CW Roberts be renewed. He said he believed that had been done since the audit. He said they recommended last year that the Board increase the working capital and that has been done to some degree. Mr. Law said this would be a ten year project, that the County just could not save a lot of money in one year, and it would have to be gradually done to build the networking capital to have a good rainy day fund.

Mr. Law said there was only one new finding which was one of the loan covenants that required a budget be sent to the lender after so many months of adoption of the budget and that was not done. He said this loan was in place prior to the OMB office coming in. He recommended they study the covenants which are the restrictions they are held to and understand what the restrictions and covenants are and that they are met as he would hate for someone to present a budget or request a loan when this may restrict the ability to borrow. He said there are certain restrictions which must be met before you can borrow more money.

Commissioner Holt asked Mr. Law for suggestions or information on improvements they could make or do things better and especially when going after grant funding.

CONSENT AGENDA:

- Approval of Minutes - May 22, 2006, Regular Meeting
- Ratification of Approval to Pay Bills
- Approval of Extension of Translator/Interpreter Contracts for the Probation Dept
- Approval to Award RFP # 06-07 for Financing of Heavy Equipment for the Public Works Dept.
- Approval of Early Payment of Existing Public Works Debt and Realization of Revenue from the Sale of Public Works Equipment.
- Approval to sell Surplus Equipment/Vehicles at Auction.
- Approval of Renewal of Emergency Debris Management Services

UPON A MOTION TO APPROVE THE CONSENT AGENDA BY COMMISSIONER HOLT AND A SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Item 13. Public Hearing Authorizing the Escambia County Housing Finance Authority to Issue Single Family Mortgage Revenue Bonds on Behalf of Gadsden County.

Ms. Karen Norton, Assistant Director advised the Board this was the required hearing by the Internal Revenue Code for Gadsden County to participate in the 2006 bond issue which would provide mortgage funds at a below market interest rate for home buyers in Gadsden County offering up to \$10,000 in down payment and closing cost assistance at a 0 percent interest. Ms. Norton requested the Board approve the Resolution and Inter-Local Agreement for Gadsden County to participate in the 2006 bond issue which would allow the County to participate for the next three years.

UPON A MOTION BY COMMISSIONER HOLT AND A SECOND BY COMMISSIONER LAMB TO APPROVE THE RESOLUTION AND ENTER INTO THE INTER-LOCAL AGREEMENT FOR GADSDEN COUNTY TO CONTINUE TO PARTICIPATE FOR THE NEXT THREE YEARS IN THE BOND ISSUE, THE BOARD VOTED 5-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Item 14. Variance Request (V-2006-01) Comfort Creek Phase I (cul-de-sac length)

Mr. McCord said this had been brought before the Board in March and they had approved the conceptual plat for Comfort Creek Phase I and Phase II. However, it was not clear in the

minutes or the agenda report that the Board took a formal vote and action on the variance and that it was his opinion it was the consensus of the Board at that time to approve the variance. Mr. McCord explained the reason for requesting the variance was due to the unusual topography and wetlands in the area. He said they were requesting a formal vote on approval of the variance.

Chair Dixon called for public comments and there were none.

A MOTION WAS MADE BY COMMISSIONER WATSON AND SECONDED BY COMMISSIONER HOLT TO APPROVE THE VARIANCE AS REQUESTED. THE BOARD VOTED 5-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

**Item 15. Discussion of Non-Conforming Uses/Structures
Subsection 5003, Gadsden County Land Development Code.**

Mr. McCord explained the provisions of the comp plan, addressing specifically policy 1.5.1 and 1.5.2 as shown in attached agenda report. He recommended Option 2 for the Board's approval after his explanation of non-conforming uses/structures. Mr. McCord said the purpose of this being brought up at this time was a piece of property on Penny Lane zoned in Agricultural 2, allowing density of one unit to ten acres. There are three units on this piece of property (a little over five acres). He said one of the units had burned and the County is bumping up against a non-conformance issue as shown in the attached agenda report. Mr. McCord said they could make changes to the code or even the comp plan to allow for non-conformities to be allowed, but that the Board would not be moving towards implementing their comp plan by doing that. He recommended Option 2 for the Board's approval after further explanation of non-conforming uses/structures.

Chair Dixon asked if non-conforming could be done, in grandfathering those houses, say if you are here, you have the right to remain here. If a house burned, you would be able to replace it, could that be restricted to residential use. He said with a permanent grandfathering you would have the right to upgrade the mobile home, as long as it did not change the number already there.

Mr. Sexton said he thought it could be done because residential uses are recognized as having an additional public purpose that may not be seen from commercial purposes, and

that is why you have the right to build a residential structure on almost any parcel, with limits, and that there were preferences for residential over commercial.

Commissioner Holt addressed the issue of the property owners going ahead in a timely manner to replace their home, not waiting four or five years to do replacement. She said she was in favor of grandfathering it in.

Commissioner Lamb also expressed his concern with pushing people off their land, and it needed to be looked at. He said the comp plan should have been looked at more closely when it was being written.

Chair Dixon called for public comments:

Ms. Kim Medley addressed the Board with support of her brother David so that his mobile home that burned could be replaced with a new mobile home.

Mr. John Quakenbush said he has a similar situation and asked if the Board approved the grand-fathering, how long it would take for someone to be able to go get a new mobile home.

Mr. McCord said a change to the code and comp plan, and hopefully it could be done through the code, would have to go before the Planning Commission, consider the ordinance which would change the language and then it would have to come back to the Board for two readings - that it would be late September.

Mr. Daniel Anderson also addressed the Board in support of David Medley and other families with similar problems in the County.

COMMISSIOSNER PRICE MADE A MOTION FOR OPTION # 1 TO AUTHORIZE STAFF TO PREPARE A DRAFT ORDINANCE REVISING THE NON-CONFORMING PROVISIONS OF THE LAND DEVELOPMENT CODE, AND IF NECESSARY, PROPOSE A COMPREHENSIVE PLAN TEXT AMENDMENT REVISING OR MORE SPECIFICALLY DESCRIBING THE INTENT OF THE BOARD AS IT PERTAINS TO CERTAIN NON-CONFORMING USES. UPON A SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Chair Dixon said he would like to say to those people wanting to come up and jump on Mr. McCord that he (McCord) was the best thing they had seen in a long time. He does what he is

supposed to do, that is his job, and the Board really takes what he says very seriously, and that it was not very often the Board would go against his wishes at all, because he does have a really good hold on what is happening.

Item 16. Approval of Non-Profit Funding Process

Mr. Davin Suggs said the Board normally approved a process for providing funds in their annual budget for non-profit cultural and human services and asked that the Board approve and/or put aside an amount of money to for those organizations. He requested once the budget is approved for next year that the Board appoint a citizen's committee, specifically one member from each district appointed by each commissioner to review and conduct a needs based committed to the grants process and at that time, from recommendations from the staff and committee back to the Board, that the Board would appropriate those funds previously set aside. He discussed how this process is done in Leon County and explained there was a possible partnership with United Way, based on discussions with them and matching funds from the United Way and that they had expressed an interest if the County changes to this process.

Ms. Susan Dunlap of United Way of the Big Bend addressed the Board as to how they invest dollars in the eight counties back into the communities through the human services agencies. She said they work as a partnership with Leon County and the City of Tallahassee.

County Manager Brown said the United Way is in agreement with the Board appointing members to the committee.

UPON A MOTION BY COMMISSIONER HOLT AND SECONDED BY COMMISSIONER WATSON, FOR APPROVAL OF OPTION # 1 TO APPROVE CHANGES TO THE NON-PROFIT FUNDING PROCESS AS RECOMMENDED BY THE OFFICE OF OMB, THE BOARD VOTED 5-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

**Item 16a. Approval of extended operating hours and staffing
Of the William A "Bill" McGill Public Library.**

Mr. Brown recommended approval of the extended hours as shown in the attached agenda packet and said the additional costs for the remainder of the fiscal year would be just over \$16,000. He said the costs for future years would be brought back to the Board from the current budget being prepared, and

he estimated those costs would be about \$57,000. He said they would also look at the usage and that John Brown would do the necessary advertising and public notices for the extended library hours and at the end of three months would bring back to the Board the analysis of the usage.

COMMISSIONER LAMB MADE A MOTION TO APPROVE THE APPROVAL OF THE EXTENDED HOURS AND ADDITIONAL COSTS AS PRESENTED BY THE COUNTY CHAIRMAN. UPON A SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 IN FAVOR OF THE MOTION.

16 b. Approval of Protocols for the Board of County Commissioners

County Manager Brown said these protocols had been presented at the June 14 workshop meeting by Dr. Larry Gross. He requested adoption of the protocols for the Board of County Commissioners.

COMMISSIONER HOLT MOVED FOR APPROVAL OF THE PROTOCOLS AND UPON A SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5-0, BY VOICE VOTE IN FAVOR OF THE MOTION.

Item 17. No Items by the County Manager.

Item 18. Lease of the Gadsden Medical Center with the North Florida Medical Centers, Inc.

Mr. Sexton said the current lease expired in July of 2005 and that they had spent several months in negotiations. He said one of the key sticking points was an indemnity provision brought to the Board on April 4 and approved by the Board for an indemnity provision in the new lease being discussed with North Florida Medical Centers. Mr. Sexton said the counsel for North Florida Medical Centers had indicated they would not agree to that type of term in the lease, that they would be willing to stay in the facility on a month to month basis or other lease terms that did not include an indemnity. He said there were other financial issues they never got to as the indemnity issue was the threshold issue. Mr. Sexton said he was returning to the Commission for guidance as to the County's position in light of North Florida Medical Center's unwillingness to agree to a provision the County Commissioners had wanted to pursue. He said the County's efforts to require reasonable terms for its lease would be impaired if it allowed North Florida Medical Centers to remain in possession of the premises in spite of a break down in negotiations, and if they

remain in possession of the premises whether as a tenant at sufferance or a tenant at will, there would be no indemnity provision in effect. He said they are paying their rent as a continuance of the old rent amount under the old lease and that does not give them the ability to maintain their residence for occupancy if the County decides they want to terminate the occupancy and put them out. He said that is a decision for the Board to make and under Option # 1 to provide direction as to the County issuing notice to The North Florida Medical Centers that its occupancy of the Gadsden Medical Center has been terminated. Mr. Sexton recommended Option # 1 to the County, and said the ultimate decision would be up to the County Commission.

County Manager Brown said the indemnity language is fairly standard and for some reason the North Florida Medical Centers is refusing it, that in the event something happen at that center basically the County could be sued, and they would not defend the County - we would have to get an attorney to defend ourselves.

In response to Chair Dixon, Mr. Sexton said the reason given by North Florida Medical Centers was they don't have indemnity provisions at the other centers they lease and they don't want to increase their risks overall to their financial status by extending an indemnity to the Gadsden County Commission on this facility. He said North Florida Medical Centers stated they would put in an insurance policy so that if they are at fault, the insurance coverage would cover the County's costs, but if they are not at fault then the County would have to maintain the defense just to establish lack of fault if they are sued, and North Florida Medical Centers would not cover that. In response to Commissioner Holt, Mr. Sexton said they are currently operating without a lease, basically as a tenant paying rent and if they have insurance in place it would cover the County, and if they don't then it wouldn't.

There was additional discussion among the Board.

A MOTION WAS MADE BY COMMISSIONER LAMB TO TABLE THIS ISSUE AND UPON A SECOND BY COMMISSIONER HOLD, THE BOARD VOTED 5-0, BY VOICE VOTE, IN FAVOR OF THE MOTION TO TABLE.

County Manager Brown said by the next Commission meeting, they would have some significant information on the urgent care and legal issues on occupancy of that facility. He said about 95 percent of the improvements have been done to get it up and

running, and if it is not open by then, he would let the Commission know where they stand.

County Attorney Sexton said the use of the facility would be subject to agreement of the parties and subject to a decision by the bankruptcy court. He said they do have that procedural element in getting a short term lease back from Ashford during the bankruptcy until such time as the entire facility comes over to the County, pursuant to the agreement with ACHA.

Item 19. Citizens to be Heard

Ms. Willie Lou Francis addressed the Board concerning her residence at 255 Ranch Road and her rental property on Wastell Road pertaining to dog problems.

After an explanation of the problems she had been experiencing with stray dogs on her property and the damage they have done and the fleas they had caused. she said she had never received a return call from the dog pound/animal services. She asked the Commission for some direction and County Manager Brown assured Ms. Francis it would be taken care of.

Her second problem was the terrible condition of Ranch Road and she wanted to know when it would be paved.

Mr. Robert Presnell of Road & Bridge said they are in the process of changing pipes on Ranch Road in preparation for paving. He said they had to pull the crew from Ranch Road to go work on the new library site and his crew would be back on Ranch Road within two weeks.

Ms. Emily Rowan asked for clarification on the grandfathering previously discussed, and if it must be the person that owned the mobile home that was destroyed to be the only one allowed to replace the structure or if someone else could come along and be allowed to put one there.

Chair Dixon said his position was a "house or mobile home in use".

Mr. McCord said that could probably be tied to an active utility permit or something of that sort. He said they would try to write something to include proof of active utility bill, etc.

Ms. Rowan also addressed problems with an individual hauling garbage for other persons and dropping trash all over the road. She said she had his tag number and had called the Sheriff's Office and they were not interested.

Chair Dixon advised Ms. Rowan to talk with Mr. Presnell and he would take care of it.

20. There were no items for discussion by any of the Commissioners.

Chair Dixon advised the Board they had the evaluation of the County Manager before them for consideration, and that he had scored a 4.52 out of a possible score of five. He recommended approval of the evaluation.

COMMISSIONER LAMB MADE A MOTION TO APPROVE THE EVALUATION OF THE COUNTY MANAGER, AND UPON A SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

**THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING
WAS ADJOURNED.**

Edward J. Dixon, Chair

**Jean Chesser, Recording Secretary
for the Clerk**

AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON JULY 11,
2006, THE FOLLOWING PROCEEDINGS WERE
HAD, VIZ.

PRESENT: Brenda Holt, Vice-Chair
Eugene Lamb
Sterling Watson
Derrick Price
Thornton Williams, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

ABSENT: Edward J. Dixon, Chair

Invocation and Pledge of Allegiance

Vice-chair Holt called the meeting to order. Commissioner Price led in the invocation and Commissioner Watson led in pledging allegiance to the U.S. flag.

Amendments and Approval of Agenda

The following amendments were made to the agenda:

ADD TO THE PUBLIC HEARING AGENDA

20. Hilaman Storage Building - Add the Planning Commission Recommendations
21. Highlands at Lake Talquin Subdivision - Add the Planning Commission Recommendations
22. Eagles Landing Subdivision - Add the Planning Commission Recommendations
23. Conceptual Plat for Carman Maria Phase II Subdivision - Add the Planning Commission Recommendations
24. Gadsden County Correctional Institute Expansion - Conceptual Site Plan - Add the Planning Commission Recommendations
25. Preliminary Plat for Susan's Place, A Re-plat of Waha Minor

Subdivision - Add the Planning Commission Recommendations

- 26. Smith-Montford Comprehensive Plan Amendment - Add the Planning Commission Recommendations
- 27. Special Exception Request - Horses on a Residential Parcel of Less than 5 Acres - Add the Planning Commission Recommendations
- 30A. Public Hearing - Application for Funds from the CDBG Program Economic Development Grant

ADD TO THE GENERAL BUSINESS AGENDA:

- 31A. Approval of Summit Professional Services, Inc. as the Sole Source Responder to the Request for Proposals (RFT) for Administration of the 2006-2007 Economic Development Community Development Block Grant (CDBG) Economic Development Grant - \$750,000
- 31B. Fair Housing Workshop and Approval to Proceed with Application for CDBG Economic Development Grant for \$750,000.

ADD TO THE COUNTY MANAGER'S AGENDA:

- 32-A. Update on Urgent Care Facility

PULL FROM THE CONSENT AGENDA THE FOLLOWING ITEM FOR DISCUSSION:

- 8. Approval of Change Order No. 1 for Additional Roads to be Added to the 2006 Dirt Road Paving List

UPON MOTION BY COMMISSIOENR LAMB AND SECOND BY COMMISSOINER WATSON, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE AGENDA AS AMENDED ABOVE.

Awards, Presentations and Appearances

There were no awards, presentations or appearances.

Consent Agenda

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT:

1. Approval of Minutes
May 16, 2006 Regular Meeting
June 20, 2006 Regular Meeting
2. Ratification of Approval to Pay County Bills
Account Payables Warrant Registers Dated: June 23, 2006
July 7, 2006
Payroll Registers Dated: June 22, 2006
July 6, 2006
3. Approval for the Chairman to sign the Application to Receive Discount on Workers Compensation Insurance Coverage in Compliance with 2006/2007 Drug-Free and Safety Program -Annual statement attesting to the County's compliance with the Programs.
4. Approval of Dr. Carol Sutton as the new EMS Medical Director to replace Dr. Jessie Furlow who died on June 24, 2006
5. Approval of Agreement with Houston Galveston Area Council Cooperative Purchasing Program
6. Authorization for the Staff to Negotiate Final Terms of the Continuing Telephone Services with TDS and Authorization for the Chairman to Execute the Final Contract - \$3,556 per month
7. Approval of Public Works Mosquito Control Budget for FY 2006/07
8. *Approval of Change Order No. 1 for Additional Roads to be added to the 2006 Dirt Road Paving Contract
Aster Ave.
Atsco St.
Kelly Ave.
Powell Circle
Pete Smith Road
McMillian Road
Woodrow Butler Road
Butler Road
Pearl Lane
Strom Road

Runkle Road
Potter Road
Sunday Road
Oaks Road and North Oaks Road

***This agenda item was pulled for discussion and approved later in the meeting.**

9. Approval of County Incentive Grant Program (CIGP) Agreement with Florida Department of Transportation (FDOT) CR 379-B (Atwater Road) (Total of Project - \$245,273.00. 50% match required)
10. Approval of Small County Road Assistance Program (SCRAP) Agreement Resurfacing of CR269-B (Juniper Road) totaling \$668,263 (50% match required)
11. Approval of Small County Road Assistance Program Agreement with FDOT for Resurfacing of Old Federal Road CR 65-B totaling \$1,365,549 (50% match required)
12. Approval of Small County Outreach Program Agreement with FDOT for Resurfacing of Lanier Road totaling \$844,670 (50% match required)
13. Approval of OMB-BA# 060032A and Resolution # 2006-041 to Establish Budget for Deer Ridge Road Improvements -50% of the total cost of \$39,000 - \$19,500
14. Approval of Five Year Work Program (identifying roadway improvements on the state highway system or projects to be funded with state funds) and approval to transmit the attached list of work projects to FDOT and Capital Area Regional Transportation Planning Agency (CRTPA)
15. Authorization to adjust Revenue Forecast for Tier II and Tier III Diesel Revenue for FY 2006 Resolution # 2006-044 OMB-BA# 060035A Decreasing the revenue by approximately \$800,000. (At the time of the 2006 budget development, the Tier II and Tier III revenues were mistakenly included twice or "double counted" in the proposed revenue.) The Budget Amendment decreases the revenue by approximately \$800,000.
16. Authorization to Establish Budget Authority for Use of FY 2006 Fire Assistance Grant Funds from the Florida Division of Forestry. Resolution # 2006-040; OMB-BA# 060028A and

060028B

17. Authorization to Establish Budget Authority for Use of FY 2006 County Award EMS Grant Resolution no. 2006-043; OMB-BA# 060031 The County received a County Award Grant for FY 2006 for \$17,960.00 in March 2006. Resolution No. 206-043; OMB-BA# 060031
18. Authorization to Establish Budget Authority for Use of FY 2006 Keep America Beautiful Grant FDOT Grant - County Received the grant in May of 2006 for \$19,150.00 No matching funds required.
19. Authorization to Adjust Property Appraiser's Budget per Florida Department of Revenue OMB-BA# 060034

CONSENT ITEMS PULLED FOR DISCUSSION

PUBLIC HEARINGS:

20. **Public Hearing - Conceptual /Preliminary Site Plan for Hilaman Storage Building - SP 2006-02**

County Manager Marlon Brown announced a public hearing on the above stated issue. He turned the hearing over to Growth Management Director Bill McCord.

Mr. McCord was administered an oath as to his testimony in this matter by Muriel Straughn, deputy clerk. He gave a brief presentation of the proposed site plan. See the agenda report for full details. He highlighted the following facts.

The application is asking for approval of a small industrial building in the Gadsden Commercial Exchange Industrial Subdivision. The parcel is designated as industrial land use. The site plan includes an existing building on the parcel. The applicant proposes to use the property as a lawn care service. As a result of that, they will be making additional improvements to the site and preserving the 50 ft. buffer around the west and north side of the property as required by the plat and the site plan design.

Type of Action Required: Quasi Judicial in conjunction with the advertised public hearing under the Type II plan review procedure per Subsection 7202 of the Gadsden County

Land Development Code

Owner: Hilaman Properties LLC, Owner

Applicant/Representative: Matthew Parker of Parker Consulting Services, Inc.

Location: Garrett Drive in the Gadsden Commercial Exchange Industrial Subdivision, approximately ¼ mile southwest of the intersection of US 27 and Shady Rest Road (CR 270) in Township 2 North, Range 2 West, Section 03

TAX ID: 3-03-2N-2W-1524-00000-0050

Planning Commission Recommendation: The Planning Commission met on **July 5, 2006** and made a recommendation for approval based on the findings as described in the amended agenda report and subject to the special conditions also contained in the amended agenda report.

Staff Recommendation: Approve the Conceptual/Preliminary Plan based on the findings referenced in the attached agenda report and subject to the following special conditions:

- a) Provide paved parking for two of the three regular parking spaces.
- b) Indicate the storm water permit number for the storm water pond.

Gadsden Commercial Exchange Subdivision, an industrial subdivision, was created in 2000. The Building Inspection Department issued a permit before the Planning Department conducted a review. It is compatible with the surrounding uses.

See complete details of the project in the agenda report.

Vice-chair Holt called for public comments. There was no response. She then called for board discussion. There was none.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE CONCEPTUAL/PRELIMINARY PLAT FOR HILAMAN & THORNTON INDUSTRIAL BUILDING.

21. **Public Hearing - Conceptual Plats for Highlands at Lake Talquin Subdivision - SD 2006-04**

Mr. Brown announced a public hearing on the above stated issue then turned it over to Mr. McCord who was administered an oath by Muriel Straughn, deputy clerk. He

gave a brief presentation of the proposed conceptual site plan. See the agenda report for full details. He highlighted the following facts.

Type of Action Required: Quasi-Judicial action in conjunction with the advertised public hearing as a Type II plan per subsection 7202 of the Gadsden County Land Development Code.

Owner: The Highlands at Lake Talquin, Inc.

Applicant/Representative: Mark Schuster of Paradigm Engineers and Consultants

Location: South side of McCall Bridge Road east of Lakeview Point Road

TAX ID: 4-25-1N-4W-0000-00232-0000 & 4-26-1N-4W-0000-00340-0000

Planning Commission Recommendation: July 5, 2006 - Approval based on the findings as listed in the attached agenda report and subject to the special conditions also listed in the attached agenda report.

Staff Recommendation: Approval based on findings in the attached report and special conditions also listed in the agenda report.

Previous hearings: April 25, 2006 Hearing for Land Use change.

Mr. McCord reminded the Board that the land use was changed from AG3 to RR and transmitted to DCA last fall... When it came back to the Board, there was lengthy discussion about how infrastructure would be provided to this site. At the time of the land use change transmittal hearing, the developer agreed to build an on-site package tertiary treatment sewer system on the south central portion of the property. That system may also serve subdivisions out of this area.

There are wetlands on the property, which extends through the center of the property, which will be placed in conservation tracts.

All lots will be ½ acre to 1 acre. The land use surrounding this parcel is primarily rural residential or are developing in a residential manner.

Mr. McCord asked the Board to consider allowing the applicant to develop the property based on the gross density as opposed to the net density because they will be

supplying both water and sewer services to the site.

The Board did send a text amendment to DCA, which would allow for development based on gross density versus net density on projects that have full utilities.

The Highlands consist of a 417-acre parcel with Rural Residential land use category. The proposed subdivision will consist of five phases with a total of 325 single-family lots. Phase I will consist of the southwesterly portion of the site with access to/from Lakeview Point Road. A total of 79 lots would be included in this phase.

Phase II would consist of 30 lots accessing from McCall Bridge Road. Phases III (43 lots), IV (65 lots), and V (109) lots would be developed on the interior portions of the site. In addition to proposed private streets, there are 19 common open space tracts and storm water treatment tracts and two wastewater treatment plant tracts. Right-of-ways would consist of approximately 30 acres and would also be a tract or tracts to be owned and maintained by the homeowners association.

Vice-chair Holt called for the applicant.

Mark Schuster of Paradigm Engineers and Consultants addressed the Board. He requested permission to develop the property at the gross acre density rather than the net acre density. If density is allowed at gross density, he would expect to develop 325 lots.

Commissioner Lamb asked Mr. McCord for his opinion regarding allowing lots to be developed on the gross density.

Mr. McCord responded, "I don't know what DCA would say about it, but, we do have that special condition on page 16, in the middle of the page "I." That is specific condition that does not necessarily bind you to 325 lots, but it is an indicator that that is the direction that you would be leaning. That is assuming that DCA approves the text language that you have already authorized for transmittal.

Now, if it comes back and DCA is not comfortable with that and you decide to change it, then they would have to reduce their lot yield back to net developable acres. That would

be determined at the preliminary plat stage which would be the next review level."

Lamb:

But, you agree with him on that if DCA approves it?

McCord:

If DCA approves it, yes, sir.

Vice-chair Holt called for public comments from those who were opposed to the issue.

Marion Lasley was administered an oath by Muriel Straughn, deputy clerk. She voiced concern about the number of lots and requested that development be allowed at the net density and not the gross density. She also asked what protections would be in place to protect the adjacent properties from the spray fields that will be in the subdivision.

Mr. McCord answered that he still does not have any detailed designs at this early stage of the project. However, he said that there are a number of open space tracts throughout the project site, which includes the sites that will accommodate the package treatment plant. He said that the early indications are that the affluent will be treated or spread over a variety of upland open space areas including recreation areas throughout the site. It could also include individual lots. He reiterated that the discharge will be high quality water after treatment. It will not be sewage water. It will be regulated by DEP and a permit operator. Talquin has indicated that they will be willing to operate the plant. Before Phase I can be opened or completed, they will have to have at least one stage of the package treatment system.

Ms. Lasley then asked if the 325 lots were "carved in stone."

Mr. McCord replied, "If DCA finds that the proposed Comp Plan amendment (which has been approved by this body, here) - if DCA agrees to that, then we would, of course, agree with that as well. So, there is a conditional condition of approval, if you want to call it that, that pending acceptance by DCA, then approval and adoption by this Board when it comes back as an ordinance (adopting those text amendments). Therefore, I guess the intention of the Board

is still to approve those unless they have a change of heart. If they have a change of heart and decide not to adopt those text amendments, then that will cloud this issue and require that the net developable area or net yield of lots will be all that they can achieve."

Ms. Lasley then wanted to make certain that the lots will not be platted in the wetlands.

Mr. McCord assured her that they would not be platted in the wetlands. He said that the total number of lots could decrease significantly.

Vice-chair Holt again called for public comments. There was no response.

Board discussion followed.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTE 4 - 0, BY VOICE VOTE, TO APPROVE THE CONCEPTUAL PLAT FOR THE HIGHLANDS AT LAKE TALQUIN.

22. **Public Hearing - Conceptual Plat for the [Eagles Landing Subdivision - SD 2006-05](#) (82 Lots on 101.16 Acres)**

Mr. Brown opened a public hearing for the above stated issue.

Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk. He gave a brief description of the proposed project, which included the following remarks.

Type of Action: **Quasi-Judicial** action in conjunction with the advertised public hearing as a Type II Plan per Subsection 7202 of the Gadsden County Land Development Code.

Owner: The Eagles Landing of Quincy, LLC

Applicant/Representative: Hector DeLao; Eric Etters, PE., Paradigm Engineers and Consultants, Agent

Location & Description: 101.16-acre parcel containing 82 lots within Rural Residential land use category. East side of State Road 267, approximately $\frac{3}{4}$ miles north of the intersection of SR 267 and Salter Road in Township 3 North, Range 4 West, Section 36. Utilities will be provided by City of Quincy or Talquin.

TAX ID: 2-36-3N-4W-0000-0132

Previous Hearings before BCC: April 25, 2006 (CPA-2005-07, Wildflower Land Use Amendment) Changing land use from AG-2 to RR. With the Comp Plan amendment, the applicant indicated a proposed a 76 unit subdivision.

The applicants are requesting to develop 82 lots, which is greater than the net developable density. Mr. McCord stated, "That presents a concern or dilemma that you need to discuss with the applicant tonight as to the reasons for that." (The new policy that was considered by the Board and transmitted does not afford the same developable rights with this subdivision as was afforded to the Highlands at Lake Talquin because Eagles Landing is not providing central sewer.)

Mr. McCord continued, "Otherwise, the lot sizes that are proposed within the subdivision would comply with the clustering provision under the Comp Plan since all lot sizes would be greater than ½ acre."

He referenced other details listed in the agenda report.

Planning Commission Recommendation: July 5, 2006 -
Recommended approval based on a number of findings and recommendations for special conditions. (See the agenda memorandum submitted as an amendment to the agenda)

Staff Recommendation: Approve the conceptual subdivision plat for the Eagles Landing subdivision based on the findings as listed in the attached agenda report but subject to the special conditions a - k also listed in the agenda report.

Vice-chair Holt called for public comments.

Mark Shuster was administered an oath by Muriel Straughn, deputy clerk. He stated, "We're back to the density issue again as Mr. McCord said. We need to discuss this a little further. One thing that was not mentioned is that these will be site built homes. Under the current Land Development Code, Section 4102, when you cluster using site built homes in rural residential category, you are allowed to use the full density, not net density. Also, I heard earlier from Ms. Lasley that she said that the Comp Plan doesn't allow any higher density than net density. Well, that is not true. If you look at Policy

135, it clearly allows a transfer of density rights from wetlands and other conservation areas to the upland portions of the site. So, I think with the current Code, we are clearly able to put at least 82 lots on the subject site.

Additionally, the water main that the developer will be installing will cost about \$350,000. That cost needs to be offset by some kind of profit that the developer needs to make. Obviously, other people will benefit from this water main. This rural residential across the street, to the north of us and many other areas. Presently, the only other person bringing water up to these properties is our developer. So, we request that you allow the 82 units and the use of gross density."

Vice-chair Holt then called for public comments

Marion Lasley was administered an oath by Muriel Straughn, deputy clerk. She said, "We've got codes. I would like for us to stick with the codes so that everybody gets the same answer all the time and there are no grey areas and there is no precedent set for the next developer to come in here and say that you did something different."

Commissioner Lamb asked Mr. McCord to report what the Planning Commission recommended in terms of the number of lots.

Mr. McCord answered, "The Planning Board's recommendation was as provided with the special conditions. It reads a little bit differently. Let me point that out to you. On condition "B" from the Planning Board as well as the staff says, "to reduce the number of lots to comply with the Comp Plan Policy 1.1.5 and 1.3.5. unless the Commission finds that the proposed with the pending land use amendments should be applicable until final adoption." Again, that is very similar to one that we had before. My concern here is that we don't have full utilities. I think the intent of the Comp Plan policy was that you get gross density when you have full utilities. You get something less than gross density, but you can cluster with partial utilities. And, Mark is correct in the sense that there are provisions in our Land Development code that imply that you are entitled to gross density under certain conditions. But, then there are other provisions in our Land Development. This is a problem that I have identified and I am trying to work on. There are other provisions that clearly say that

net density only applies, net developable area, or net density applies. Then you have something else in the Land Development Code that implies some sort of gross density. So, my argument there is that where there are conflicts like that, of course, we bring that to you. Either I make an interpretation and they can appeal it or you can make the interpretation directly. Probably the more efficient manner is for you to do it directly. But, I fall back on the Comp Plan language because the Comp Plan language has greater weight and overrides over rides essentially anything in the Land Development Code. The Comp Plan language that both exists now as well as the language that you have approved for transmittal is more restrictive than the gross density with limited utilities. So, that is the direction that we are taking with this condition "B."

Given that, the number of lots that they would be able to get is 69 versus 82. That is significant.

Commissioner Lamb replied, "We won't be making that decision tonight anyway on how many lots they can get. This is just a conceptual plan."

McCord:

Yes, this is conceptual, but this one is a little different from the other one because they don't have full utilities. The language is a little clearer. In the stuff, that you all have submitted to DCA, without full utilities, you still left it with net developable area, but it allows clustering. It is more restrictive than it would be for like the Highlands at Lake Talquin. Unless of course, you see it differently. If you see it differently, then we can address it even at this stage. You can address it at the adoption stage by making some minor changes to the ordinance at that stage. But, my recommendation, the way I am seeing the Code right now, and your direction earlier this year is that it should be at 69 units as opposed to 82 units...If they add sewer, they could get up to 101 units...If they have no water, they would be left at 69 without clustering under the new Comp Plan language.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER WATSON, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE CONCEPTUAL PLAT FOR EAGLES LANDING SUBDIVISION BASED ON THE FINDINGS LISTED IN THE AGENDA REPORT, BUT SUBJECT TO THE

SPECIAL CONDITIONS ALSO LISTED IN THE AGENDA REPORT WITH THE UNDERSTANDING THAT ONLY NET DEVELOPABLE DENSITY WILL APPLY.

23. **Public Hearing - Conceptual Plat for [Carmen Maria Phase II Subdivision - SD 2006-07 \(22 lots on 27 acres of the original 45-acre parcel.\)](#)**

Mr. Brown announced a public hearing for the above named project. He then turned the meeting over to Growth Management Director Bill McCord.

Mr. McCord was administered an oath by Muriel Straughn, deputy clerk. He gave a brief description of the property, which included the following remarks as well as other details contained in the attached agenda report.

Mr. McCord explained that the original parcel containing 45.93 acres will be developed in two stages. The portion being discussed at this hearing is being moved forward separately because the land uses for the two parcels were in different application cycles. By the end of the process, the development schedule should coincide. The property is adjacent to the Highlands at Lake Talquin. The parcel was recently changed from AG3 to RR.

Type of Action Required: Quasi Judicial in conjunction with the advertised public hearing as a Type II plan per Subsection 72020 of the Gadsden County Land Development Code.

Owner: Talquin Springs General Partnership

Applicant/Representative: Matthew Parker of Parker Consulting Services

Location: 27.33-acre portion of a 45.93 parcel in the rural residential land use category. Located south of McCall Bridge Road (65-C), east of Lakeview Point Road and the Talquin Resorts Subdivision in Township 1 North, Range 4 West, Section 23 **Proposes a 22 lot conceptual subdivision**

TAX ID: 4-23-1N-4W-0000-00340-0100

Planning Commission Recommendation: July 5, 2006 - Approval based on findings listed in the addendum to the agenda report and subject to special conditions

Staff Recommendation: Approval of the conceptual subdivision plan for "Carmen Maria Phase II Subdivision

(Sd-2006-07) based on the findings as listed in that attached agenda report and subject to the special conditions a - c also listed in the agenda report.

Vice-chair Holt called for the applicant to address the Board.

Matthew Parker addressed the Board. He gave brief remarks, which reiterated the same description already described by Mr. McCord. He offered no new testimony.

Vice-chair called for public comments.

There was no response.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE CONCEPTUAL PLAT FOR CARMEN MARIA SUBDIVISION PHASE II BASED ON THE FINDINGS REFERENCED IN THE ATTACHED AGENDA REPORT AND SUBJECT TO THE SPECIAL CONDITIONS ALSO LISTED IN THE AGENDA REPORT.

24. Public Hearing - Conceptual/Preliminary Gadsden County Correctional Institute Expansion, Conceptual Site Plan (SP-2006-08 (Parcel ID #3-08-2N-4W-0000-00120-0000))

Mr. Brown announced the opening of a public hearing to hear the above stated project. He then turned the hearing over to Bill McCord.

Mr. McCord was administered an oath by Muriel Straughn, deputy clerk. He gave a brief explanation of the expansion of the prison project. It is located in AG2 land use category and was originally approved by the Board in 1993. They desire to build a large dormitory, chapel, cafeteria and administrative offices and medical facility. All are to be built within the existing fenced area.

Type of Action Required: Quasi-Judicial action in conjunction with advertised public hearing under the Type II plan review procedures per Subsection 7202 of the Gadsden County Land Development Code.

Owner: Corrections Corporation of America

Applicant/Representative: Mike Scibelli, PBS&J

Location: 6044 Greensboro Highway, in Gretna. south of Gretna and on the south side of SR 12, west of US 90. The Future Land Use Category is AG 2. The existing

correctional facility totals 201,984 sq. ft. The proposed expansion is for an addition 55,193 sq. feet for a total sq. ft. of 257,177. The proposed expansion includes 10 additional buildings including 384 bed for housing and dormitory facilities in new construction; 100 additional beds in existing structures, offices, an equipment room, security control room, exam rooms, storage closets, a multi-story segregation facility with double bunk cells and a dayroom, a visitation facility, a new classroom addition, a kitchen/dining room facility expansion, a vocational education facility, a chapel, and master control room improvements.

Previous Board Action: The GCCF was approved as a special exception site plan on March 24, 1993.

Planning Commission Recommendation: July 5, 2006 - recommended approval based on the findings and special conditions listed on pages 5-6 of the agenda report.

Staff Recommendation: Approval based on the findings as listed in the attached agenda report, but subject to the special conditions 1-4 also listed in the agenda report.

Vice-chair Holt called for the applicant.

Mr. David Roberts of PBS& J addressed the Board. He was administered an oath by Muriel Straughn, deputy clerk. He had no additional remarks beyond those made by Mr. McCord. There were no questions of him by the Board.

Vice-chair Holt called for public comments. There was no response.

UPON MOTION BY COMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE CONCEPTUAL SITE PLAN FOR THE PRISON EXPANSION BASED ON THE FINDINGS LISTED IN THE AGENDA REPORT AND THE SPECIAL CONDITIONS ALSO LISTED IN THE AGENDA REPORT.

25. **Public Hearing - Joint Conception Preliminary Plat for Susan's Place - a Re-Plat part of Waha Minor Subdivision (SD-2006-06)**

Mr. Brown announced the opening of a public hearing to hear the above stated project. He then turned the hearing over to Bill McCord.

Mr. McCord was administered an oath by Muriel Straughn, deputy clerk. He gave a brief explanation and description of the project application. He said it was a replat of a minor subdivision and includes the southerly lot within the Waha Subdivision and a parcel of land also owned by the owner of that lot who would like to combine them together and re-plat them into two separate lots.

Minor Subdivisions must be reviewed as a Type II review. This will be a two-lot subdivision.

Type of Action Required: Quasi-Judicial action in conjunction with the advertised public hearing as a Type II plan per Subsection 7202 of the Gadsden County Land Development Code.

Owner: Scott B. Brown and Susan Sims Brown

Applicant/Representative: Thomas Skipper

Location: The 4.11-acre property subject to the proposed re-plat is located on the east side of Cooks Landing Road just north of Alma Yates Street approximately 3.0 miles southeast of Wetumpka, in township 1 North, Range 4 West Section 34.

TAX ID: 4-34-1N-4W-8840-00000-0010

The property is Lot 1 of Waha Minor Subdivision, a six lot minor subdivision originating from a 32-acre tract. Waha minor subdivision was created by Gerald Thompson in 2002. The 32-acre original tract was previously owned by Curry Powell in 1993. Scott Brown and Susan Sims-Brown acquired Lot 1 on February 6, 2004. The Browns also acquired 2.07 acres from D.R. Shaw.

Planning Commission Recommendation: July 5, 2006 - Recommended approval of the preliminary subdivision plan based on the findings listed in the attached agenda report but subject to the special condition that they provide covenants and restrictions that are consistent with the existing Waha Subdivision.

Staff Recommendation: Approval of the preliminary subdivision plan based on the findings listed in the attached agenda report but subject to the special condition stated above.

Mr. McCord stated that this project is somewhat unusual, but is required by the Code. It is a request to re-plat a lot and an adjacent parcel that is not within a minor

subdivision previously approved administratively.

Vice-chair Holt called for the applicant.

Susan Brown addressed the Board. She was administered an oath by Muriel Straughn, deputy clerk. She had no testimony.

The Board had no questions of her.

Vice-chair Holt called for comments from the public. There was no response.

Vice-chair Holt then called for a motion.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE PRELIMINARY PLAT FOR SUSAN'S PLACE, A RE-PLAT OF WAHA MINOR SUBDIVISION (SD-2006-06)

26. **Public Hearing - Smith-Montford Comprehensive Plan Amendment - CPA 2006-04AD- Small Scale Amendment Changing 3.79 acres from Commercial to Rural Residential**

Mr. Brown announced the opening of a public hearing for the purpose of taking public input on the above named issue. He then turned the hearing over to Growth Management Director Bill McCord.

Type of Action Required: Quasi-legislative action in conjunction with the advertised public hearing as a small-scale amendment to the Future Land Use Map per Subsection 7401 of the Gadsden County Land Development Code.

Owner: Nettie Chester

Representative/Applicant: Board of County Commissioners

Location: Northeast of Havana, on the west side of Concord Road (CR 157) approximately 450 feet north of the intersection of Fairbanks Ferry Road (CR 12) and is part of the central commercial area of Concord in Township 1N, Range 1West, Section 18

TAX ID: 2-18-3N-1W-0000-00412-0700

Previous Action of the Board: On May 16, 2006, Ms. Ann C. Smith and Maybelle C. Montford requested that the Future Land Use Map designation on their mother (Nettie Chester) property be changed from commercial to RR so that the property could be sold to an extended family member. The

family member does not want to buy the property if it is designated commercial. The Board instructed the management staff to process an administrative change to the Future Land Use Map.

Vice-chair Holt called for public input. There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE SMITH MONTFORD SMALL SCALE LAND USE AMENDMENT.

27. **Public Hearing - Special Exception Request to allow for keeping horses on a residential parcel of less than 5 acres**

County Manager Marlon Brown announced a public hearing for the purpose described above. He then turned the hearing over to Growth Management Director Bill McCord. Mr. McCord was administered an oath by Muriel Straughn, deputy clerk.

Type of Action Required: Quasi-Judicial action in conjunction with the advertised public hearing as a Type II action per Subsection 7202 of the Gadsden County Land Development Code.

Owner: Charles W. Mulvaney

Applicant: Charles W. Mulvaney

Location: West side of Wilford Road south of Shady Rest Road (CR 270) and east of Lanier Road. This portion of the neighborhood is within the RR land use category. However, most of the lots in this area are considerably larger than one acre, which is the minimum, permitted in the RR land use category. Most of the lots within this subdivision are less than 5 acres in area and many contain various livestock including horses.

Planning Commission Recommendation: July 5, 2006 - Approval subject to special conditions that there would be no more than three horses, and that burning of the manure generated by the horses would be prohibited and they would have to dispose of the manure offsite.

Staff Recommendation: The staff concurred with the Planning Commission.

Mr. McCord stated that there is a provision in the land development code that states that if a person wants to have a horse on a parcel of land less than five acres, they must get a special exception permit. The applicant has had horses on the property for some time as well as many others

who lived at this site in the past. Mr. Mulvaney asked the Board for confirmation that he would be allowed to continue to have horses on the property. There are three horses on the property.

Vice-chair Holt called for the applicant.

Mr. Mulvaney addressed the Board. He was administered an oath by Muriel Straughn, deputy clerk.

Vice Chair Holt call for comments from those who were in favor of the special exception.

The following people addressed the Board and were administered oaths by Muriel Straughn, deputy clerk.

George Allen McDearmid

Bill Wynn

Dr. Evan Tetley

Vice-chair Holt called for comments from the public who were opposed to allowing the special exception use.

Mr. Frank Reiner of Sterns, Reiner and Clark addressed the Board representing Mr. Jack Kirk, the complainant. Mr. Reiner was administered an oath. He pointed out a number of facts. The 3.7 acres includes 1 acre, which is actually a road. That leaves only 2.7 acres for the animals. (3 horses, goats, potbelly pig, dogs, and cats.) There is a significant odor and health problems associated with the horse droppings.

Mr. Reiner stated that the Planning Commission asked Mr. Mulvaney to stop burning the manure because it was so offensive to Mr. Kirk. In spite of the directions they gave him, Mr. Mulvaney burned manure all weekend. He concluded that Mr. Mulvaney had not demonstrated that he would abide by the rules, regardless of what the Board imposes. He asked the Board to deny the project, however, if the Board chooses to grant the special exception, he asked them to consider requiring the Mulvaney's to have a sanitation removal plan for the property - that he have a company (via contract) remove the droppings weekly. He also asked that the contract agreement to be put on file with the County. He then asked that the special exception expire if the sanitation removal contract expires.

Mr. Jack Kirk addressed the Board and was administered an oath by Muriel Straughn.

Commissioner Lamb asked the staff if there had been any investigation by a county agency as to what is happening at the property in question.

Mr. McCord replied, "This began as a complaint to the Code Enforcement Department. They went out and did an investigation because of complaints about the odors caused by the horses. In resolving the complaint, we discovered this provision in the Code, which is the reason we stayed any action on the code enforcement action until we can resolve it at this level. The application put that on hold.

As part of the code enforcement investigation, the code enforcement officer also had a Sheriff's deputy, which was mentioned by Mr. Mulvaney, who had been out to the site and observed the conditions of the property. At least at the times when they were there, apparently they were not doing any burning of manure and/or they did not complain of the smell of any manure on the property if it was on there in high volume. So, from the investigation that we have done and also collaborated by the Sheriff's deputies, they did not see anything offensive occurring. Now, you know, offensive depends on whose it is and when it was occurring and so forth. But, that is the result of the investigation. Once it came back to us, we explored this avenue and advised the applicant that he would need to submit a request for a special exception. We don't know of any other regulation that we have that pertains to how many and types of animals that you can have.

This just talks about horses and again, as you mentioned, there may be a lot of other folks in the county and maybe even in this neighborhood that would be held to this same restriction. We certainly can't go out and seek those people out and say, "You've got to come in here for a similar type of hearing." Boy, that would be a mess, but that is a possibility.

Commissioner Lamb asked if the issue of the offensive odor was abated.

Mr. McCord replied, "Apparently not. And that is the reason we are here."

Mr. Ryan Davis, attorney for the Mulvaney's, addressed the Board and was administered an oath by Muriel Straughn, deputy clerk.

Commissioner Watson asked Mr. Mulvaney if he had continued to burn the manure after the Planning Commission recommended he stop.

Mr. Mulvaney replied, "Yes, I have been burning the manure and I have no problem with not burning it."

Commissioner Watson:

Did you agree when the Planning and Zoning Board met, they had a condition here that generated by the horses should be disposed of offsite, did you agree to that? Offsite, not in your own rose garden?

Mulvaney:

I didn't agree to that, no. I don't remember them saying that. I mean, we use horse manure. You go to Lowes and buy manure to put in your flower garden, so.

Watson:

What was the purpose in burning it?

Mulvaney:

Just to get rid of it.

Watson:

The attorney for Mr. Kirk. Is he still here?

Is Mr. Kirk's main problem the smell from the burning? Is that what caused this?

Reiner:

It's primarily the odor problem. But, it lies on the ground next to the property line. I mean, if you look at these properties, these cleared areas are the front of the property and then on the property line with Mr. Kirk - those are the areas that are cleared. As you can see, where the other doctor, Dr. Tetley, his is all forested. So, when they go down there, it's not really pasturelands. That is where the pasturelands are on his property.

Watson:

Did the previous owner keep it cleaned up?

Reiner:

He had one horse and there was no problem with the odor, etc.

Watson:

What about the goats? Were they on the same piece of property?

Reiner:

I believe so, yes.

Watson:

How many goats were there?

Reiner:

Three.

Mulvaney:

Actually, Mr. Kirk's burning pit that he has out back is closer to the fence line than mine is. My burning pit that I use is the Gadsden County Forestry Commission - they came out and showed me where to put my burning pit. So, they marked it, showed me how and told me how I could do it and when to do it. His is actually closer to the fence than mine is.

Watson:

What does he burn in his?

Mulvaney:

You name it. And, he uses gas and chemicals and everything else out there to burn it with - yard stuff. It all comes to my barn and my area.

Watson:

Where you would dispose of it, how far is that from Mr. Kirk's property? Where is your rose garden going to be?

Mulvaney:

I will put my rose garden over on the other side of the property.

Watson:

How far away from him can you put it?

Mulvaney:

Clear over on the other side.

Holt:

How about, excuse me, I am sorry Commissioner, I was going to ask - Is it possible that you have wooded area?

Mulvaney:

Yes.

Williams:

For purposes of the record, excuse me commissioners, is that north, south, east or west of your property?

Mulvaney:

That would be south. Do you mean this area?

Williams:

Yes.

Mulvaney:

It would be south. This area here shows where it is wooded, but that is not wooded. I have cleared that and it is now pasture. I have sewed it with Bahia, Pensacola Bahia. This is pasture in through here and pasture down through here. There is some wooded area here and that is the low-lying area that I was talking about where all the water runs through this area here. I can use that area.

Watson:

Have you burned since the Planning and Zoning meeting?

Mulvaney:

I burned some over the weekend, yes.

Williams:

Would you come back to the microphone, please?

Watson:

Why would you do that after the zoning board said that

Mulvaney:

Because they didn't tell me that I couldn't. They just said that they were going to make a recommendation that I not burn. They didn't say that I couldn't burn.

Watson:

That is where I am having a little bit of a problem.

Mulvaney:

Well, that is what they said; they said that they were going to recommend that possibly that I don't burn the manure. Their recommendation was to you, who are the decision makers. So, I burned some over the weekend to get it out and get it done and get it over with and whatever we do tonight, I'll be down there with the bags and bag it and do whatever I need to do from this point forward.

Watson:

I would be more comfortable with a limited approval at this point. Sort of a trial period to see if we have compliance here. Something like six months. We'll see if this works out, that he truly does take it away as far as he can, there is no burning, and he is properly disposing of it on site. Instead of granting something permanent at this point.

Holt:

O.K. Put that in a motion.

Lamb:

Absolutely no burning.

Watson:

No burning and he has to dispose of it - now where are you Where is Mr. Kirk's property?

Mulvaney:

On the other side.

So, that means no burning on either property. His burning smokes up my house and smokes up my barn.

Watson:

I am talking about horse manure.

Holt:

He didn't say you couldn't burn other things.

Mulvaney:

I can burn my yard stuff?

Holt:

Yes.

That a motion, do I have a second?

Price:
Second.

Holt:
And that is for a six-month approval.

All in favor?

All: Aye.

Holt:
One question right quick, Mr. McCord.

Do we have any monetary penalties for not following what we ask people to do? We are not attaching costs when they don't follow what we say.

McCord:
Yes, there are. Violations of Code can carry fines up to \$25 per day and per incident is essentially per day.

Lamb:
Mr. Manager, can you put this in writing? In a letter to him?

Brown:
Yes, sir.

Mulvaney:
May I ask a question? Now, in six months, to do this procedure, I had to come over and pay \$250 and go through all of this. Now, in six months, what do we do? I mean, how do I - Do I pay another \$250.00 and redo this? How do I do this? Because it is going to be the exact same issue in six months.

Holt:
We want to make sure that the situation is evaluated and look at that through our Planning and Zoning.

Mr. Manager.

Brown:
Mr. Mulvaney, we will evaluate in six months. Based on our findings, we will bring it back to the Board. You will not have to reapply for another permit.

Mulvaney:

But, do I have to get back with the board or with you?

Brown:

Our staff will inform you in six months when we bring this back to the board. We will inform you as well as your neighbors. We will have a recommendation to the board.

Watson:

I don't think he ought to be charged.

Brown:

We will not charge another fee.

Holt:

We need to look at our penalty fees.

28. **Public Hearing - Request for Approval of an Outdoor Entertainment Festival - Down on the Farm Outdoor Festival Permit - Request for Waivers from the Code (November 10-12)**

Mr. Brown announced a public hearing for the above stated purpose. He reminded the Board that the event was approved last year. He then turned the meeting over to Growth Management Director Bill McCord.

Owner: Terry McCoy

Applicant: Spanish Moss Philanthropies

Location: Old Ball Farm property located at the northern terminus of Ball Farm Road in Township 3N, Range 2W Section 33 - approximately 2 miles northeast of Quincy

TAX ID: 2-32-3N-3W-0000-00400-0000

Date: November 10, 2006 - November 12, 2006

Staff Recommendation: Approval with some of the requested waivers but require that certain select provisions of the ordinance, which the applicant is requesting waivers, be required. Based on the findings listed in the agenda report, but subject to conditions a - c also listed in the agenda report.

Mr. McCord stated that there have been no serious complaints about this event in the past.

Attorney Williams explained that the event coordinator should provide the County with a list of the performers and vendors prior to the event. This measure would ensure that the County can insure that the performers are not a part of

some type of hate organization.

Paul Levine approached the Board. He explained that neither the performers nor the vendors are known at this point.

Mr. Williams suggested that the Board give Mr. McCord some discretion as to the timeline for this information to be provided.

Vice-chair Holt called for public comments.

Commissioner Price asked if all the neighbors would be notified on the upcoming event.

Mr. McCord confirmed that notices are sent to area property owners within 1,000 ft. of the site.

Traffic control will be arranged by the Sheriff's office.

EMS Director Brian Beasley stated that he had a concern about the payment for the EMS coverage for the event. He asked that payment be made in advance of the event because he will have to pay his staff overtime wages.

Mr. Levine agreed to pay it in advance.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE FESTIVAL PERMIT - OPTION 3 WITH THE SPECIAL CONDITION THAT THE APPLICANT PROVIDE THE NAMES OF THE PERFORMERS AND VENDORS TO THE PLANNING DEPARTMENT AT A TIME TO BE DETERMINED BY THE DIRECTOR.

29. Public Hearing - Authorization to Establish Budget
Authority for Use of FY 2006 Department of Health EMS Grant
R-5011
Resolution # 2006-039 OMB-BA# 060030A and 060030B

Mr. Brown announced a public hearing regarding the above named issue. He explained that in June of 2006, the County was awarded a grant from the Florida State Department of Health in the amount of \$ 90,000. It requires a match of \$10,000 which will be provided with resources from the fund balance reserve within the EMS Fund. The funds will be used to purchase a new ambulance.

Vice-chair Holt called for public comments or questions.
There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE NAMED RESOLUTION AND BUDGET AMENDMENT.

30. **Public Hearing - Authorization to Establish Budget Authority for Use of FY 2006 Department of Health EMS Grant # R-5010**
Resolution # 2006-038 OMB-BA# 060029A; 060029B

Mr. Brown announced a public hearing for the above stated purpose. He said that the item seeks Board authorization to establish a budget for the use of funds received from the Department of Health EMS Grant R-5010.

In June of 2006, the County was awarded a grant from the Florida State Department of Health in the amount of \$ 9,900. The funds received will be used to purchase EMS equipment. A matching amount of \$1,100 will be provided with resources from the fund balance reserve within the EMS Fund.

Vice-chair Holt called for public comments. There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE RESOLUTION AND BUDGET AMENDMENT.

30A. **Public Hearing - Application for Funds from the CDBG Program Economic Development Grant**

Mr. Brown announced a public hearing for the purpose of taking public comments on the select the category for which to make application for a CDBG funds. He said it would be used in conjunction with the Bradwell Enterprises, Inc. to construct a Huddle House and other entertainment establishments on US 90 west of Quincy city limits. The grant will be for \$750,000 He then recommended that the Board select the Economic Development category for which funding is anticipated.

Vice-chair Holt called for public comments. There was no response.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ECONOMIC DEVELOPMENT CATEGORY AND TO MAKE APPLICATION FOR A CDBG GRANT FOR THE PURPOSE STATED ABOVE.
GENERAL BUSINESS

31. Approval to Renew Insurance Programs with Current Providers

Mr. Brown called attention to the anticipated insurance costs as outlined in the attached agenda report. In summary, the employee health insurance will increase by 5%; and the overall premiums for other insurance coverage will increase \$84,000 over last year. The FACT insurance will be reduced from \$129,558 to \$111,552.

He then asked for directions as how to proceed with securing the insurance coverage for the upcoming year.

Vice-chair Holt asked the manager, "How, in here, in our insurance plan, can we save money?"

A MOTION WAS MADE BY COMMISSIONER LAMB AND SECONDED BY COMMISSIONER WATSON TO GO OUT FOR BID. THE MOTION WAS LATER RESCINDED.

Discussion followed.

Commissioner Price was in favor of continuing with the current providers.

Mr. Arthur Lawson cautioned that the market is very volatile and the Board would run a risk if it decided to go out for RFP. He urged them to "weather the storm" for another year.

Mr. Williams told them that renewal rates are historically less of an increase than a new bid.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO TABLE A DECISION ON THE COUNTY'S INSURANCE COVERAGE. THE STAFF WAS ASKED TO CHECK WITH OTHER COUNTIES AND CITIES TO SEE WHAT THEY ARE EXPERIENCING IN TERMS OF COSTS AND COVERAGE.

- 31A. Approval of Summit Professional Services, Inc. as the Sole Source Responder to the Request for Proposals (RFP) for Administration of the 2006-2007 Economic Development Community Development Block Grant (CDBG) Economic Development Grant - \$750,000

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER WATSON, THE BOARD VOTED 4-0, BY VOICE VOTE, TO APPROVE SUMMIT PROFESSIONAL SERVICES, INC. AS THE SOLE SOURCE RESPONDER TO THE RFP FOR ADMINISTRATION OF THE 2006-2007 CDBG FOR THE BRADWELL PROJECT ON US 90 WEST.

- 31B. Fair Housing Workshop and Approval to Proceed with Application for CDBG Economic Development Grant for \$750,000.

Ms. Farnita Saunders conducted a fair housing workshop to educate the board and the general public concerning fair housing requirements. She called attention to several laws pertaining to the protection of fair housing. She cited FL Statute 760.23(1) and the civil Rights Act of 1968 & 1988. She also gave information regarding how one might make a complaint.

Following the workshop, she asked for direction from the Board.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO PROCEED WITH THE APPLICATION FOR THE CDBG APPLICATION FROM DCA FOR \$750,000.

Approval of Change Order No. 1 for Additional Roads to be Added to the 2006 Dirt Road Paving List

Commissioner Watson asked Mr. Presnell where the paving crews were currently located.

Mr. Robert Presnell answered that Peavy and Son just moved to Powell Circle. They will then go to A & L Drive, Houston, Dave Clemmons.

The county road building crews are at the Chattahoochee Library site. They will move to Sally Brown Road, Ranch Road then to Sadberry Road.

Commissioner Watson stated that he did not want the roads

on the change order to begin until the old paving list is completed.

Vice-chair Holt asked about Fulton Shaw Road and Weaver Road. Mr. Presnell stated that there were width problems with the roads and more right-of-way would be required before they can be paved.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER WATSON, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE CHANGE ORDER TO THE ROAD PAVING PRIORITY LIST.

32. **County Employee Request to Seek Public Office**

Mr. Brown told the Board that Building Official Tony Colvin asked permission to run for County Commissioner in District 2.

Attorney Williams stated, "The manager and I have generally discussed this. If the county has acted in the past to where you have granted the approval, there are only certain matters that you can look at to be consistent. People have to be treated the same across the Board. The issue involving federal funding is called the Hatch Act. It basically says that if you run for public office, then you cannot be employed in the county or state level where federal funds are involved.

I talked to the manager and I believe that we are going to check and make sure that there are no federal funds. So, that is what that language is about - about federally funded programs. But, to the extent that that is not involved, unless there are issues involving distance for travel or for some reason that would distinguish the person from running for office, generally speaking.

I did this a lot in my other state jobs. The approval is more for by exception than it is by denial, if that makes sense.

This is the first one I have had come up, but, I have done a number of these. If, in fact, we are and have approved them in the past, then that kind of sets the parameter for the decision making of the body as we have talked about before about precedence. Just as guidance in case there is a concern about how you make the approval when we look at

the decision to approve someone to run for public office.

Lamb:

Have we done that on this county level before?

Williams:

Commissioner, I am not sure if we have or not. This is the first time that it has come before me as the county attorney. But, as we have talked about many times, once you determine how you are going to approve someone, because you are a collegial body, the decisions of the body pass to the body forever. So.

Lamb:

Mr. Brown, is he asking for us to approve him to run for county commissioner in district 2 while he is still on payroll, while he is still working?

Brown:

Commissioner, I believe that is the request. Mr. Lawson, have you seen this come before the Board previously with someone who is currently employed - asking to seek public office?

Lawson:

Yes, sir, Mr. Manager and members of the Board. One that I can remember was Dr. Grant. He was granted permission to run for Superintendent of Schools.

Holt:

Last year, two years ago.

Watson:

That was a different body, though. A different governing body.

Lawson:

He was granted permission to run for office. No one has ever asked to run for the Board before.

The attorney asked if an approval had been given to an employee to run for office. He didn't say any specific office.

Williams:

The problem is - if there is a concern, you know, this is for the County?

I can only go by what your ordinances or policy says. And it says that an employee must seek approval of the Board to seek political office. I don't know if, legally, we could deny a person their constitutional right to run for the office. But, there are certain parameters that would affect their ability to do their job effectively. And, I think you have a right to balance that right against their employment.

But, when you start dealing with constitutional rights, you get into a very fine line in what we can or cannot do. Again, the ability to do the job. It is very clear that there would be an agreement that if - let's take away that it is running for county commission and let's just say generically- we have encountered situations where - how do you get the job done. You can't use - if you have to travel and commute, you've got to take leave time to do that. You can't do any work for that job on your employed job. There are certain parameters that have to be addressed.

In this case, you also have one that is clearly outlined, which is the Hatch Act that we discussed earlier. It just means that if there are federal funds in that job, if that person is working somewhere where federal funds are used, it is pretty straight forward that that person is not allowed to run for office. That is pretty straight across the board. That is why you have that language.

Holt:

Mr., excuse me, I am sorry. I need to ask, and I am sorry, What is his name again?

Brown:

Tony Colvin.

Holt:

Mr. Colvin. Is he here? And you are over Building Inspection? Can you come up?

And we are not inspecting buildings at night while we are having commission meetings, so, I don't see where that would be conflict at all - unless he is going to be doing building inspections at night. Otherwise, this is a job that you could do, if you are so inclined. I don't see any reason not to allow him to do it if we are not getting

federal funds.

Watson:

Well, you have to be careful of number a in the policy.

Holt:

Yeah, but you could look at that also.

Lamb:

Let me just say something here on that. I think that if he wants to run for office, he ought to be given that opportunity to run just like anyone else. But, there is a perception in the eyes of the public. Now, he is the building inspector. He is the head building inspector. Very important position in the county. I have confidence, I feel personally that Tony will do what is necessary to do his job. He won't be letting anyone corner him off and promise him something that he has no business doing. But, there is a perception in the public eye that we are getting ready to make a decision on that is putting him on a - ah - we are setting a precedent here that can happen, what might happen, what they can say happened even it does not happen. So, we have got to be very careful, now, about how we handle this. Because we don't want to put him in a situation where the public will say "This man is running for county commissioner. We don't know what is taking place and why he running for county commissioner." Now running for county commissioner doesn't have anything to do sitting on this board at night. We are talking about from this time until he gets on this board. He has a job with the county. He is in a very important position. If he was in the position of a secretary or something, I could understand that there wouldn't be too many questions that will come to him that would put him on the spot. Or that he could do something that would influence somebody to vote for him. But, the perception that the public is going to have is that he is running for county commission and he can make promises to people out there while is working. Although, I don't think he will. It is just a perception. We need to cover ourselves and make sure that we cover him.

As I have said before, I don't have any problem with him running. But, being on the job while he is running - I've got a problem with that.

Brown:

Again, Commissioners, my expectations, in terms of any

employee that is working for the board, is that they will do their job. And, if there are issues that I have to deal with that conflict with that job, you may rest assured that I will handle those issues.

I think that Mr. Colvin, I'm sure that he is a very honest person. I think he is hearing exactly the concerns that you have expressed in terms of while he is on the job, basically, what you are saying is campaigning while he is on the job. I don't expect Mr. Colvin to do that, but, again, if that is something that comes to my attention, rest assured that I will deal with it because, all in all, he is still a county employee.

Watson:
Just be mindful of number A.

Brown:
I think it is similar to what you were saying, Commissioner. He uses his current position to influence what he is doing.

Lamb:
That is not saying that he is going to do it.

Watson:
I think that is why it is there, though.

Price:
On my job, when I was running, I couldn't be out there campaigning. Couldn't even wear a T-shirt with emblems on it. I had a chance and I offer a motion that he has a chance to run.

Watson:
Second.

Holt:
O.K. We have a motion and second. All in favor?

All:
Aye.

Holt:
O.K. It is approved unanimously.

Colvin:

Does that mean I can't put a sign on my truck?

Holt:

Not on your county truck. And don't make promises, cause you know you are a politician.

Next Issue.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER WATSON, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO GRANT PERMISSION TO MR. COLVIN TO SEEK OFFICE AS COUNTY COMMISSIONER IN DISTRICT 2.

Urgent Care Facility Update

Mr. Brown reported that the hospital renovations are 99.9% complete for the purpose of the urgent care facility. He said that three companies have expressed interest in being the urgent care provider. The proposals will be reviewed during the week and the staff will bring a recommendation on July 18.

Mr. Williams reported that all parties have reached an agreement for the County to use the hospital for the urgent care facility and other nonprofits. He said things should move quickly and the bankruptcy judge should approve the agreement soon.

33. Miscellaneous Items

Citizens Requesting to be Heard on Non-Agenda Items

Arthur Cyr from Deer Ridge Circle addressed the Board. He presented the Board with a plaque in appreciation for the help the county rendered with the disaster the Deer Ridge Subdivision has endured with the developer. He also presented plaques to the county manager, county attorney's law firm, and the growth management department.

Aleta King - 61 A & L Drive - inquired about the status of her road. She was told that her road was next.

Ada Longhorn - Deer Run Road
Bill Longhorn - Deer Run Road

Mr. Brown stated that Deer Run is still on the list to be

paved, but it is not in the current funding cycle.

Mr. Presnell reported that it was on the list which he had prepared to submit to the Board for the 2007 funding cycle.

Mr. Brown interjected that list never actually came to the Board for approval. The Board issued directions earlier in this meeting to the staff to divert all of the remaining bond money solely to District 3 roads because so little had been done in District 3.

Ada Langham contended that she saw the list and was certain that the Board had approved it. She contested the Board's decision to remove it from the list.

Bill Langham stated, "You spent the money, I talked to people out there, leveling the road for it to be paved, the whole nine yards. So, you have already wasted the county's money. You were less than .1 mile away from us paving another road. Now, all of a sudden, we were told by the people working there, that it was preparation for it to be paved. Now, all of a sudden, the mileage disappears to district 3. You only have a few more miles in district 1 and you are done. Then it's going to all to next year to district 3. Now, what do you call that? Wasting the county money. That road has to be paved (inaudible) You have a business on it that is bringing in money to this county, and this is the way you take care of them. I don't see where

I am retired military and I am so upset with my country right and what I see going on with politicians. I am outraged. I am ashamed."

Discussion Items by Commissioners

Commissioner Lamb had nothing to discuss.

Commissioner Watson had nothing to discuss.

Commissioner Price had nothing to discuss.

Commissioner Holt had nothing to discuss.

Commissioner Dixon was not present.

Receipt and File

34. Clerk's Memo Regarding Independent Auditors Public Comments

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR
DECLARED THE MEETING ADJOURNED.

Brenda Holt, Vice-chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A SPECIAL MEETING AND WORKSHOP OF
THE BOARD OF COUNTY COMMISSIONERS HELD
IN AND FOR GADSDEN COUNTY, FLORIDA ON
JULY 11, 2006, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

PRESENT: Brenda Holt, Vice-Chair
Eugene Lamb
Sterling Watson
Derrick Price
Thornton Williams, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

ABSENT: Edward J. Dixon, Chair

SPECIAL MEETING AND WORKSHOP

Following the regular meeting and after a brief recess, the Board reconvened in a special meeting/workshop session at 9:00 p.m.

Gadsden County Community Health Council, Inc.

Mr. Brown introduced Executive Director Maximo Martinez. He reminded the Board that they had directed the Council on June 6th to go out into the community to get feed back from the public on their proposed comprehensive healthcare plan and initiatives as presented on June 6. He noted that the final draft of initiatives and the plan will be brought back to the Board for formal adoption on July 18.

Mr. Martinez reported that the Council had held six public meetings throughout the County to present the comprehensive health care initiative and to get input from the communities. He also reported that they had met with all of the city commissions in the county. He then introduced Joe Sharp who was hired by the Council to bring together all of the materials and resources necessary to move the council forward in the health care plan.

Mr. Sharp explained that the plan was for the uninsured and the underinsured citizens of Gadsden County. He said it was designed to be a primary healthcare network with a primary healthcare physician located in Gretna, Quincy, Chattahoochee,

Greensboro, Havana, and Midway. Primary health care services would be provided for the eligible recipients in the physician offices in those cities. To be eligible, the recipients must be a resident of Gadsden County, must have an income level at 200% of the federal poverty level, (\$40,000 for a family of four), must not be eligible, or participate in any other governmental program such as Medicare or Medicaid. Specialty care needs will be provided by the We Care Network. Pharmaceutical services will be in addition to the PAMS program, which has already been implemented by the Council. The pharmaceutical services will be administered by FAMU School of Pharmacy. Dental services will be provided by the University of Florida and the Gadsden County Dental Project.

Mr. Sharp suggested that the administration of the program be placed within the county administration within a Department of Health and Human Services. He then suggested that the County contract with the Gadsden County Health Department to insure the appropriate standards of care are met. Marketing will be done by the Council.

He called attention to the proposed budget to cover the nine months beginning with FY 2007.

He then requested that the Board pass an ordinance calling for a voter referendum to place the half-cent sales tax on the ballot this November. If the referendum passes, then the budget will take effect the following January.

The program is designed to kick off on the first of March of 2007.

He emphasized the necessity of responsibility and accountability and pointed out that the program was designed with those measures in mind.

He asked the Board to look over the materials and call him with their comments and questions at 850-926-4160 or Mr. Martinez at 850-558-3628 and Sherry VanLandingham at 850-627-8330.

Commissioner Watson asked why a family of four with a family income of only \$40,000 would not be on Medicaid. Mr. Sharp was not able to answer the question, but agreed to report directly back to him with an answer.

Mr. Martinez interjected that it is not always a matter of being eligible for Medicaid. It is often the case that providers will

not accept Medicaid patients. He also pointed out that Medicaid is not always permanent - that one must continually re-qualify for Medicaid every few months.

Mr. Martinez said that there would be another meeting at the Quincy Library on Wednesday at lunchtime and the public is invited. He said they would be serving lunch and Mr. Sharp would be making a more extensive presentation.

Mr. Brown told the Board that they will find a copy of the ordinance and the ballot language in their agenda packet for July 18 meeting.

Tentative Budget for 2007

OMB Director Davin Suggs addressed the Board. He stated that his purpose at this meeting is to get input and direction from the Board with respect to the final budget preparation.

He stated that the Manager had been working very hard to transform Gadsden County into a high performance organization in terms of administrative management by setting goals, priorities and initiatives. He reviewed those goals, objectives, policies, and priorities set by the Board in previous meetings. He then reviewed the revenue projections and funding requests.

Following the presentation, Mr. Brown asked the commissioners to make their specific recommendations and directions known to him as quickly as possible so that those changes could be reflected in the proposed draft budget, which will be presented on Monday, July 17.

Discussion followed, but no directions were given to the staff other than to factor in something for an in-house economic development program- separate to the Chamber of Commerce.

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, VICE-CHAIR HOLT
DECLARED THE MEETING ADJOURNED.

Brenda Holt, Vice-chair

ATTEST:

Muriel Straughn, Deputy Clerk

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THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, VICE-CHAIR HOLT
DECLARED THE MEETING ADJOURNED.

Brenda Holt, Vice-chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A SPECIAL MEETING OF THE BOARD
OF COUNTY COMMISSIONERS HELD IN
AND FOR GADSDEN COUNTY, FLORIDA ON
JULY 17, 2006, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

Present: Edward J. Dixon, Chair
Brenda Holt, Vice-chair
Eugene Lamb
Derrick Price
Thornton Williams, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

Absent: Sterling L. Watson

Call to Order

Chair Dixon called the meeting to order announcing that the purpose of the meeting was to deal with two issues - Comprehensive Plan/Land Development and immediate family exemptions and to review the draft of the 2007 Budget and the Five Year Budget.

Commissioner Lamb led in the invocation and Commissioner Holt led in pledging allegiance to the US flag.

Mr. Williams recognized Paul Sexton, Rick Davison, and Stacey McMillan, attorneys from his office, who attended.

Immediate Family Exemptions to Density Requirements of the Comprehensive Plan and Land Development Code

Mr. Brown turned the meeting over to Growth Management Director Bill McCord.

Mr. McCord began by introducing two attachments found in the agenda report. He then said, "You have a process now that is not necessarily jiving well with what some people in the public want. Whether what they want is a little more than what you intended for them to have or do you want to allow them to have greater leave way as to how this ordinance should allow them to continue to cut up parcels into much smaller configurations."

Attachment # 1 - FL Statute 163.31771 - Accessory dwelling units

Attachment #2 - FL Statute 163.3179 - Family homestead

He explained that the Statutes allow counties to provide family exemptions but it is not mandatory. He went on to say that Gadsden County has opted to allow the family exemptions via ordinance and the Comp Plan, however, administering it has become quite complicated in some cases and burdensome. He asked the Board to consider refining the ordinance (and make a number of clarifications as to the Board's intent) or consider repealing it or allow it to "sun set".

He then gave the historical background that led to the Board's desire to revisit the ordinance. He then specifically asked for directions regarding the following questions:

1. Who would be eligible for family exemptions for homestead purposes? How would the department verify or determine this family relationship?
2. How many times would a family member be eligible to be granted a family exemption? How do ensure that a parcel stays within a family? (A person who receives a parcel of land is required to homestead it. He should not be allowed to receive another parcel somewhere else in the county. You can only homestead one property at a time.)
3. How would family exemptions apply in USA areas?
4. Is it the Board's intent to require that the parent parcel maintain the minimum lot size as required by the Code?
5. Clarify the Board's intention regarding people who want to take advantage of the immediate family exemption process on property they acquired after July 2000.

Chair Dixon asked, "Do we really have a problem? If we do, do we really want to find a fix or just throw the whole thing out?"

Mr. McCord made no recommendation.

Board discussion followed.

The chair took public comments from the following people.

Gail Bridges Brite - Oak Grove community - in favor of the family exemptions

Gail Baxley of Merritt Lane was recognized for questions and comments.

Lola Murphy, Leslie Lewis Road, asked the Board to maintain the integrity of the pristine beauty of Gadsden County.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO DIRECT THE PLANNING COMMISSION TO BRING A PROPOSAL TO THE BOARD FOR CONSIDERATION THAT WOULD CLARIFY THE ISSUES AS IDENTIFIED BY MR. MCCORD.

The Chair declared a recess.

PROPOSED DRAFT FY 2007 - 2011 BUDGET

Mr. Brown told the Board that the office had received requests amounting to \$42 million for the upcoming budget. He also stated that the revenues for 2007 are projected to be \$35 million. He then turned the meeting over to OMB Director Davin Suggs who presented the proposed draft multi-year budget. He gave an overview of the budget beginning with the projected revenues. He said the ad valorem taxes have increased by 14.96% over last year.

The issues discussed are identified below:

What do we have to do to maintain our current level of service?

Compensation for county employees especially those of the lower pay grades

- A salary survey revealed that Gadsden County salaries are not as competitive as the Board would like to be.
- Job descriptions, titles, duties, etc have changed due to organization restructuring. The study revealed the need for a major classification study.
- The draft budget includes \$2600 raise for every employee in the county.
- Training and cross training to allow for upward mobility of employees.

Mr. Suggs went through the draft budget department by department emphasizing the changes proposed for this budget year.

Constitutional Officers
Clerk of Court

Clerk's budget was funded as it was presented.

Property Appraiser

Budget was up 4% over last year. (Approved by the State)

Supervisor of Elections

Budget was down from last year.

Tax Collector

Budget is commission based.

Sheriff

Budget is up 11% over last year - \$600,000.

The Sheriff made numerous requests and he has been working with OMB staff for both law enforcement and corrections.
Law Enforcement

Fleet enhancement budgeted at \$165,000 more than last year.

Staff compensation 7% increase across the board for law enforcement - \$244,000 increase. Corrections - \$110,000 increase.

The minimum salary for a deputy position was raised to \$30,000. A corrections officer's base salary was raised to \$28,000.

The operational inflationary overall increase of 5% amounted to \$55,000.

Mrs. Poindexter addressed the board to answer the commissioner's questions.

Commissioner Lamb stated, "We've got to do whatever is necessary to get our Sheriff Department's salaries up to where it needs to be. It is on our backs, not just the salaries, but also the

condition of the jail. I am concerned about that. Our number one priority in this county should be - should be public safety. That should be our number one priority. Our next priority is roads...That is my priority and I want to make sure that we do the right thing to get the right people over here. I am behind the Sheriff's recommendation 100%."

Mr. Suggs explained that there would be a 7% increase over multiple years along with a staffing plan to accomplish the competitive edge.

Road Paving - Capital Expenditures

Mr. Suggs high lighted the following issues:

- All of the fund balance was used in this budget to continue the road-paving program.
- Constitutional Gas Tax - \$1.5 Revenue was taken out and placed into the debt service fund. It will remain there until 2018 when the road-paving bond has been repaid. The bond covenants require this funding source be set aside to repay the bond indebtedness.
- The public works debt service payment for 2007 is anticipated at \$1.1 million. This includes the bond payment and equipment debt payment.

Mr. Suggs explained, "For this upcoming year, I had to set up a small county surtax fund so that I can bring all of the money into one place. Right now, the way the ordinance reads, lets us use it for fire, water, sewer and public works. So, within that transfer, then we can move that money to the appropriate places as needed. It is much easier than having one revenue come in at more than one place. We can control it better and you see it. "

Discussion followed as to the road-paving program.

No directions were given to the staff.

The conclusion of the discussion was summed up by Chair Dixon stating, "In order to just maintain dirt road paving and road safety enhancement, the Board will need to find some new funding structures."

Deliberate Capital Improvement Program -
(A list of all needed projects)

Mr. Suggs said that the Board needs to look at the list of projects (in the agenda) over five years and start putting together a plan (with financing) to bring them to reality. He said that the five-year project list, at this point, equals \$66 million. He said it will be incumbent on the Board to begin the process to accomplish those identified projects.

Mr. Suggs suggested, "Over the next two to three years, get some dedicated funding for capital improvements so that we can keep it up."

Mr. Brown stated, "Commissioners, just using road paving as an example, if we had a five year budget, historically, you would have been able to contemplate that bond money running out and start thinking a number of years before how you would supplement that program...Davin and I just came last year. The bond money ran out and here we are at the 24th hour trying to figure out what we are going to do next year. We scrambled to find money. We were successful in finding the money, but this is just a one-year fix. We need to have a workshop on alternative revenues so you can see what options are out there for the Board."

Mr Suggs added, "Before the manager arrived, in your regular operating fund, you used to pay for your operations, your salaries, and you used to pay your debt service and the capital projects. Robert might do some projects all out of 112, he might do all three, he might do regular operations, he might buy some equipment and pay some debt out of 112.

The commissioners, you bought land out of your account before. Out of your account code, you paid debt out of 0001, which is the commissioner account code. What we are trying to do is separate things out in a way to make them very clear.

On page X28, you will see fund 212 as public works debt service. So, all your debt related to public works is separated here in this fund and is paid off and you can see it clearly.

Connie, in finance, and I have been working on this. Connie has pretty good debt schedules where you can see the separated debt - exactly what you are paying for. But, we are working more toward trying to separate out and manage our finances better and keep them separated.

Fire Services

Mr. Suggs reported the following:

- The Gretna fire station will be built in 2007.
- Meetings have not been held with municipalities. The budget reflects fire services moving forward as it is currently. It will remain until the County is compelled by acts of the cities to do otherwise.

Economic Development

Mr. Suggs stated that the Chamber of Commerce made a request for \$50,000. He pointed out that it was funded in the draft budget at \$25,000. He asked for their comments and their direction.

Holt:

Excuse me, Mr. Chairman, May I? \$500 as a membership fee. That is all I am really interested in giving them until we can get someone on that Board. Because if we don't have anyone on that Board, we have no say so as to what is being done at the Chamber. That is my input on that. Until we can get someone on that Board so we can look at a collective effort happening to get businesses that the County may want in here. We are not allowed a position on the Board of the Chamber, but we pay more money than any other member.

Lamb:

The County needs somebody on that on that board.

Holt:

Right, that is what we asked for last year and we did not get one..

Lamb:

The Chamber is the county's...

Holt:

No, the Chamber is made up of private businesses.

Lamb:

I know that, but they represent the whole county.

Holt:

They represent the businesses of that Chamber.

Dixon:

Commissioner, let me - I've been thinking about that kind of seriously and I know that we've got a time schedule and stuff, but the other night when the gentleman was here from the Opportunity Florida, you posed a question that I think you have been posing. I think at some point we all kind of asked and we just can't seem to get over that hump. Mr. Gardner said something in a meeting he and I and the manager had. He said, "You know, I am the Chamber of Commerce, and it really is my job to look out for what is in the best interest of the membership who hires me. That is my primary goal and my primary mission - to look out for the businesses that employ me."

All of a sudden, I began arguing just like you did about the amount of funding that the County gives which is 60% - 70% of their budget, whatever it is, and yet the County does not receive any special services, if you will.

Very clearly, our ideas about economic development come after the mission of the Chamber. That is the way it should be. That Board runs their chamber. They set it up for a specific purpose. Until we accept that and begin to look at a different vehicle - my point is - we keep expecting the Chamber to get up and go out and find businesses to bring to Gadsden County. That is not what the Chamber expects.

That is something totally different. If we are going to expect that, then we need to invest in that type of economic development. That is not what the Chamber does. "If you call, I have a packet for you and we would like for you to come to Gadsden County, blah, blah, blah, blah, blah. You show some interest in us and we will take it from there."

Ms. Saunders, am I about right on that? That is the chamber's take.

Commissioner Holt, what I understand that you are saying is "The county ought not to be sitting here waiting like we've got the golden goose. We are in crisis and we need some jobs to come here now. What we ought to be doing is getting up and getting out."

That is a whole different scenario and whole different situation. One that I think is very well pursuing. I was down in Polk County, Imperial Polk County. What's Polk County?

Brown:
Lakeland, Bartow,

Dixon:

Many of you know, they were big on phosphate mining. I mean, it drove the whole economy. Phosphate and Badcock was basically all that Polk County did. Then they shut down those phosphate mines. What Polk County did was hire a person who was their business link and whose sole job was to begin the recruitment of businesses to Polk County. That is what she is talking about. That is not what the Chamber does. O.K.

What that person, in essence, in creating that economic development plan and working it did, was to bring companies that you never even heard of down to the middle of Polk County. They went from a 27% unemployment rate to a 2% unemployment rate in about 10 years. They have some of the biggest, nicest, cleanest companies you would ever even dream of. When you drive through Polk County and wonder how they got here. It was simply because they recruited them.

We brought that gentleman here one time. Jim Brantley. That was before you guys time. That night when he said that I recall that is what he said. We have to change our philosophy and stop waiting on folks to come to Gadsden County and go out there and show folks where Gadsden County is. So, what we are looking at is a change in philosophy about economic development.

Holt:

Mr. Chairman, you are totally right about that. That is exactly what I was about to say. We need an economic development director that goes after the needs of Gadsden County, not a group that we don't even have any representation on the board. Even if we did, we would be only one vote. But, let me give you a good example of it.

Ms. Saunders, if I may Mr. Chair. Ms. Saunders, would you come up for just a minute. I want to ask you just one thing. Out there behind Burger King on SR 12 at I-10 - at that intersection, I think the man's name was Larson, is it Larson? He has 67 acres. I can't think of his name. But, I spoke with him today. He is going to do a subdivision. I was talking to Mr. McCord about it. He is getting ready to subdivide 67 acres right there in that intersection. He sold one of the hotel owners 38 acres the other day. On 12 along is the enterprise zone - am I correct? O.K. He was going to subdivide down to 10 acre lots. Twelve acres on SR 12 sits there and it is in the Enterprise Zone and it's commercial. He never knew about it until we had a talk. He called me when I was coming from

Pensacola today. Now, ladies and gentlemen, what is happening is this - he didn't know that it was in the Enterprise Zone. Mr. Patel called me back. He is on the south side of SR 12. He said, "Ms. Holt, when did it get to be the Enterprise Zone?" They were very upset. They said, "We are making business decisions, but we didn't know and as a matter of fact, I was going to sell that 12 acres first." He never will go after commercial and we would have lost jobs if he had sold that and he was able to zone that into residential property. Do you see the dollars we would have lost? If a business comes there and they hire 20 something people there in the Enterprise Zone, they get a tax break. These businesses don't know this. We don't have an economic development director per se that goes after businesses for Gadsden County. The businesses are not contacting us. I spoke with our manager before about a another company that had a guy that owned three companies. He wanted to bring a business here. I talked to Mr. Grant and he said, "Ms. Holt, on a Saturday morning, "Can you tell me about the Enterprise Zone. I have a meeting on Tuesday. I need to get all this information to them." I know that Mr. Grant has all of this information. But, do you see how disjointed that this is?

He is very frustrated. He said he is not calling the Chamber and he is not calling the County anymore. He is just frustrated. He was going to sell his business hopefully on that Tuesday, and he didn't want to walk into that business meeting unprepared. If we bring them into the Enterprise Zone, we get jobs and they get tax breaks. If they hire a person out of the Enterprise Zone to their business, they get another break, but they don't know anything about it. We have this asset and we are mute to it.

But, we are going to have to put funding, county funding, into this to bring in the jobs. We can pay for healthcare, we can pay for fire stations and we can pay for improvements to the jail because commercial is going to pay better taxes than what we are getting for homes. But, we are going about this backwards. We are trying to say that it is going to come to us so we don't have to go after it. And with the Opportunity Florida, when I met with them in Blountstown, the business down on 65 that they got, almost 200 jobs. They went after those jobs and they got those jobs. Those people were out of work in Liberty County. They were out of work down in the seafood business and they brought them up and they trained them, they built the factory and they brought the people in.

But, we are not doing that. So, that is a good example of a business trying to come, but they don't know how to get here because we are not organized. As the other fellow said, he said that he is not going to call us anymore. He is getting frustrated. We are losing money, but we are not going about it in the right way. I'll get with this man tomorrow and then get it to you.

Saunders:

Commissioner, I do hear your frustration and I appreciate your comments. I would like to say that I believe that the timing is as perfect for what we have tried to do in the department. We have not had an opportunity to take a look at our activities with our staff capacity that we have right now. It has been very, very difficult for the County to undertake the economic development that we would like to undertake. We have great plans for the County and it does take a lot of effort to get out there and recruit businesses that will be good for the County. We are working with a few with the staff that we have and we would love to have those businesses to come here. But, Commissioner Dixon, you are absolutely correct. Our mind set about the Chamber's activities and their role has to change because they are going to go about their activities. And, that is fine. We have come to that conclusion and that is o.k. We can still work with them. We've learned what the disclosure requirements are about this year because we, too, as staff are under a very similar type of disclosure with the business we would like to bring in. We are not able to share that. So, we have now learned what that is about. But, we would like the opportunity, within our department, to be able to go out and actively recruit businesses. I know, and I understand the frustration about wanting an economic development director, but if we are able to get some additional resources, I think that we will be able to accomplish some of those things that you are asking for and the commission is asking for.

We have some exciting businesses, we have three that we would like to be able to bring out right now on Pat Thomas Parkway at the 267/I-10 interchange. It takes the legwork. It really does and we are working with Growth Management right now to be able to find out what it takes to bring that business there with three very exciting retail types of businesses that will come out there. I think the County would be very, very grateful to have those here. But, we understand and hear your frustration and want to take the County in a different direction and these resources are very timely and will allow us to do that this year.

Holt:

I am not criticizing what you are doing. I am saying that we need to put funding, move that funding over and let's go after this economic development ourselves. I am not criticizing what you are doing. I am saying that we need to fund it better and we need to have someone who is breathing, living, working and looking out for Gadsden County. That is what I am thinking about.

Saunders:

Give me the name of that individual and we will try to see what we can do.

Holt:

I will give it to you because it is on my cell phone. I will get it.

Saunders:

We would appreciate any additional resources to help us do our job better.

Holt:

Also, Opportunity Florida, Mr. Manager, said that 400 jobs came into this area. I haven't heard from them, have you? He said out of 3,000 jobs, 400 came here. I haven't seen them.

Saunders:

I can get with Rick on that. Remember, I am a member of that Board and we have a meeting on the mega site next month, in August, so I can get with Rick and find out what the Gadsden County allocation of jobs. I remember that conversation.

Brown:

Mr. Chairman, I really would like direction in terms of what we need to do with the Chamber and the level of funding. Commissioner Holt asked me to request

Holt:

I can make a motion.

Dixon:

I would suggest that you leave it there, but I would suggest, if you could, from our prospective, from the prospective that I spoke about, see what we can find, because I assume his proposal was a number of years ago, but, I know it went into infrastructure, it spoke about infrastructure, but I'm of the

opinion that those are specialized people like Dave who went into Leon County.

I think, I don't think this is about the Chamber, per se, as much as it is about us refocusing and reorienting our philosophy about economic development. Nobody is coming to save Gadsden County. That is the philosophy taken - that sooner or later, big company X is going to come to Gadsden County and save us like they did in Jackson County.

I am sitting here telling you that is not going to happen. Probably what is more likely to happen is that you change your mindset and create an entity that might already exist - may already have an economic development board - but we create the mindset and opportunity to get up and go and make our case to companies to come to Gadsden County. We've got the infrastructure ready for you and we've got the roads ready for you and all of this stuff. I really believe that it requires a change in philosophy.

Then, that begs a second question. So, what do you do with the Chamber. I don't think the Chamber becomes - I beat the Chamber for years, I mean beat the Chamber for many years because I had that philosophy that they are supposed to be doing this and I need to see this. Only with a lot of years have I come to the position that my philosophy was wrong about them and that perhaps they do have a value, but it just not the value that I thought they should have.

Holt:

Mr. Chairman, excuse me, but, I am not really, I have not seen the cooperation between that organization and us. And, you are right. There is another objective, there and I stated that. But, what I am saying is that we need to take the funding to go after the jobs. Now, it is in the numbers, it is in the pack, it is in numbers. So, what do we do as far as getting that position to get someone to go out and do the job. We are not going to have any representation on that board. How much money do we put into it and to go after a board that we are not going to get any representation on? Or do we move the money and go after something that we may have a shot at?

Dixon:

Well, I think that is presumptuous. I want to see what we can - We can always take the money, that is an easy deal. The bigger deal to me is what is our statement going to look like? What is our philosophy going to look like? It certainly requires a

lot more than me sitting here saying "I think we ought to look at it differently." I would like to see the manager take an opportunity to look into it and see what we are up against.

Holt:

So, we are looking at some options for the \$25,000?

Dixon:

Look at some options, period. I think that economic development is whatever it needs to be. That is the whole point. You've got to spend a dollar to make ten dollars. That is the reality. To give you a good example, Commissioner Lamb spoke about paying deputies. The quality of deputy equates to the level of safety that people feel. People don't feel as safe in Gadsden County. Why? It equates directly to money.

We are doing things we have never done before in Gadsden County. Why? It equates directly to money. We are paying better people. We can afford, no, we still can't afford, we just chose to pay. Would ya'll agree with that? We chose to pay people better and expect more. O.K.

The lawyer makes the same thing as the lawyer did before him. But, clearly, we can't keep him at this level, can we? He has proven to be way too good. O.K. That is the point.

Are you willing to invest in the return that you want? Ya'll can remember when we went to court and none of us ever expected to win. Now, we expect to win every time. Why shouldn't we? Right? It is a whole different philosophy because we chose to invest in what we thought our return ought to be.

So, if it is about economic development, if you can take us from being (what is our average median income, Ms. Saunders?) \$44,000 for a family of four. Not including Tallahassee, now, I am just talking about us?

Saunders:

\$40,000.

Dixon:

Most folk work in some kind of agrarian form, everybody who wants to make some money has got to leave here. Everybody. You got to go to Leon County. How many of us haven't worked in Leon County. You had to unless you got a job at the hospital or the School Board or the County if you were lucky. For a long time,

the County wasn't hiring everybody. Now, that is about it. Tell me if I am wrong.

So, if we are looking at our economic future, we need to be prepared to invest in it.

Holt:

\$100,000. Put that number down and let's try that number.

Dixon:

That is what I mean. We ought to look at it and look at it and move in a fashion that I think we are in a crisis. How many people's children grew up in Gadsden County and stayed here? (in the audience) Nobody. Because you can't stay here. There is nothing to stay here for. Poverty maybe or just cause Mommy is here. My point is we've got to create something for people to stay for and to come back to.

I am not going to be satisfied until all department heads live in Gadsden County, by God.

Holt:

I think \$100,000 would do it for a director.

First Public Budget Hearing - September 5, 2006 - 6:00 p.m.

Mr. Suggs stated that he would like to have a revised draft budget well before that date. He asked the commissioners to notify the manager of their changes and additions.

Summary of Directions to the Staff:

- Consider and analyze paying at least a portion of the family health insurance -
- Look at better/more affordable health insurance coverage
- Commissioner Lamb requested an update on how negotiations are going with Midway fire department and what they are doing to beef up their department. He also asked to know how they are responding to fires. He also asked for information regarding the City of Quincy.
- Commissioner Lamb requested information regarding how the County recruits employees - he wants to be competitive
- Look for alternative revenue sources for road paving.
- Reduce Chamber of Commerce funding to \$500 - bring back options for in house economic development department that

would be solely dedicated to county purposes - include \$100,000 for that purpose.

- Look at impact fees (Survey in progress - results to be presented in September.)
- Explore increasing Building Inspection Department staff and proposed fee increase for their services.
- Begin dialogue with Gadsden Human Society regarding animal adoption program; bring back final analysis during budget process; and look for grants also to help offset cost of adoption center. (There were questions regarding the proposed budget for animal control - specifically for professional services for the veterinarian.)
- Look into paying "on call" compensation to animal control staff.

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR
DECLARED THE MEETING ADJOURNED.

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON JULY 18, 2006
THE FOLLOWING PROCEEDINGS WERE HAD,
VIZ.

PRESENT: EDWARD J. DIXON, CHAIR
BRENDA HOLT, VICE-CHAIR
EUGENE LAMB
DERRICK PRICE
THORNTON WILLIAMS COUNTY ATTORNEY
MARLON BROWN, COUNTY MANAGER
MURIEL STRAUGHN, DEPUTY CLERK

ABSENT: STERLING L. WATSON

Invocation and Pledge of Allegiance

Chair Dixon called the meeting to order. Commissioner Holt led in a prayer. Attorney Williams led in the pledge of allegiance to the US flag.

AMENDMENTS AND APPROVAL OF THE AGENDA

The following items were added to the agenda:

Public Hearing Agenda

Item No. 6. Final Plat for "Palms Subdivision (SD-2005-04)
Add the Planning Commission Recommendations

General Business Agenda

Item No. 9-A Approval to Enter Into an Agreement with
Pictometry International Corp.
Item No. 9-B Approval to Renew Insurance Programs with Current
Providers
Item No. 9-C. Approval to pay Dixie Paving and Grading, Inc.
\$78,881.45 for improvements to US 90 and storm
water improvements at Piggly Wiggly site

County Manager's Agenda

Item No. 10 Approval of Tallahassee Memorial Hospital as the
Urgent Care Provider for Gadsden Community
Hospital - Authorization for the County Manager
to Negotiate an Agreement and Authorization for

- the Chairman to Execute the Agreement
- Item No. 10-A** Formal Acceptance of the FY 2005 Gadsden County
Audit Report

County Attorney's Agenda

- Item No. 12-A** Approval of Quit Claim Deed Returning Property to
the School Board Previously Donated for the
Chattahoochee Library

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER
PRICE THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE
AGENDA AS AMENDED ABOVE.

Awards, Presentation and Appearances

**1. Tax Collector's Errors, Insolvencies, Double Assessments and
Discounts Report - 2005 Tax Roll**

Tax Collector W. Dale Summerford addressed the Board. He
presented the Errors and Insolvencies Report for the 2005
Tax Roll. He briefly explained each page of the report. He
called particular attention to one tax reduction which was
due to the bankruptcy proceedings of the Winn Dixie Stores
throughout Florida.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER
PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE
REPORT AND AUTHORIZE THE COMMISSIONERS SIGNATURES ON IT.

**2. Presentation of Global Positioning Systems to EMS and
Sheriff's Department**

Mr. John Anderson, Air Medic Flight Helicopter Services,
addressed the Board. He reported that the helicopter
service has been a great success. He presented the County
with six global positioning systems (GPS) (three to the EMS
Department and three to the Sheriff's Department) which will
aide the helicopters in landing at emergency scenes and thus
reduce the length of time in transporting a patient to the
hospital.

He then introduced Rick Mullis who spoke briefly of the
success of the partnership with the County. He said that
they routinely transport 35 Gadsden County patients a month
to a hospital.

Consent Agenda

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT:

3. Approval of Minutes
June 6, 2006 - Regular Meeting
June 14, 2006 - Special Meeting
4. Ratification of Approval to Pay County Bills
Warrant Registers Dated - July 14 and 21, 2006
Payroll Register Dated - July 20, 2006
5. Approval of New Road Name - Amanda Lane
6. **Public Hearing - Final Plat Approval for Palms Subdivision**
(SD-2005-04) 24 Lots on 26.0 Acres

Mr. Brown opened a public hearing for the above stated issue. He then turned the hearing over to Growth Management Director Bill McCord.

Mr. McCord was administered an oath by Muriel Straughn, deputy clerk.

He gave a brief overview of the Palms Subdivision Final Plat

Owner: Noah & Tee Development, LLC and Palms Homeowners Association

Applicant: Latasha Murray

Representative: Paradigm Engineers and Consultants

Location: South side of CR 274 (Providence Road) one mile west of the intersection with CR 65 in the Sawdust Community

TAX ID: 3-25-2N-3W-0000-0120-0100

Type of Action: **Quasi-Judicial action** in conjunction with the noticed public hearing as a Type II plan per Subsection 7202 of the Land Development Code.

Planning Commission Recommendation: Approval based on the findings listed in the agenda report contingent on special conditions (A - F) as listed also in the agenda report.

Staff Recommendation: **Approval** as recommended by the Planning Commission.

Upon approval of the final plat, a survey will be performed

and mylars prints will be submitted for recording in the Official Records at the courthouse.

Chair Dixon called for public input. There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE FINAL PLAT PER THE RECOMMENDATION OF THE PLANNING COMMISSION AND STAFF.

7. Public Hearing - Land Development Code Amendment (LDR 2006-02) RV Parks as a Commercial Activity In Agriculture Land Use - First Reading of the Draft Ordinance 2006-XXX

Mr. McCord introduced the attached proposed ordinance as it's first reading. He said that it is a an amendment to the land development regulations in order to expand and permit RV parks and campgrounds in the AG 3 and Neighborhood Commercial (NC) land use categories upon approval by the Board of County Commissioners as a special exception use.

Mr. McCord reported that his office had conducted a survey of other counties and prepared an analysis which is in the agenda report. The proposed ordinance deals with issues such as designs issues such as density, set backs, ratio of tents/camping spaces to RV sites, minimum size of RV Space, impervious coverage limitation, lighting standards, vehicular access, minimal number of rental space units and area.

He said that the proposed ordinance would not affect a person who lives in an RV on a parcel of land. It would only affect those in an approved RV park.

See the Findings listed in the agenda report.

P & Z Recommendation: Approval (July 5, 2006) with findings above.

Staff Recommendation: Approval

Chair Dixon called for public questions and comments. The following people were recognized:

**Marion Laslie
Elva Peppers**

Wesley Joyner

Following discussion among the commissioners, it was determined that the current ordinance should be reworked to include something to limit the length of stays in a park; require a distance of separation between parks; provide safety measures for recreational hunting parks in the agriculture areas; citing of violations, fees, fines, enforcement measures; and the text changes identified during discussion.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE PROPOSED ORDINANCE WITH THE CHANGES AS DISCUSSED.

8. Public Hearing - Adoption of the Gadsden County Indigent Health Care Surtax - Ordinance 2006-019 Calling for Voter Referendum for Imposing the Tax

Mr. Brown announced a public hearing on the above described ordinance. He gave a brief overview of how the ordinance happened to be proposed. He also announced that it had been duly advertised in the Havana Herald and the Twin City News. He also said that there was an attempt to advertise it in the Gadsden County Times, but it was omitted in error by the Gadsden County Times.

He asked the Board to authorize spending \$7,500 to conduct a public information campaign to promote the passage of the surtax.

Mr. Williams said that the FL Statutes require an advertisement in a newspaper of general circulation. He stated that it was his opinion that the requirements of the Statute was met.

Mr. Maximo Martinez addressed the Board reporting that public meetings had been held throughout the County and the proposal received positive feed back.

Chair Dixon called for public comments.

The following people were recognized for comments and questions.

Marion Laslie

Joe Sharp

Commissioner Lamb asked, "How will these revenues be secured to make sure that they go directly to what we are proposing here? If this is going to be for healthcare, that is what I want it to be for. I want to make sure it is in a trust fund or earmarked exactly for what we are proposing."

Martinez:

Commissioner, that is a good question and we have been asked that question all over the County. According to FL Statutes, it goes from the Federal Department of Revenue directly to the County Clerk and he has to keep his eyes on that money to make sure that it goes to exactly what we say it is going to. So, we are very clear on that and there is going to be a lot of transparency,, there is going to be a reporting mechanism in place and the public will hear where the money is going and how it is used."

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE DESCRIBED ORDINANCE TO HAVE A VOTER REFERENDUM FOR THE SURTAX AND AUTHORIZE EXPENDITURE OF \$7500 FOR ADVERTISING THE REFERENDUM.

GENERAL BUSINESS

9. Authorization to Set Date for First Public Hearing on the FY 2007 Tentative Budget

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO SET THE FIRST PUBLIC HEARING ON THE FY 2007 TENTATIVE BUDGET FOR TUESDAY, SEPTEMBER 5, 2006 AT 6:00 P.M.

9a. Approval to Enter Into an Agreement with Pictometry International Corp.

Mr. McCord and Ken Stocks made a visual presentation of the Pictometry Visual Intelligence technology. He told the Board that it provides high resolution aerials from multiple angles and is compatible with many local government's mapping programs. He said that the staff has been working with Pictometry to acquire the imagery. Pictometry will apply for a grant on the county's behalf to acquire the software and technology upon approval by the Board.

Property Appraiser Clay Vanlandingham addressed the Board. He stated that the Pictometry software is an amazing tool. He said, "The current aerials that the staff is using is flown by the Department of Transportation every four years. The major limitation with the current aerials is that it is a straight down shot. All that can be seen in a photograph is a roof top. With Pictometry, the county would have the ability to see with such precision that buildings and additions can actually be measured." He went on to say, "You can measure the height of a building and figure out cubic feet if you need to in the place of commercial applications. Not that we have a multi-story ladder fire truck yet, but, if we ever needed one and public safety and the fire department was involved in this program also, they could measure the height of the building to the twelfth story and know which ladder to pull out... In the case of hazardous materials, there are web sites that work with Pictometry from a national weather service. You could put in the wind direction and the wind speed, it would give you the shape of plume of the hazardous material odor. You could overlay your buildings on top of it and you would know which buildings you would need to evacuate. It is absolutely a fantastic tool.

We have a small meeting here today. I was hoping for a larger turnout from some of the other municipalities just so they could see the benefits that they could see the benefits that they would get for planning and zoning and they would get for emergency services and law enforcement. The tool has the ability to show you elevations above sea level. From a growth management standpoint and subdivision development, from a health department standpoint, you know, we know not to go down here to put a septic tank, it is too wet. The options and the ability of this program is just fantastic. I think the main selling point that I have heard is that Pictometry is willing to write the grant, go after it and get it for us and give us this program. In a sense, that is like giving us \$85,000."

Mr. Brown told the Board that the county attorney has not had the opportunity to review the agreement and he asked them to authorize the staff to pursue the grant pending legal review.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO AUTHORIZE STAFF TO PROCEED WITH ACQUISITION OF THE GRANT AND GIS DATA

AND AUTHORIZE THE CHAIRMAN TO EXECUTE ALL NECESSARY DOCUMENTS TO COMPLETE THE PROJECT PENDING LEGAL REVIEW BY THE COUNTY ATTORNEY.

9b. Approval to Renew Insurance Programs with Current Providers

Mr. Brown stated that at the July 11, 2006, the Board instructed the staff to provide information from other government agencies on their cost to renew their insurance coverage. That information was provided in the attachments to the agenda report.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 3 - 1 TO APPROVE RENEWING THE CONTRACT WITH PUBLIC RISK INSURANCE AGENCY (PRIA) FOR COMMERCIAL CRIME, INLAND MARINE, PROPERTY, AUTO AND WORKERS COMPENSATION. COMMISSIONER LAMB CAST THE LONE DISSENTING VOTE.

There was some discussion regarding the FACT insurance coverage. Assistant County Manager Arthur Lawson stated that the County could save \$10,000 per year by acting as its own agent with FACT rather than using Pat Thomas Insurance Agency.

Commissioner Lamb stated he would prefer to keep Pat Thomas as the agent rather than doing it in house. He suggested that the staff should negotiate the amount with Pat Thomas.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 3-1 TO DEAL DIRECTLY WITH FACT RATHER THAN USE PAT THOMAS AGENCY.

Health Insurance - CHP

Mr. Brown reported that Pat Thomas Insurance Agency is also the agent of record for the county's health care insurance. It was determined that the county cannot deal directly with CHP. The County must have an agent and that agent is paid approximately 2% of the contract amount.

There was some discussion regarding bidding out the contract for the agency.

Mr. Lawson reported that the staff annually obtains quotes from entities that offer health insurance to determine if there could be some savings to the county. He stated that

what the county is now getting is the "best bang for the buck."

It was determined that it was too late in this budget cycle process to put the health insurance and agent out for bid.

Chair Dixon insisted that the contract for the CHP agent be bid out next year well enough in advance of the budget process so that staff can determine what options are available.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 3 - 1 TO DIRECT STAFF TO RENEW THE HEALTH COVERAGE WITH CHP FOR THE 2007 BUDGET YEAR. THE MOTION ALSO INCLUDED DIRECTIONS TO THE STAFF SEEK AN RFP TO SECURE AN AGENT OF RECORD FOR THE HEALTH CARE INSURANCE (IF FEASIBLE) SO THAT THEY MAY BE ABLE TO BRING OTHER HEALTH CARE OPTIONS/PLAN TO THE BOARD DURING THE COURSE OF THE UPCOMING YEAR IN ANTICIPATION OF THE 2008 BUDGET CYCLE. COMMISSIONER LAMB CAST THE LONE DISSENTING VOTE.

Dixon:

My point is, agents that I have seen in other local governments bring a plethora of services to the government. They do evaluations, they do spreadsheets, they do all this nice stuff to let the government know that, "Here is the best value, here's all of this stuff, blah, blah, blah."

Now, Mr. Lawson might be getting that information. I am not getting that information. I have never seen that information.

Now, I want to know what other agents are out there and what services they are offering. It will include Capital Health Plan because our current agent is not the only provider. There are other providers and we need access to them. How do we do it. If the Board is so willing. That is my concern.

With the other contracts, we never get that. Our agents never brought any options to us. So, for 20 years, we had the same raggedy contract. I want to look at some other agents. I want to see the services that they are providing. How do we get there?

Brown:

Mr. Chairman, in terms of the health plan, I know that it is

kind of difficult to assess whether the plan that we have right now, just forgetting the agent for one second, whether it is the best plan for the County. The changing of the agent is easy. I think that is the easiest part of this entire process.

Dixon:

Then, why are we making it so difficult?

Brown:

Well, I think more because of the timing and whether you want to keep CHP or not. You know, I believe that changing the agent is easy. I think it is something that we can, depending on your direction, we can do expeditiously.

Dixon:

The motion should be to keep CHP and explore the possibility of looking at a new agent.

Brown:

Correct. That is something that I am sure that by August 29, we will have an agent for you.

Holt:

So moved.

Dixon:

Do we have a second.

Question, commissioner?

Lamb:

I hear all the discussion and I understand exactly where we are going. Now, over the years, in the past, have we ever asked for anything else other than what we have received from the present agent that has been serving us? I don't know if we have been asking for anything else besides what we have been receiving. This is my first time hearing about what we have received and what we have not received. I feel that what we need to do is just go, we definitely need to not disturb CHP, but keep the agent that is working with CHP now and then go with RFP for looking for another agent after we get through this current year.

Holt:

May I, Mr. Chairman.

Dixon:
Madam Commissioner.

Holt:
We looked at, in my four years on this commission, we've looked at and had groups to look at other insurance plans and we have had staff to look at other insurance plans and we have had groups to look at other insurance agents, we have gone through all of this and we usually have this discussion every year for four years. In all four years, it has been said, "It's too late. It's too late in the year, we have to pass this."

I can name two other local governments in the county that I know personally are doing the same thing. They say you have three days to sign on. Your three day period is this. They never ever have anyone to come in and say, "This is a better plan." ...I am clearly frustrated in coming back to this same point every day.

Approval to pay Dixie Paving and Grading, Inc. \$78,881.45 for improvements to US 90 and storm water improvements at Piggly Wiggly site Resolution # 2006-049; OMB-BA-060036A

Mr. Brown told the Board that this item had been before the Board prior to this meeting. He recalled that the Board had authorized the staff to advance money for the construction of the turn lane and storm water facility pending the acceptance of the grant from USDA. He then told the Board that Dixie Paving has now performed work on the site and have requested payment. He asked the Board to approve the disbursement of the above stated funds and the resolution and budget amendment. The monies will be reimbursed by the grant or by Mr. McDaniels.

Commissioner Lamb asked for an update on the grant application.

Brown:
Commissioners, I know that we have just submitted some documentation that USDA is requiring regarding the title of right-of-way and the certification of right-of-way. As I have shared with you previously, USDA is very tight lipped about when we will actually get the grant. But, I don't think there are any more documentations that they are requiring of us. Fingers crossed, the grant should be forthcoming 45 days after the submittal of the last pieces

of documentation. Ms. Gee, is that correct?"

Gee:

We had only two more and we did send them over today.

Brown:

So, 45 days, once they have accepted the documentation, if there are no errors in the documentation.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE PAYMENT TO DIXIE PAVING AND GRADING AND THE ATTACHED RESOLUTION 2006-049 AND BUDGET AMENDMENT OMB-BA#060036A.

COUNTY MANAGER'S AGENDA

10. Approval of Urgent Care Provider for Gadsden Community Hospital

Mr. Brown reported that the staff put out a request for all interested parties to submit a proposal to operate the urgent care facility at the Gadsden Community hospital. He said that they received three proposals and each proposal was analyzed. He then recommended Tallahassee Memorial Hospital as the provider of the needed services.

Consultant Joe Sharp made a report regarding the proposals submitted by Pioneer Health Services EDCare, Inc., and Tallahassee Memorial Hospital. He stated the following:

"All of the proposals, while we did not specify a business model, all of the proposals came back with, as the county manager indicated, on a cost plus business model. Meaning that the County is in the urgent care business with profit and loss responsibilities. The managers would come in and manage the delivery of the care. The employees will be employees of the County. All revenues, there will be a charge for the billing and collections services for the services rendered. All revenues would accrue to the County, to the benefit of the County. Any difference in the cost of operations and the revenue would also be the county's responsibility.

We recommended TMH because they presented a very thorough business plan. One that included all of the cost, one that including the county's portion, the county's responsibility.

Others only presented in their business plan those costs that related to their remuneration. Not the cost of the entire operation of the urgent care center. TMH did. They presented a much more complete and much more thorough business plan and projection, one that would inspire some confidence. The other business plans that were presented inspired that they would get paid, but not necessarily paid attention to what risk, what loss and what gain the County might experience. TMH did that. That was reason No. 1.

Reason No. 2 is that TMH is experienced as a county health care provider. They have current operations in Wakulla County and in other surrounding counties. They also have operations here. They have experience running urgent care centers. One respondent had experience running urgent care center in another state. The other respondent had experience running emergency physicians office - not an urgent care center, but as an emergency physician's office. So, they more closely fit for what we were looking for. What Gadsden County was looking for can be provided, in our opinion, by TMH as opposed to any of the other providers.

Also, Reason No. 3 is that the proximity of TMH to Gadsden County. In staffing for a 12-hr. operation or even longer operation, you're going to need to hire 2.3 full time equivalents or 2.1 full time equivalents. Now, when you hire those people, you can't just hire 2.4 persons, you would have to hire 3. Now, with TMH, we could hire 2 people and as the volume dictated, TMH could transport people from Tallahassee to fill for vacations, to fill in for illnesses, to fill those vacuums that are going to occur without incurring additional cost to the County.

So, for those three reasons, we selected and are recommending to you the approval of TMH as the urgent care provider.

Chair Dixon called for public comments or questions. There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO AUTHORIZE THE STAFF, CONSULTANT AND ATTORNEY TO CONTINUE NEGOTIATIONS TO FINE TUNE THE AGREEMENT WITH TMH TO OPERATE THE URGENT CARE FACILITY AT THE HOSPITAL.

Mr. Williams reported the following:

Today, we finalized all those negotiations with the lawyers for the creditors committee. We were told that they will have a draft or a final motion before the judge on Friday. We are trying to see if we can shorten the time, but if not, it is 20 days from Friday when the judge will sign the order. If the urgent care facility is ready in 20 days, we'll be good to go.

Warren Jones addressed the Board. He said, "We will work diligently with Mr. Brown to solidify the partnership and be able to bring urgent care to Gadsden County as a bridge to eventually getting the hospital open, which is what everybody wants."

11. Miscellaneous Items

Formal Acceptance of the Independent Auditors Report for the FY ending September 30, 2005

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO ACCEPT THE AUDIT REPORT AS DESCRIBED ABOVE.

COUNTY ATTORNEY'S AGENDA

12. Miscellaneous

12- A. Approval of Quit Claim Deed to the School Board Transferring Property Originally Given to the County for the Chattahoochee Library

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE QUIT CLAIM DEED IN FAVOR OF THE SCHOOL BOARD.

Citizens Requesting to be Heard on Non Agenda Items

Jim Kellum addressed the Board to report on the progress which the Senior Citizens Center has made over the last year. He asked permission to bring the Board of Directors to speak to the Board and staff regarding funding.

Ed Allen addressed the Board regarding illegal RVs parked at Lake Talquin. He asked the Board to enforce the Comp Plan. He stated

that he has been trying to get those illegal vehicles removed since 2001. He implored the Board to take action.

Mr. Brown stated that Mr. Allen's issue relates to a complaint about RVs that are permanently hooked up on some properties at the Lake. He reported that the Code Enforcement officer has confirmed their existence. He said that this type of thing is rampant throughout the County and has been brought to the Board's attention previously. He said that the staff is now performing an inventory of this type of code issues. He said that the staff will be sending letters to the various owners of the properties to give them the opportunity to abate the noncompliant uses. If in the event, those individuals do not comply with the letter, they will be cited.

Mr. McCord reported that his office received a specific complaint in June concerning RVs. The staff met with the owner of the RVs to explain the county's position. Because the issue is so widespread throughout the County, the staff proposed to target a specific area to begin the eradication of the non conforming uses. He said that the first target area will be Lake Talquin. He also reported that the Code Enforcement officer position is vacant at the present time. However, the staff will move forward with compiling an inventory of the violations to the Comp Plan and implement the enforcement proceedings necessary to bring those issues into compliance.

Following discussion among the Board, there was a consensus that the staff should consult with the attorney and begin taking measures to insure that enforcement actions are forthcoming in regard to the complaints brought by Mr. Allen.

Discussion Items by Commissioners

Commissioner Lamb

Commissioner Lamb asked the county manager to forward him a list of the members of the board of directors for Senior Citizens Services.

Commissioner Watson

Commissioner Watson was not present.

Commissioner Price

Commissioner Price had nothing to report.

Commissioner Holt

Commissioner Holt had nothing to discuss.

Chair Dixon

Chair Dixon reminded the Board that the next meeting would not be until August 29.

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, CHAIR DIXON
DECLARED THE MEETING ADJOURNED AT 8:30 P.M..

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A SPECIAL MEETING OF THE BOARD
OF COUNTY COMMISSIONERS HELD IN
AND FOR GADSDEN COUNTY, FLORIDA ON
AUGUST 28, 2006, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

PRESENT: EDWARD J. DIXON, CHAIR
BRENDA HOLT, VICE-CHAIR
EUGENE LAMB
DERRICK PRICE
THORNTON WILLIAMS, COUNTY ATTORNEY
MARLON BROWN, COUNTY MANAGER
MURIEL STRAUGHN, DEPUTY CLERK

ABSENT: STERLING WATSON

Call to Order

Chair Dixon called the meeting to order and turned it over to County Manager Marlon Brown.

Mr. Brown explained that this workshop was a follow-up to the workshop held in July to take direction and guidance from the Board regarding the proposed budget attached. He then announced that there would be a tentative budget public hearing held on September 5, 2006.

He then turned the meeting over to OMB Director Davin Suggs. Before beginning the proposed tentative budget presentation, Mr. Suggs introduced Ms. Tricia Collins who is the executive director of Gadsden Arts Center. Ms. Collins then introduced Mr. James Perry Walker who is an artist who expects to do a portrait book of Gadsden County in the near future. He showed the Board a similar book that he compiled for a rural community in Mississippi and stated that he expects to do a similar type book for Gadsden County. He asked for their input as to what they would like to have included in his book. It was agreed that commissioners would make their suggestions known to him via e-mail.

Mr. Suggs then highlighted the attached proposed tentative budget pointing out the changes he had made since the last workshop based on the instructions given to the staff. There was discussion among the commissioners throughout the presentation. The directions given to the staff are summarized below.

- Determine how much of the family health insurance premium is being funded by the county commission for the constitutional officers employees. (It was stated that some of the constitutional officers are paying for family coverage on their employees - perhaps with funding that comes from the BCC.)
- Proceed cautiously, but continue dialogue with the cities regarding what is expected from the county for recreation programs within the municipalities. Determine how this will affect the County's Parks and Recreation Department budget.
- Determine the geographic locations of the participants in the youth work program.
- Continue the classification and salary study of county employees to improve fairness and establish competitive salaries to sustain quality workers in the county.
- Continue to look for alternative revenue to continue the dirt road paving program. (This will come back after the implementation of the FY 2007 budget for the ensuing years.)

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, CHAIR DIXON
DECLARED THE MEETING ADJOURNED at 7:30 p.m.

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A REGULAR MEETING OF THE BOARD
OF COUNTY COMMISSIONERS HELD IN
AND FOR GADSDEN COUNTY, FLORIDA ON
AUGUST 29, 2006, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

PRESENT: Edward J. Dixon, Chair
Brenda Holt, Vice-chair
Eugene Lamb
Sterling L. Watson
Derrick Price
Thornton Williams, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

Invocation and Pledge of Allegiance

Chair Dixon called the meeting to order. Commissioner Price opened the meeting with a prayer. Commissioner Lamb led in pledging allegiance to the US flag.

Amendments and Approval of the Agenda

The following additions were made to the agenda:

Consent Agenda:

Add to Item No. 16

Approval of terms of loan with Hancock Bank for the purchase of heavy equipment for the Public Works Department. Documents include Resolution 2006-053, Officer's Certificate, County's Tax Certificate, IRS Form, Lender's Certificate, opinion of Bond Counsel.

Add to Item No. 18

Approval of Bids for Instructor Greenhouse Construction Bid Tabulation Form

County Manager's Agenda:

Add Item No. 34-A

County Manager's Travel to Tallahassee Chamber Amelia Island Conference

County Attorney's Agenda:

Add No. 35-A

Agreement Regarding Interim Use of Hospital Premises

Discussion Items by Commissioners:

Commissioner Dixon

Add Proclamation 2006-052 - Workforce Development Week

Consent Items Pulled for Discussion:

Item No. 17 - Contract with Southerland Enterprises for
Video Taping of the Commission Meetings

AWARDS, PRESENTATIONS AND APPEARANCES

**1. Presentation of Florida Recreation Development Assistance
(FRDAP) Grant - Sawdust Park Renovation \$181,500**

Florida Senator Al Lawson addressed the Board. He presented a check for \$181,500 for the Sawdust Park Renovation. He made an appeal for Gadsden County to form a community group so that the community can grow to understand the importance of keeping the new facilities for as long as they can.

Chair Dixon thanked Senator Lawson for the quality of service he continually gives to Gadsden County.

Commissioner Price thanked the senator also. In addition, he thanked Ms. Nancy Gee, Farnita Saunders and Charles Chapman for their hard working efforts to bring the grant to fruition.

Senator Lawson then turned his remarks toward his commitment and support to get the hospital re-opened.

There was an applause.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE DRDAP GRANT AGREEMENT (DRDAP PROJECT NO. F07053) AND EXECUTE THE COMMENCEMENT CONTRACT TO ALLOW STAFF TO PROCEED WITH THE SAWDUST PARK RENOVATION.

**2. Presentation of Certificate to Virgil Lovett - First Place
Winner of the Florida Commission on Human Relations, "One
World, Many Neighbors" Poster Contest (Fair Housing Month -
April 2006)**

Ms. Farnita Saunders recognized Master Virgil Lovett, a student at George Monroe Elementary School. She presented

him a certificate of recognition. He had the winning poster for the "One World, Many Neighbors" contest.

Chair Dixon made encouraging remarks to Mr. Lovett and recognized his family who was in attendance.

There was applause by the audience.

3. Update on Services for Senior Citizens

Mr. Jim Kellum, president of the Senior Services, Inc. addressed the Board to brief them on what is taking place at the Senior Citizens Center with respect to delivering needed services to the elderly in Gadsden County. He introduced a number of the employees and board members.

4. Gadsden County 2007 Legislative Program

Sarah Bleakley addressed the Board. She reported that efforts have already begun to build on the success which the Board made last season with legislative funding. She said that joint meetings have already begun with the city managers within the county. She asked the Board and other agencies to submit in writing a budget request form to Jon Brown by October 1.

Commissioner Holt asked the county manager for the name of the contact person so that she could pass that information along to the independent agencies in the County who are interested in submitting legislative funding requests. She also asked him to do some kind of advertising to notify those outside agencies to get their ideas made known to the County by October 1.

CONSENT AGENDA

UPON MOTION BY COMMISISONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT:

5. Approval of Minutes:

July 11, 2006 Regular Meeting
July 11, 2006 Special Meeting
July 17, 2006 Special Meeting

6. Ratification of Approval to Pay County Bills for warrant registers dated July 28, August 4, 11, 18, and 25, 2006. Payroll Registers dated August 3, and 17, 2006
7. Approval of Proposed Fee Increases for Three Levels of Services at the Gadsden County Health Department
8. Approval of State Homeland Security Grant 06-DS-3W-02-30-01-337 Modification # 1 changing the expiration date from August 31, 2006 to October 31, 2006.
9. Approval of 2006 Gadsden State Farmer's Market Lease Agreements
Lease Number 2693 Warehouse & offices \$10,276.04
Lease Number 2720 truck scales \$3,971.76
Lease Number 2723 land \$8,816.56

Lease term - July 1, 2006 through June 30, 2007

Lease payments are due and payable annually in advance on or before July 1, 2006.
10. Approval of 2006 Small County Solid Waste Grant Agreement SC709 for \$191,176.00 Date of Award: August 1, 2006
11. Approval of Property Lease for Gretna Fire Station Across the street from the existing Police Department in Gretna. The Lease calls for payment of \$1.00 annually for 50 years.
12. Approval of Gadsden County Disaster Housing Strategy for submittal to the Florida Department of Community Affairs
13. Approval to Solicit a Request for Qualifications (RFQ) Seeking a Firm or Individual as County Grant Writer
14. Approval of Execution of Public Access Computing Hardware Upgrade Grant - Gates Foundation grant of \$13,500
15. Approval and Execution of Grant Agreements for State Aide to Libraries
16. Approval of Terms of Heavy Equipment Loan from [Hancock Bank](#) \$507,000 to be finance for four years with annual payments of \$139,245.78 per year to commence in August 30, 2007
17. Approval to Renew Contract for Videotaping Commission Meetings and Special Workshops - this was removed for

discussion, but was approved by separate motion later in the meeting.

18. Approval of Bids for Instructor Greenhouse Construction
Bid Award to Jaderloon Company, Inc for 36,307.52 P O Box
685 Irmo, S.C. 29063
19. Approval of Request to Modify Contract with DCA, Economic
Development Community Block Grant - \$489,986
06DB-3K-02-30-01-E08 Amend the activity work plan
associated with extending the sewer lines to the Holiday Inn
Express and Hampton In at SR 267 and I-10. The revised
time line reflects that the project will be competed by
April 2007.
20. Approval of Selection of State Housing Initiatives
Partnership (SHIP)Housing Rehabilitation Specialist for
2005-06 Fiscal Year - William H. Robinson
21. Approval of Signatures for Special Assessment Lien and
Rehabilitation Contracts - Minnie Baker
22. Approval of Signatures for Special Assessment Lien
Sonya D. Burns
23. Approval of Signatures for Satisfaction Housing Agreements
Patricia Williams , Roxanne Allen, Carmen Bryant, Amy
Dawkins
24. Approval of Addendum to School Concurrency Interlocal
Agreement - Gadsden County School Board, Board of County
Commission and City Commissions within the County

Commissioner Lamb questioned the county manager about the contract with Southerland Enterprises. He specifically asked, "Did we pass directions by this board that we would bid out the things pertaining to contracts?"

Mr. Brown responded, "Yes, Commissioner, the board took that position about a year ago - that we would put all contracts out for bid."

Lamb:

Why wasn't this one bid out as other contracts?

Brown:

Commissioner, good question. Mr. Southerland or Southerland Enterprises, Inc. have been doing this service for quite some

time. I believe, in discussion with staff, previously when this was put out for bid, because Southerland Enterprises has the WQTN, it was less expensive for him to do the video taping than to have someone to do the video taping then pay him for the services for it to be placed on the television network. But, then, whatever is the will of the board, the staff will follow suit.

Lamb:

I was just asking a question because I want to make sure that you are keeping with what this board passed. The board did pass that and I don't want us to do something and it come up later and hit us in the face saying that, "You didn't do it this way. Why did you skip that one and go on past us to put it on bid?" So, I just want to make sure that you put all of them out for bid, the way we are supposed to. I just want to be fair to everybody.

Dixon:

Commissioner Lamb, if I may. When we did put this out for bid, what we ended up with basically, were folks who would come in and video tape the meeting and then they would have to go to Mr. Southerland to get it put on T.V. So, he just charged him \$650.00 per episode on top of what they then charged us to video tape it. So, it didn't make any good sense to anybody - if he is going to video tape it and put it on for the same single price that anybody else who is going to video tapes it would have to pay. We would just end up paying double for it.

Lamb:

I just wanted to bring it to the attention of the board. I remember we passed a motion that we would go into bids. But, if the board doesn't want to put out a bid, that is fine.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE CONTRACT (AS SOLE SOURCE) WITH SOUTHERLAND ENTERPRISES TO VIDEO TAPE/BROADCAST THE BCC MEETINGS AND WORKSHOPS.

PUBLIC HEARINGS:

25. Public Hearing - Second Reading - Approval of Proposed Economic Development Block Grant (CDBG) Application (Bradwell Project - Huddle House) and Resolution 2006-050 for the Application of the 2006 Economic Development Grant

Scott Modesitt with Summit Professional Services, Inc.

appeared before the Board. He stated that this meeting is the second hearing on the CDBG application. The application is for a grant that will provide water, sewer, gas and roadway improvement for Bradwell Enterprises to construct a Huddle House Restaurant.

He opened the forum up to the public for questions relating to the project.

Chair Dixon then called for public comments. There was no response from the public and there was no discussion by the Board.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE TO APPROVE THE SUBMITTAL OF THE 2006 APPLICATION AND TO ADOPT RESOLUTION 2006-050 IN SUPPORT OF THAT APPLICATION. (Options 1 & 4 in the agenda report.)

26. Public Hearing and First Reading of Ordinance - Peavey and Sons Construction Future Land Use Map Comprehensive Plan Amendment - CPA 2006-05 Parcel ID 4-28-1N-4W-0000-00100-0000 changing 19.99 acres from AG-3 Land Use to Mining land use

Owner: Elberta Land Co.

Agent: Tom Simmons

Representative: Allen Nobles & Associates, Inc.

Contact Person: Jason Clements

Location of the property: Southeastern Gadsden County between McCall Bridge Road (CR 65C) and Cook's Landing Road on the eastern side of SR 267

Parcel ID: 4-28-1N-4W-0000-00100-0000

Type of Hearing: Quasi-legislative in conjunction with small scale amendment to the Future Land Use Map

P & Z Commission Recommendation; July 13, 2006 approval

Staff Recommendation: Approval

Growth Management Director Bill McCord gave a brief overview of the project as contained in the attached agenda report. He noted a number of findings and pertinent policies also contained in the agenda report.

He explained that small scale land use amendments can be up to 20 acres in size in counties that are in critical economic concern areas. (The normal limit would be 10 acres.)

Peavy and Sons desire to extract sand to facilitate the development of the Interstate 10 widening project that will be going on in Leon County. Sand will also be extracted for other construction projects in Gadsden County.

Chair Dixon called for public comments and questions. There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE ORDINANCE DESCRIBED ABOVE.

Representative Curtis Richardson addressed the Board. He commended the Board for their aggressiveness in seeking the FRDAP grants. He stated that Gadsden County was more successful than any other county in Florida with it's applications.

He then introduced Ms. Karen Thurmond, chairperson of the Florida Democratic Party.

Chair Dixon thanked him for all the efforts he made on behalf of Gadsden County and for taking the times to visit with the Board.

There was applause.

27. Public Hearing - Smith Montford Comprehensive Plan Amendment - CPA 2006-04AD - Small Scale Amendment - First Reading of Ordinance changing the land use designation on 3.79 acres from Commercial to Rural Residential

Owner: Nettie Chester

Applicant: Gadsden County Board of County Commissioners

Location of Property: Northeast of Havana, on the west side of Concord Road (CR 157) approximately 450 feet north of the intersection of Fairbanks Ferry Road (CR12)

TAX ID: 2-18-3N-1W-0000-00412-0700

Type of Hearing: Quasi-legislative action in conjunction with the advertised public hearing as a small scale amendment to the Future Land Use Map per Subsection 7401 of the Land Development Code.

Planning Commission Recommendation: Approval based on the findings described in the agenda report.

Staff Recommendation: Approval per the findings listed in

the agenda report.

Mr. McCord briefed the Board regarding how the Board came to be the applicant in this amendment. The details are contained in the agenda report.

Chair Dixon called for public input. There was no response.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE ORDINANCE DESCRIBED ABOVE.

28. Public Hearing - Land Development Code Amendment - LDR 2006-02 - RV Parks in Agricultural Land Use and Second Reading of Ordinance 2006-020

This item was proposed as an amendment to the land development regulations in order to permit RV parks and campgrounds in the AG-3 and Neighborhood Commercial land use categories with a special exception permit approved by the Board of County Commissioners. All Special Exception uses are required to undergo a Type II review. The first reading was held on July 18, 2006.

Chair Dixon called for public comment. There was no response.

Commissioner Holt raised questions regarding the proximity of multiple RV parks to each other. She said, "I just wouldn't want to come up in an area where you see a chain of them over and over just because they may meet the criteria. Then you say eight per acre - well, if I had 100 acres, that would be 800 RVs. That is my only concern."

Mr. Brown responded, "Each one of those will come - each application for an RV park will come before the Board."

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVED THE ORDINANCE DESCRIBED ABOVE.

29. Public Hearing - Report on the Gadsden County Visioning Exercise

Mr. Brown commended the Growth Management staff for the

amount of work they put into going into each community in the county to get their input as to their vision for the future of Gadsden County. He then turned the meeting over to Mr. McCord.

Mr. McCord presented the final report of the visioning exercise that began last November. The purpose of the exercise was an opportunity to, "re-grasp where we are as far as development policy. A lot of things have been changing quite rapidly around here and we wanted to make sure before we proceed further that we are simply looking out for the priorities of the community in developing our policies. And, our new policies that we will consider, including consideration of land use policies. The visioning exercise gave us a good opportunity to get our face in front of the public and hear what they think the County's priorities should be." He then went on to expound on the report. (attached)

Carl Morrell of Optimum Enterprises also reported to the Board as to the results of the visioning process.

The following concerns were consistent in all the communities:

Affordability of housing
Infrastructure
Economic Development
Environmental and Neighborhood Protection
Re-opening of the hospital

Following the presentation, there was some discussion by the Board.

Planning Commission Recommendation: Establish an Ad Hoc committee to study at least one of the identified issues.

Chair Dixon called for public input on the study.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO ACCEPT THE REPORT.

GENERAL BUSINESS:

30. Discussion of Land Development Regulation - LDR 2006-03
Land Development Code Amendment of Non-Conforming
Uses/Structures, Subsection 5003, Gadsden County Land
Development Code

Mr. McCord presented the above named amendment to the Land Development Code as the first reading of a proposed ordinance. He reminded them that the amendment was prepared at the Board's direction to the staff to prepare and ordinance amending the existing regulations to permit the replacement/reconstruction of non-conforming residential uses with some restrictions.

The Planning Commission recommended that many of the provisions of the non-conforming regulations be rescinded. However, he asked the Board to allow at least two of the non-conforming residential uses or densities to be re-established but place limitations on that. (Time limits to have them re-established.)

There was discussion among the board members.

Chair Dixon called for public comments.

David Medley and John Darley addressed the Board in favor of the amendment.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE FIRST READING OF THE ORDINANCE DESCRIBED ABOVE.

31. Approval of Request to Assist the Rosedale Water Association
(Chattahoochee) with Critical Water System Repairs and
Upgrades

Mr. Brown told the Board that over the past few years, the condition of the Rosedale Water Association's system has increasingly experienced major issues. It is desperately in need of repairs. The system's potential failure has become so critical that pipes are leaking due to cracks in several places. Over the past year, the community has experienced over 35 leaks.

As a result of a major leak in September 2005, the monthly bill to the City of Chattahoochee totaled an entire year's

average bill of approximately \$17,000. This depleted the Association's funds and the community has been unable to meet its obligations and make payments since that time. Currently, the Association has three loans with USDA. Payments on those loans have been delinquent since January 2006. If the Association does not submit payment in the amount of \$2,566 to USDA by Monday, September 15, 2006, it will be in default and USDA will have no choice but to initiate legal action against the Association.

He went on to say that staff met with the Rosedale Water Association several times. They determined that is very evident to them that the Rosedale community is experiencing great difficulty meetings is financial obligations and loan payments to the City of Chattahoochee and USDA. (The City of Chattahoochee has worked with the Association and forgiven a portion of the debt, but cannot continue to do so.)

During the last meeting with Rosedale, USDA clearly explained that it can no longer provide additional grant funds to Rosedale due to its delinquent status, but an option may exist whereby the County could apply for funding on behalf of the Association. The County would be responsible for ensuring timely repayment of the loan and reporting requirements. However, it must be noted that funding may be awarded in the form of 75% grant funds and 25% loan funds. Community residents verbally committed to the Community Development Director its willingness to pay increased fees to receive quality water and better service to their homes.

Community Development Director Farnita Saunders addressed the Board on behalf of the Association. (See further details in the agenda report.)

Chattahoochee City Manager Lee Garner addressed the Board. He said that the City of Chattahoochee would consider operating the water system if it would be brought up to date.

Discussion followed among the Board.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE AND AUTHORIZE THE STAFF TO PROCEED WITH SEEKING FINANCING ALTERNATIVES TO ASSIST THE ROSEDALE WATER ASSOCIATION WITH

THE UPGRADE AND REPAIR TO ITS WATER SYSTEM AND SEEK A COMMITMENT FROM THE ROSEDALE COMMUNITY TO REPAY LOAN RECEIVED THROUGH THE COUNTY'S EFFORTS.

Ms. Saunders called attention to the delinquency letter to the Rosedale Association from USDA. She asked the Board to consider paying the bill for the association because they do not have the ability to pay it. She suggested that the Board set some repayment strategy in place to allow the Association to repay it. She explained that the key issue is to make certain that they do not go delinquent past the September 15 date because it would be considered abandonment.

Mr. Robert Lewis of the Rosedale Association addressed the Board. He represented that the Association would be willing to repay the delinquent payment.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE PAYING THE \$2,566.00 DELINQUENT PAYMENT TO USDA FOR THE ROSEDALE ASSOCIATION FROM WHATEVER FUNDS ARE AVAILABLE IN THE BUDGET. THE MONEY IS TO BE REPAID BY THE ASSOCIATION TO THE COUNTY.

32. Approval of Joint Use Agreement with the Gadsden County School Board on Use of Recreational Facilities

Mr. Brown reported that the Parks and Recreation program is moving very fast. He said that a Recreation Council has been formed and they are dealing with various programs in all the districts of the County. The Council asked the School Board to allow the use of their facilities in the unincorporated areas of the county for recreation programs.

He then introduced the joint agreement with the School Board. (attached)

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE STATED AGREEMENT WITH THE SCHOOL BOARD.

33. Approval for the Gadsden County Tourist Development Council (TDC) to Expend \$49,456 to Implement its Advertising and Marketing Plan

In June 2006, the Tourist Development Council submitted a

plan to expend funds to market and advertise a variety of events throughout the County. The TDC requested to utilize \$42,527.56 from prior year funds and \$6,928.44 from the current year for a total of \$49,456 to implement the marketing plan. The TDC had worked on developing the plan since January 2006 to ensure promotion of Gadsden County locally and throughout the nation. TDC proposed to enter into a contract with the Gadsden County Chamber of Commerce to implement the marketing plan. The general marketing component would provide for advertising over an extended period of time in the following magazines: Florida Monthly, Black Meeting Travel, Florida Retirement, Billboards, Florida/Georgia Trend, Black Heritage.

The By-laws of the Tourist Development Council only allows them to contract up to 10% of their budget and then only for administrative services. Since they are an advisory council to the Board of County Commissioners, they must be bound to the same policies and statutes as the Board. The County policy requires that contracts for services must go out to bid. The Council has been advised of the process for bid.

Mr. Lee Garner addressed the Board. He stated, "This has really risen to something to which I don't think it is and the majority of the members of the Tourist Development Council. What we are trying to do, and I thank Mr. Morrell a while ago for saying that we need to advertise Gadsden County, and that is what we are trying to do. If you put everything out in an outline for about a 15 - 18 month span, it amounts to \$49,000. We have about \$40,000 from previous years that has not been expended from the Tourist Development Council. \$42,000 and some change.

What we are asking to do is to have the Chamber do the layouts and do the ads for an administrative fee to place ads in Florida Fishing and Boating, Rural Florida. Like Fishing and Boating over a 15 month period is \$4,800 to be paid as they have issues and publications come out that we can put ads in. Visit Florida desk planner - about \$2300 over that 15 month period. Tallahassee Democrat, probably about \$2500. Local papers - about \$3000 in the local papers for advertising. Maybe some billboards where you would have to contract for 3 months or 6 months or a year. Like Meeting Travel - about \$1300- \$1400. Florida Monthly which is the largest tourist magazine in Florida is about \$14,000 over a 15 month period.

Somebody has to place these ads. That, to me, is an administrative function that can be done by the Chamber. They have the expertise to do it. Pay them an administrative fee and we've asked that (their contract now is about \$300 a month for administrative fees it be increased to \$750 a month to handle all of this. It is a monthly bill. Spend the money that is already in the account. If this causes and requires us to go out for bids for something we are trying to do on a 15 month basis - I have been in this business for 24 years - I don't see it yet. I mean, I hate to get into a contest with the staff, but, I don't see where this is a contract that would requires bids or anything.

We are trying to do - one month it may be \$3,000 and one month may be \$4,000. It just depends on how the advertising is done. But, we've still got to plan and advertise Gadsden County. We are charged with advertising and promoting tourism in Gadsden County. If we wanted to do an agreement, the agreement would be a total of \$6,750 to the Chamber of Commerce for a 15 month period. The rest of it would be on a monthly basis. The invoices would come to the County, to Community Development or to Mr. Suggs or wherever ya'll want them to come to and be paid.

That is it in a nutshell. What we are trying to do is advertise Gadsden County which we are required to do according to the statute, the ordinance and the by-laws which established the Tourist Development Council."

Dixon:

Why wouldn't the Chamber just submit a bid? What is the real problem?

Garner:

Who else would submit a bid? When we first started, all of our marketing things were in the range of \$18,000, \$20,000 and \$40,000. When we got marketing firms in here when we were ready to start and make us a marketing plan. All this is just a continuation of what we have already paid for that was paid for by Visit Florida. I can't see why we can't just extend the administrative contract with them. Just amend our agreement with them that we've already go with them.

Dixon:

But, you don't have the ability.

Garner:

That is why we are asking you to do it.

Dixon:

Staff is saying that we don't have the ability without a bid.

Garner:

The agreement with the Chamber would be for \$6750 for a 15 month period.

Dixon:

What is the forbearance with the bid process? I mean, if they are going to do it for six grand, and everybody you got in the last bid was going to do it for eighteen, why not just do the bid? You guys could have been done with it a long time ago.

Garner:

This is not really something to go out for bids for.
This is just -

Dixon:

It's not the issue. It is the amount of money. It is not \$3,000, it is almost \$50,000.

Garner:

Spread over a period of time.

Do you do that for all the other things like payroll that is a monthly return business? No.

Dixon:

Mr. Garner, you didn't answer my question. What is the problem with going out to bid? This thing, as I remember, has been circling for months. In the time you have been going around this and back, you could have been on your way. What is the problem? I mean, put it out to bid and be done with it.

Garner:

What are we going to bid?

Dixon:

Advertising the County.

Mr. Lamb?

Lamb:

What we are doing is going right back to where I came from at the beginning of this meeting when I pulled the bid from the consent agenda. We said that everything would go out to bid. But, then we didn't pass that tonight saying that we would just go ahead and give him the bid because it has gotten it before - we just renewed the contract.

This is what he is asking us to do now. He is asking us to do no more than what we did with the videoing.

Dixon:

Commissioner Lamb, let me respond to you. What we found out, basically, is what staff has said. If you are comparing the videoing of the meetings. That is what we consider sole source. We found out it was sole source by going out for bid, basically. He has a commodity that no one else has. If we want that commodity, then we are going to have to pay him either one time or two times. That is what we found out by going out to bid. The circumstances of that have not changed. So, I think that your argument has no weight.

Going out to bid for \$50,000.

Garner:

You are not bidding for \$50,000, Mr. Chairman.

Dixon:

We are bidding, the contract is for \$50,000. The contract is \$50,000.

Garner:

We are not going to pay somebody \$50,000.

Dixon:

Or whatever amounts to 12 to 15%.

Garner:

We've got about 15 different agencies that will benefit from this \$50,000.

Dixon:

That is not the point. The point is, and you have yet to answer my question, What is the problem with going out for bid? If the bid, and I guess since they are charging six grand, it is cheap, so what is the problem. You could have done this months ago and been finished with it.

Garner:

Yeah. O.K. I will ask, could I ask the staff to help me prepare the request for proposal for this bid?

Dixon:

Sure. I don't have a problem with it.

Garner:

Thank you.

Dixon:

I am not the Board if somebody else wants to lay in.

Holt:

I have no problems with the staff helping with that process. And, as I said before on the Tourism Council, I said the same thing before, that if it is over \$25,000, then we bid it. That was the policy and I haven't changed from that one bid. Go ahead and do that and be done with it. Then we will know what is going on with it.

Dixon:

We will move on to the next item. Item 34.

COUNTY MANAGER:

34. Update on Gadsden Community Hospital - Tallahassee Memorial Hospital Agreement (TMH)

Mr. Brown recalled that back in July, the Board gave the attorney and himself the direction to begin discussion with TMH to run the urgent care facility at the hospital. He reported that the negotiations have been ongoing and they now have an agreement in concept with TMH for them to run the facility.

He went on to say, "Once we have access to the facility, TMH said it would take them a minimum of 30 days to get it up and running. They will have to hire the personnel, get

the nurses, get the doctors, etc. Fortunately, you have given me the go ahead to hire the hospital consultant and that consultant has gone ahead and started talking and started recruiting medical personnel.

TMH has also had a number of calls from previous personnel that has worked in the hospital. They have already taking the names and doing some background checks on these persons as well.

So, a minimum of 30 days from what TMH is saying. So, with the moon, the stars and everything aligning, we will be able to have urgent care back, or healthcare back into the county on very short notice."

Holt:

Any of the former employees who are interested in coming back to work, should they contact TMH?

Brown:

We will actually handle all of the hiring of personnel. The County, they will, we are still trying to determine if they will become sort of contract employees of the county. TMH will actually do the medical background checks to be sure that they have the necessary certification for whatever area they will be providing a service. But, we will actually do the hiring since the Board of County Commissioners will be running the urgent care facility.

Holt:

So, you want them to call the County?

Brown:

They should be calling the County. TMH will be referring them to the County where they will fill out a county application. The administration at TMH and the health care professionals will do the interviewing to make sure that they can provide the services that we are asking that we are asking for.

By the way, on September 12, which is our workshop, I have invited TMH to come before the Board to sort of share with you sort of what their operation plan will be for the urgent care facility.

Dixon:

It's been so long. We have had so many highs and lows

that nobody really believes you. (laughter)

Williams:

Mr. Chairman, just to give everyone appreciation. I was thinking about this as the manager was talking about the work that we've done. The analogy came to mind. It's kind of corny, but it fits. It's the old duck in the water. You look at him on the surface and it looks fairly calm and it looks like we haven't been doing a lot. But, if you look underneath the water, he is paddling as hard as he can. I can assure you that the manager and his staff and I (and I have had three lawyers working on this) have been working on this issue diligently. We have tried to do everything we could to make it happen. I had hoped to get it done really fast because healthcare is very important to everybody. I pressed as hard as I could. I know the manager pressed as hard as he could. But, it is a big issue...

34-A. County Manager's Travel to Tallahassee Chamber of Commerce Conference held at Amelia Island, FL on August 4 - 6, 2006 (approved by the Chairman) For the Record Only

COUNTY ATTORNEY:

35-A. Agreement Regarding Interim Use of Hospital Premises

Attorney Williams called attention to a draft agreement in the amended agenda packet between Ashford Healthcare, Inc. and Gadsden County. He said that he previously reported to the Board that they had reached accord. However, after he made that report, another force became of concern to Ashford and the agreement was changed just a bit. He went on to say that it is now before the Bankruptcy Court on September 13 for final consideration. He said that he was cautiously optimistic that it will be approved on that date.

He made pointed out page 3, Item C. He said as they were completing the negotiations, he realized that there were other uses the County has for the hospital, other than the urgent care facility. Item C allows the County to have other organizations use the hospital for other health related services.

Ashford asked to maintain and preserve the records and the administrative office.

Item 4, page 3, - the County had agreed to pay Ashford \$300,000 upon getting the license. The County would advance \$25,000 of that \$300,000 to Ashford.

Page 4, top of the page, - the County will take over the entire facility, the rental payment from Ashford would be abated.

Mr. Williams stated that the agreement was voted on and approved in the past, but in an abundance of caution, he asked that there be another motion to approve and execute the agreement.

UPON MOTION BY COMMISISONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE AGREEMENT AND AUTHORIZE THE CHAIRMAN TO EXECUTE IT.

Mr. Williams stated, "All agreements are in place for the non-legal side of the work. There is an agreement that transfers the facility - Ashford signed it, ACHA signed it, it has timeframes, triggers, and everything it needs. It preserves the license for the County. However, that could take longer than desired.

Now, there is an agreement that allows the county to open the urgent care facility until the entire hospital can re-open. Target date to open the urgent care facility is on or about September 13."

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

Ms. Eda Lee Cook addressed the Board. She explained that she has a son with cerebral palsy who is capable of learning, but cannot attend public school without a full time CPR nurse attendant available to him at all times. He is now reading and is capable of learning and should be schooled in spite of disabilities. She said that home schooling is available to him through the McKay scholarship if she can get her home certified as a school. The first step toward that is getting the land use designation changed to an appropriate land use. She asked that zoning and code be relaxed sufficiently to allow her to establish her home as a private school for a limited number of students. (She has two other children who would be considered as students of the same private school.)

Mr. McCord explained that the Gadsden County Code does not allow for a public or private school in an Agriculture 3 land use category. Furthermore, he said, "If you did change her land use category, let's say to AG 2 or AG1, then she would need to come in for a Class II review, special exception use, to consider a school as a permitable use through special exception use in that land use... Unfortunately, our Code is quite specific in not allowing public or private schools in the AG 3 zones. It's just one of those between a rock and a hard space.

There is an option to change it. You see the property on the map there. It is located here off Cook Landing Road in the Talquin Oaks Subdivision which is a non recorded subdivision where lots are roughly an acre, maybe slightly larger than an acre. It is in AG 3. So, the lots are significantly smaller than what is allowed in AG3. So, it might be appropriate to consider this an amendment, to consider an amendment to AG 1 at least and possibly rural residential. The problem is that you want to keep it under 10 acres because you don't want to have to necessarily go through the DCA review process. But, that just opens the door for her to then apply for a special exception which is a site plan review and approval for a private school. And, there would be design requirements and things like that for schools, parking, whatever. You could certainly limit it to a certain size and square feet and parking and number of students and that kind of stuff with a special exception, if you wanted to. Unfortunately, that is kind of where we are stuck at this stage.

Holt:

So, home schooling you could not get through the McKay scholarship under home school.

Cook:

We have had Bobby on homebound. There is a difference in home school and homebound. With homebound, the school provides the program. With Home School, we provide and make up the programs ourselves. So, the administration would be handled by the school. So, they are the ones who normally handles all the other stuff and we get the professionals from them. Bobby has been on particular programs like NACD which helps him process information when in the past, he could not process information.

Holt:

But, if he is on homebound, he is still under the public school system. He could be under the public school system.

Cook:

That is what I was coming to. In the past, homebound was geared to kids who would break a leg, go to surgery, and get back on their feet. They only allow 3 hours a week compared to 25 hours that goes to a normal kid. We were on homebound for a short time, but I was the teacher. Bobby only had a teacher there 3 times a week and only for 1 hour. So, basically, I was teaching him everything. That got pretty hard because I'm not illiterate, but I didn't pass with high scores. Bobby is in 9th grade.

Holt:

The reason I am asking that is because the McKay scholarship requires a certain number of hours. That was my question. If he is home for 3 hours, if he is homebound, if there is anything you can work out something with the public school system so that the McKay scholarship would apply?

Cook:

Right now, we are waiting and checking out our options as to what we can do with it. But, when we sat down with them, they kinda got a little skeptical and I think they got a little scared because of Bobby. I am working on that right now to see what they have. But, they would have to create something, too because they don't have anything for Bobby right now. Do you understand what I am saying? They have never had a kid like Bobby.

Holt:

Right, I understand that. That is what I am trying to think through right now, because in certain situations, the McKay scholarship will apply and certain ones it will not. Home schooling, you are saying that the number of hours will not be enough and you would have to teach all those subjects. But, you would still be able to receive the McKay scholarship.

Cook:
In home bound.

Holt:
But, if you are doing home schooling, you would not.

Cook:
No, I would not get multi McKay scholarships.

Holt:
If you were able to get it that way, you would still get the number of teacher hours because it would pay for teacher hours.

Dixon:
Well, I am thoroughly lost.

Holt:
There are two different situations.

Dixon:
She needs this, Mr. McCord. Why?

McCord:
She needs it to be eligible, as I understand it, to get the scholarship money. She needs to have a school, whether it is public or private school. Apparently, she doesn't qualify for home bound because this is a more permanent schooling situation in the home versus a temporary type of thing. So, she is wanting to go and pursue and I don't have a problem with a homebound school, but apparently the people at McKay scholarship do have a concern. They want to have some form of formal school that has an address and probably is o.k. by the building code and zoning and all that stuff.

It is a formality that she has mentioned in the statute.

Dixon:
In creating a school, I am sure it is more than just a land use change.

Cook:

Yes, but this is the first step. So, this is the first step I am taking in reference to the zoning. If the zoning doesn't pass, then I don't have anywhere to go. I can't go any further. So, basically, I am taking my first step as going toward what they have required.

Dixon:

Can you run us down some information on this and add it to what is already a long agenda?

McCord:

I am not familiar at all with the legislation and the limitation of it. Seriously, I don't think I can get it all together by then.

Dixon:

Ms. Cook, would you offer him whatever legislation you have, understanding, phone numbers, etc. If he can, he is going to try and get you on the September 5 agenda. Because you came before the public, we could not vote on it anyway until it came before us as an item on the agenda. But, we will look.

Thank you.

Will there be others?

Palmer:

Good evening. I am Sam Palmer. I come on behalf of the NAACP to address an issue that has come before you before. Some time ago, the president of the NAACP asked for some information. I guess, today, he received partial information, but he didn't receive really what he wanted, what he asked for.

Now, my position with the NAACP, I am the vice-president. So, I asked that I handle this portion tonight. The problem deals with some problems in one of your departments. We have some grievances. I think you are very familiar with that.

Now, the reason that I asked to handle it is that I have had a little bit of experience with EEOC complaints and grievances and I would like to resolve things at the appropriate level if it can be resolved and not go further if we can do that.

We don't want the NAACP and any organization in the County to have an adversarial relationship. I know that you may think that given the case, but that is not what we want. We want to

try to do all we can to work with issues that come before us. We like to resolve it. We do have the NAACP objectives and we intend to try to follow those objectives. You know, if something comes before us, it tells us the procedures that we are suppose to follow to try to resolve that. And, we intend to do that.

This issue here in reference to one of your employees that made a complaint, several complaints. The County didn't get back to the NAACP in a timely manner. Yet, when the complaint was filed, it went to the County here. Some of the answers there say that the time frame had expired.

Now, you still have the issues there. The 25th of June, the president requested some information from the County. Now, it took the County 2 months and 4 days to get public records back to them, which is unsatisfactory, period. One young man with the County, there, brought some issues and I guess a complaint, against a departmental supervisor and also brought it to the NAACP. This man was retaliated against.

Dixon:

Mr. Palmer, please don't discuss. Let me be very clear, if you have a problem concerning our ability to respond to your public record request, that is one thing. But, this body cannot discuss details. Don't discuss those with us.

Palmer:

No, I am not going into details. That is not my intention. What I am saying is that the complaint has substance to us. We really want to resolve the issues and we want to resolve it in a manner that is not inflammatory with anybody. We want to make sure that we can get together with the appropriate parties, whomever they may be, the county manager, the personnel officer, or other people who need to be there and those interested parties. We want to get the parties there and let's resolve the situation instead of having everything out in the media in a bad light, a negative light. That is what we don't want to do.

We are asking for the information that the NAACP requested before that we didn't get. We want the information to be given to us as soon as possible. Really, normally, about 10 days is a good time frame that a person should respond to a request for public records. Not two months and four days. And a lot of information was not included that was requested. We want to make sure that you do as we ask and let's go ahead and get

together and go ahead and resolve this situation and do what we need to do to do that.

Also, since I just got this information today, I would like to have a copy of the county

Dixon:

Mr. Palmer, hold on just one minute.

Does anybody want to respond to the public records request?

Brown:

Commissioners, the record request was made and the staff did the necessary due diligence to make sure that we provided the information that was requested. I know for a fact that the person who made the public record request, there was a specific time and date that the person was requested to pick up the information. That time had expired. I will take responsibility for not having staff follow up to make sure that the person was aware that the time had expired. But, it was mentioned to the person what time and date to pick up the information.

Dixon:

Is that information once again available?

Brown:

That information is available and had been available for a couple of weeks.

Dixon:

Please continue, Mr. Palmer.

Palmer:

Also, I want to make sure that I don't do something that is against the county policies and procedures. So, I would like to get a copy of the policies and procedures to make sure that we are complying with those things that we should when addressing things that we are doing.

Also, I would really like to get together. Since the union person has asked the NAACP to be a party to the resolution on this issue, we would like to set the date, if we can. Let's get together and see if we can go ahead and resolve this issue so that we can get it over with.

That is about the gist of the things that we want to do.

We want to resolve it and we don't want to have an adversarial relationship to try to resolve it. We want to try to work together and do what should be done.

Dixon:
Thank you.

Hawkins:
My name is Sam Hawkins. I am the president of the NAACP. I have another issue.

Last years transportation and contracts. As I understand it, the county manager has a contract with the County Commission, the County of Gadsden County, that he must live in the County that he works which is not true. He does not.

My next issue is transportation with county vehicles with county employees. I have observed for the last five weeks that we pay county employees who drive a county vehicle too much. What are the employees? I don't know anybody that provides a vehicle for me to go to lunch when I work. They drive their vehicle to the county building and drive a county vehicle to lunch every day. That is not acceptable. Those are my tax dollars as well as the tax payers of Gadsden County.

The second issue: What is the policy, let me state that another way. Insurance. Does the county insure employees families in county vehicles across county lines? What is the policy? This is one of the answers that I would really like to have an answer to. Does the county's insurance cover an employee who is not authorize to drive a county vehicle and cover his family across town who is an occupant in a county vehicle? Mr. Chairman, if you would answer that for me, I would appreciate it.

Williams:
Sir, if I may interject at this point in terms of protocol. If there is a concern about a particular employee of the County that is not following

Hawkins:
I just want to know the policy. He is telling me about protocol, when I asked what the policy was.

Dixon:
Mr. Hawkins, please.

Williams:

Mr. Chairman and commissioners, again. If there is a particular concern about an issue of that nature, it has always been the policy of every organization that I know, including this county, that they specifically provide it in writing to the county manager so that he can investigate it properly.

Now, Mr. Hawkins, I think that to the extent that it is, if you have the documentation, you should provide it to the county manager so it can be properly investigated.

Hawkins:

I understand what you are saying, Mr. Attorney, but, being an attorney, you are still dancing with me. The only thing I asked for was the policy. What does the policy state? I am not making an accusation, I am just asking what does the policy state?

Now, you can dance as an attorney, but the direct question to the chairman was what does policy state?

Dixon:

Would you please in written form respond to his question at a later date?

Williams:

I will, Mr. Chairman. Mr. Hawkins,

Hawkins:

I will respond to the attorney's question about investigation.

Dixon:

Gentlemen, that's

Mr. Hawkins let him respond to your question.

Hawkins:

Mr. Chairman, I was just responding to what the attorney said.

Dixon:

Let him respond to your question with an answer.

Williams:

I will get you a copy of it.

Hawkins:

Now, the other question was, he just said, since he opened that can of worms, I want to respond to it. It was, "It will be investigated."

The allegation that was just mentioned has been investigated for three months with no results. No communication, no nothing. And, as the manager said, those documents were available two weeks ago - they were not. He didn't even know that I had gotten them until yesterday when I confronted him in Piggly Wiggly.

Thank you.

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Lamb

Commissioner Lamb reported that he had been working with Coastal Lumber Company for about 4 months and they are on the verge of giving the County 4 - 5 acres of land for a park off Iron Bridge Road. There is an agreement and it will come before the Board very soon.

He then asked if the leash law had been advertised.

Mr. Brown said that Jon Brown is working with the attorney's office to develop a press release that will go out soon.

Commissioner Watson

Commissioner Watson had nothing to report.

Commissioner Price

Commissioner Price thanked the staff for the work done on the FRDAP project in District 3.

Commissioner Holt

Commissioner Holt asked the Board to look at Item 33 - the chart for the marketing plan for the Tourist Development Council. She asked them to look at how those activities are divided. She said there are no activities planned for Midway, Gretna or a "countywide activity".

She suggested that the distribution of the tourist taxes should be done by district, county-wide or some other way than it is currently being distributed. She said that the money is not being spent to promote things in a way that will bring tourist to the whole county. She said, "The outlying areas get nothing. We need to look at this." She insisted that there be more equity in the distribution of the revenue generated from the bed tax.

Chairman Dixon

Proclamation 2006-052 - Workforce Development Week

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE NAMED PROCLAMATION.

Chair Dixon announced that the Board will meet briefly on September 5 only to adopt the tentative budget. The remainder of the agenda will be continued to Wednesday, September 6 at 6:00 p.m.

RECEIPT AND FILE:

36.

Clerk's Cash Report

Clerk's Financial Statements

Rural Development Grant to Gadsden County, FL Grant Documents for the record

Letter from City of Quincy - Notice of Intent to Annex Property off Strong Road

Agreement with Robert E. Petro to Prepare the Center for Medicare and Medicaid Services (CMS) Reports and Agency for Health Care Administration (AHCA) Reports

Professional Services Agreement with Joseph H. Sharp for Healthcare Projects Manager Services

Appreciation to Public Works for Work on Frank Smith Road and David Clemons Road

Waste Management of Leon County - Proof of Performance Bond

September 2006

Monday, September 4, 2006 - Holiday
Tuesday, September 5, 2006 - First Budget Hearing - 6:00 pm
Wednesday, September 6, 2006 Regular Meeting - 6:00 pm
Tuesday, September 12, 2006 - Workshop - 6:00 pm
Tuesday, September 19, 2006 - Regular Meeting 6:00 pm

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR
DECLARED THE MEETING ADJOURNED.**

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A PUBLIC HEARING HELD IN AND
FOR GADSDEN COUNTY, FLORIDA ON
SEPTEMBER 5, 2006, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

PRESENT: Edward J. Dixon, Chair
Brenda Holt, Vice-Chair
Eugene Lamb
Sterling L. Watson
Derrick Price
Thornton Williams, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

CALL TO ORDER

Chair Dixon called the meeting to order. Attorney Williams led in a prayer. Commissioner Price led in pledging allegiance to the U.S. flag.

Public Hearing Announcement

Chair Dixon stated that this meeting was the first of two required public hearings on the Gadsden County Budget for fiscal year 2006/2007. He announced that public comments would be heard at the appropriate time.

He then announced that the proposed aggregate millage rate was 10 mills which is 9.17% over the countywide rolled-back rate of 9.1597 mills. He stated that is due to the maintenance and enhancement of the current level of countywide service provision.

County Manager Brown then read the millage rate into the public record.

Mr. Brown then opened the floor to the public.

There was no response.

OMB Director Davin Suggs then gave an overview of the budget. He stated that the total budget amounted to \$37,688,964 net of all transfers. He stated that the budget addressed the following:

- Many, if not all, of the Board's priorities and management initiatives, set in February, 2006
- Critical staffing areas
- Compensation issues for all employees
- Park services
- Housing services
- Internal technology services
- Internal employee training
- Continued addition to reserve funds

Chair Dixon called for public input once again.

John Stewart asked where he should go if he questioned the assessment. He was directed to the property appraiser.

Board discussion followed.

Commissioner Lamb stated that he would like to see the following changes to the budget:

- The money set in the budget for technology should be moved to the Sheriff's budget to build space for the female inmates at the jail.
- Move the \$150,000 budgeted for the summer youth work program be moved into recreation.
- Reduce the salary increase of the department directors to from \$5,200 to \$2,500 and put the difference into public works department wages.

There was some discussion about lowering the millage rate.

Mr. Suggs stated, "What I would recommend, as a budget officer to the Board, you have been at such a place for some time. There are so many things to do operational wise and capital wise, that at this time to cut your revenue, I would not recommend that to you. We are planning to do an alternative revenue study this upcoming year. Over time, what is happening in a lot of other areas and other counties, as the state continues to sort of attack the millage rate or our capacity to use the millage rate, is that they shift revenues to user fees and special fees to try to give and so, you keep the same amount revenue, but it is not (inaudible) on property but, you shift it to a special assessment. You shift it to other type of fees. And so, that is the purpose of us doing an alternative revenue

study this year. So, that we can, in the future, start moving in that direction. We will be in more of a cost recovery mode with specific services. Tie our revenue to the services that we provide instead of just on the millage rate. But, at this time, I could not recommend to the Board to cut or lower the millage rate at this time because we are still sort of in catch up mode. We are catch up and fix it mode. Honestly, we need all the revenue possible. We have addressed many things in this budget, but there is still a lot of stuff that has been left out and put on pause because it is not enough to go around.

So, at this time, I would leave the millage rate at 10 and then as we present to you and move forward with looking at alternative revenues, that we take that in consideration at that time."

Watson:

How much in additional revenue did the increased value bring in this year?

Suggs:

Roughly about 14 - 15%. Estimated at almost \$1.5 million.

Watson:

So, you could easily roll the millage rate back. Easily. We have never had an increase of that magnitude since I have been on this board. Mr. Stewart, you sort of did come to a place where you could get your taxes lowered. If you lower the millage rate, you taxes would go down. When I see an increase of \$1.5 million when we are accustomed to two or three hundred thousand dollars, we don't need all that.

Any government is going to spend it. However much they get, they are going to spend. But, to see that much of an increase - 14% to 15%, we shouldn't take all of that money out of the economy of the county. That millage rate should be rolled back.

Granted, we need an increase. We need an increase in our revenue, but an increase of that magnitude and keeping that from the citizens is just not fair in my opinion. I would like to see the millage rate be rolled back in this budget and give the money back to the people so that the people like Mr. Stewart will feel like they are being treated fair by the county.

Holt:

May I, Mr. Chairman?

Yes, I am all in favor of rolling back the millage rate after we take care of some of these problems that have never been take care of. I would love for the newspapers to print what I say one time because I am in the middle of an election. Just in case that I am not here after tonight, so that it will come out right, I would love for it to be rolled back. But, we have responsibilities that we have to take care of. If we are going to roll it back, then come back and have to tax later, that doesn't make any sense.

I want mine lowered. I do rental properties, too and I don't like paying all those property taxes either. To be very honest with you. It doesn't make any sense. If you look at the Association of Counties, when they had those meetings, and if you were there, you noticed that there are several revenue generating activities that they have that we can bring in people to look at. So, that way we can get ready to lower them, you have some other things to look at. But, we are caught between paying for and trying to get correctional officers at that jail, we are trying to get some things going on there and we are putting ourselves liable if we don't take care of some things there and the other locations. That is not going to work. It sounds good and it looks good on paper. It is a good political statement to say "roll it back" so that everybody feels good. But, they will hate to have to come back and tax you later. We are not unusual in this case because I am in charge of 30 counties in the Small County Coalition as far as being on that board. When we looked at all of them, they are all at 10 mills because they do not get the money from the State that they need to operate. It looks good when the large counties get \$4 or \$5 million and they pick it up from nowhere. We don't have it.

I don't like to see probation officers leaving. We train them for a year and they are gone because they are driving 30 miles out of their way and they are not getting the money they need to get. We train them and then they go other places. It's happening in all the departments where still people are. So, what do we do when we don't have them in those locations. We go back and say, "Oh, well we let them out of jail early, we're doing this and we are doing that on account of this stuff that we are trying to fix." Now that we get into a position to try to fix something, it sounds good for politicians to say, "Give it back." But, we haven't fixed anything because we just got it.

So, you have to be in a position to take care of the business of the County and take care of it. I don't want to pay high property taxes. I looked at mine the other night.

Watson:

I don't think you can call me guilty of making a political statement because I won't be back. But, I am looking at it as a consumer because everybody is having, I know right now, I am in the middle right now of trying to get property insurance, and the increase you are looking at now, their escrow payment for their insurance and the property taxes is more than the mortgage payment. We can alleviate that for an awful lot of people if we do the right thing and start rolling that millage rate back.

Now, there was a time when the increase in the value of the County was so small every year that you could not justify that. But, now you can. When you see a jump of that magnitude, you can justify rolling that millage rate back. You're still getting more of an increase than we used to receive, but give some of the money back to the people to help them pay for that property insurance.

Holt:

I would love to do that.

Watson:

Well, we can. I think we may have a third vote, if you want to, and we can do that tonight.

Holt:

We may get one. But, what I want to say is this, if I may, Mr. Chairman. To look at that and not fix anything and you set yourself up for liability. That is the part that I am looking at. I am not necessarily saying - if you do not have anybody that is going to do anything with it, give it all back. But, if you are going to do something with it and fix something so you don't have to come back the next year and start saying, "We need to pass this tax." No one is going to be willing to do that. All we need is one or two law suits and we are in trouble. So, that was my only point in that.

Thank you, Mr. Chairman.

Dixon:

Commissioner Watson, to address your point and the point Commissioner Lamb attempts to make - Insurance rates are up because we live in a state that is affected by hurricanes.

Everybody's insurance is up. I am sure you are aware of that. I am also sure that you are aware of the insurance debacle that is going on at the State level that touches all of us. You are aware of that, I am sure. So, all of our insurance is up.

I am also sure that you are aware that we haven't rolled the taxes back simply because we couldn't afford to. We didn't roll them back when you were chairman for many years because they couldn't be rolled back. \$1.5 million sounds like a lot of money. As you know well, it's not. \$1.5 million is exactly how many roads we are going to pave next year and be out of money.

I would like for anybody out there to tell me what we are going to do the next year when there isn't anymore money as we have already forecast. That is the wonderful thing about having smart people around you. You can forecast and not run up on things as we have seen.

You know this budget is in trouble. You know this county is in trouble. The budget is growing, but so are the demands for services. The only reason that thing has gone up exponentially is simply that there are more folks moving to Gadsden County and more folks asking for services.

Now, I am sure that the gentleman wants the hospital to work and he wants the ambulance services to work, he wants the Sheriff's department to work. That is already woefully under funded. When I talked to the Sheriff, he didn't talk about a jail. He talked about how can I better pay my employees. That is what he talked about. He's got people that he trains for a year that leaves in a year and goes over there and makes \$30,000 as opposed to the paltry \$19,000 that we can afford to pay. So, it's not that it is increased that much, it's that the demand remains large. It remains large. And so, it is easy to make political statements. Fortunately, we have been talking budget for four months. Everybody is familiar with everything that is in this budget. If you are not, that is your sad case. Cause you could have been here. But, there is no "fat" if you will, in this budget.

Commissioner Lamb, let me get this right. You are asking us to take money out of a program that actually trains kids to develop a work ethic to put it into a program that teaches them run behind a devilous ball and bat? That doesn't make any sense no matter how you cut it.

Lamb:

That's your concept. That is your concept. That is how much you know about recreation.

Dixon:

I know it. I know it. That's how much I know, but I ain't got no degree in PE either. So, playing behind a ball and bat has it's place. But, I need kids to know how to have a work ethic in Gadsden County. I need for kids to be able to leave here and do things further than run behind a devilous ball and bat. That is part of the problem. Too many of us think that running behind a ball and bat is life. IT is not.

Lamb:

I agree, but we need to hire 'em here. Why don't we hire them in Gadsden County.

Dixon:

Mr. Commissioner, please. I let you have your moment, please let me have mine. Show some respect.

Lamb:

O.K. I am sorry.

Dixon:

That is foolishness. It is absolute foolishness. It is foolishness to our citizens. Our citizens expect us to make hard decisions for all the right reasons and not sit here and play paltry politics. If we want to do that, then let's do it. But, we didn't come to stay. Make a motion if you want. Let's move. Let's do something.

Commissioner Lamb.

Lamb:

Number 1, commissioner, if we are going to train our youth, which, you know I believe in that.

Dixon:

I don't know what you believe in, personally.

Lamb:

I am telling you now what I believe in. If we are going to hire them, if we are going to train them, let's hire them in Gadsden County.

I offer a motion that the monies that we have for those computers, technology that we have for them, move to the jail

department for the sheriff to work on getting an area for the women inmates at the jail. That is my motion.

Dixon:

Before we entertain your motion, let us do the millage rate. What will be the will of the body and I will return to your motion.

The chair will entertain a motion, one way or the other, please.

Holt:

I move that we retain the millage rate at 10 mills.

Price:

Second.

Dixon:

We have a motion and a second. Further discussion?

All in favor, sign of "aye".

Dixon, Holt, Price, Lamb: Aye

Dixon:

Opposes?

Lamb and Watson:

No.

Dixon:

Three to two. The ayes have it.

Commissioner your motion is back on the table. Will you restate it for us?

Lamb:

I offer a motion that we move the monies from technology to the jail for the Sheriff to start construction of a building for the women inmates onto the jail.

Watson:

Commissioner,

Dixon:

Just one second, do we have a second to that motion?

Watson:
No, I want to

Dixon:
Wait, we need a second.

Lamb:
He can ask me a question though, if he wants to.

Dixon:
No, sir.

Watson:
Let it die.

Dixon:
The motion has died for lack of a second.

Watson:
I can support that motion if you want to move the money into capital line item that specifies that, but not give it out yet until we see some numbers. If you want to move it from where it is at to a capital outlay line item, designate it for that, but don't give it to the Sheriff yet until we see a plan as to how and what it's going to cost and what not. Instead of just giving for that particular item.

Lamb:
That's what I am talking about. I have no problem with that.

Brown:
Commissioner, let me just get a clarification as to your motion. Just remember that budget also pays for IT staff. So, if you can be specific in terms of what money you would like us to take a look at.

Dixon:
I thought he said all of it.

Brown:
All of it?

Watson:
I thought he said for the computers.

Dixon:

I thought he meant all of it.

Suggs:

I just want to make one point of clarification. How we are funding IT. It is not like IT is being funded 100% from the general fund dollars. IT is allocated among benefiting departments. For example.

Dixon:

Mr. Suggs, if the motion passes, you can clarify it for him at the next budget hearing as to what dollars are available and what dollars are restricted. Is that o.k. with you, Commissioner?

Lamb:

Yeah.

Watson:

I'll second the motion.

Dixon:

O.K. We have a new motion. Give me that motion again. State it for us.

Lamb:

Transfer those monies into a special line item to be used to construct an area for the women inmates at the jail.

Watson:

Second.

Dixon:

There is a motion and a second.

All in favor of that motion, say "aye."

Watson and Lamb:

Aye.

Dixon:

Opposed?

Dixon, Holt, Price:

No.

Dixon:
Motion dies.

Lamb:
I make a motion that the \$150,000 that we have in the youth summer program be moved to parks and recreation to be used by that department and be used by that department for the county.

Dixon:
We have a motion.

Watson:
I want some of that to be used as - to roll the millage rate back.

Lamb:
That is fine, too. Also to help move the millage back.

Dixon:
The motion dies for lack of a second.

Watson:
I am not so much in favor of moving the spending. I am in favor of reducing the spending so you can give some money back to the people.

Holt:
I move that we ah, Mr. Chairman, if I may. I move that the money remain in the summer youth program.

Dixon:
You don't have to motion to leave it there. It's there. You would need a motion to take it out.

Price:
I fought hard to get it there.

Dixon:
We have before us the countywide budget for approval. What is the will of the body?

Holt:
I'm sorry?

Dixon:
We have before us approval of the budget.

Holt:

I move approval.

Price:

Second.

Dixon:

We have a motion and a second to approve the budget as it is before us. We have a motion and a second.

Discussion? Will there be discussion?

All in favor, a sign of "aye."

Dixon, Holt, Price:

Aye

Dixon:

Opposes?

Lamb, Watson:

No.

Dixon:

Please make it 3 - 2. The ayes have it.

Will there be anything else, Mr. Manager?

Brown:

We need one more motion, Mr. Chairman which is to direct staff to advertise in accordance with FL Statutes the tentative millage rates and the budget for 2006-2007 and the date, time and place of the public hearing so that the final millage rates and budgets for 06/07.

Holt:

So moved.

Price:

Second.

Dixon:

We have a motion and a second to do so. Will there be discussion?

All in favor, a sign of "aye."

Dixon, Holt, Price, Lamb:
Aye.

Dixon:
Opposes?

Watson:
No.

Dixon:
Please make it 3-2. The ayes have it.

If there is nothing to come before the board, ladies and gentlemen, we stand adjourned.

Edward. J. Dixon, Chair

Muriel Straughn, Deputy Clerk

AT A REGULAR MEETING OF THE BOARD
OF COUNTY COMMISSIONERS HELD IN
AND FOR GADSDEN COUNTY, FLORIDA ON
SEPTEMBER 6, 2006, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

PRESENT: EDWARD J. DIXON, CHAIR
BRENDA HOLT, VICE-CHAIR
EUGENE LAMB
STERLING WATSON
DERRICK PRICE
THORNTON WILLIAMS, COUNTY ATTORNEY
MARLON BROWN, COUNTY MANAGER
MURIEL STRAUGHN, DEPUTY CLERK

Innovation and Pledge of Allegiance

Chair Dixon called the meeting to order. Commissioner Holt led in the invocation and Attorney Williams led in pledging allegiance to the US flag.

Amendments and Approval of the Agenda

The following items were added to the agenda:

Public Hearings:

Item No. 4

Blueberry Hill Subdivision - addition of the covenants, conditions and restrictions & recreation equipment proposal; Letter from Hargraves Engineering, LLC; and Conditions of Approval

General Business:

Delete Item No. 8 - Interim Use of Hospital Premises Agreement

Add as Item No. 8 - Discussion of Private School in the Agricultural 3 Land Use

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED ABOVE.

Awards, Presentations and Appearances

Chair Dixon congratulated Commissioner Holt on her re-election as District 4 commissioner.

Consent Agenda:

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, TO APPROVE THE CONSENT AGENDA TO WIT:

1. Ratification of Approval to Pay County Bills
Warrant Register dated September 1, 2006
Payroll Register dated August 31, 2006
2. Approval of Mosquito Control Agreement with the
Department of Agriculture and Consumer Services (DACS)
& Annual Certified Budget FDAC Contract # 011681
Beginning October 1, 2006 through September 30, 2007.
3. Approval of Resolution 2006-051 to Enter into an Urban
and Community Forestry Grant Memorandum of Agreement
with the Department of Agriculture and Consumer
Services, Division of Forestry \$10,000 grant - tree
planting grant in 13 community parks and playgrounds
located throughout Gadsden County

PUBLIC HEARINGS:

4. **Preliminary Plat for Blueberry Hill Subdivision (SD
2005-15) 47 lots on 50.65 Acres**

Owner: Visconti Family Limited Partnership

Applicant: Jack Green

Agent: Hargraves Engineering LLC, Alan Weiss, P.E.

Location: Southeastern corner of US 27 (Ga/FL Parkway)
and Glades Road (CR-12) approximately 2.5 miles north
of Havana. (Across from Coastal Lumber Company)

TAX ID: 2-14-3N-2W-0000-00321-0000

Type of Action: Quasi-judicial in conjunction with the
advertised public hearing as a Type II plan per
Subsection 7202 of the Land Development Code.

Planning Commission Recommendation: August 10, 2006 -
based on the findings listed in the agenda report they
recommended approval subject to conditions also listed
in the agenda report. (attached)

Staff Recommendation: Approval based on the findings
listed and subject to the special conditions also

listed in the agenda report.

Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk. He gave a brief description of the project and reported the finding of facts as listed in the agenda report.

Charles Hargraves was administered an oath by Muriel Straughn, deputy clerk.

Chair Dixon called for public input. There was no response from the public.

There was some discussion regarding the run-off water drainage and storm water ponds.

Commissioner Holt stated specific concerns regarding those lots that are lower than the road. Mr. Hargraves assured her that there would be a berm constructed to protect against flooding of those lots.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTE 5 - 0, BY VOICE VOTE, TO APPROVE THE PRELIMINARY PLAT AS DESCRIBED ABOVE SUBJECT TO SPECIAL CONDITIONS A - O LISTED IN THE AGENDA REPORT ATTACHED.

5. **Special Exception Conceptual/ Preliminary Site Plan for Wetumpka Volunteer Fire Station 1.91 Acre Parcel in RR Land Use**

Owner/Applicant: Wetumpka Volunteer Fire Department

Representative: David H. Melvin, Inc.

Location: East side of Cook's Landing Road, just south of Davidson St.

Description: To build a 1920 square foot building (as a fire department) and a 100' x100' grassed heliport, 6 parking spaces and buffers from adjacent uses. Access would be to and from Cook's Landing Road.

Type of Action: Quasi-judicial action in conjunction with the advertised public hearing under the Type II plan review procedure per Subsection 7202 of the Land Development Code.

TAX ID: #6-03-1S-4W-0000-00111-0900

Planning Commission Recommendation: Approval based on finding of facts listed in the Agenda Report. The commission also recommended to allow a variance of the

sidewalk requirement along Davidson Street.

Staff Recommendation: Move option 2 - approval with the special conditions to require a redesign of the site plan to prohibit any encroachment into the required 25' Type B Buffer; require the sidewalk along Davidson Drive; and provide soil boring results from Environmental Health.

Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk. He gave a brief description of the project and pointed out the findings of fact and special conditions. (See the agenda report) He called special attention to the variances the department was requesting.

Mary Margaret of David Melvin Engineering was administered an oath by Muriel Straughn, deputy clerk.

There was discussion of the site plan between the Board with the engineer regarding the heliport and the sidewalk.

Commissioner Holt raised the issue of the County's involvement from a fiscal standpoint. She clarified that she did not want to give any kind of an impression that the County would be approving to staff the facility.

County Manager Marlon Brown clarified that the County does provide funding to all the volunteer fire department. He stated that there have been no discussions with Wetumpka regarding funding.

Chair Dixon stated that there have been discussions about "not supplementing" this fire station because it is not in the county fire services plan. He wanted to make it very clear that none of the services at the other Wetumpka station should be diminished in this plan.

Again, Mr. Brown stated that there is no plan to fund any activities at the new proposed fire station.

Chair Dixon called for public input.

Mr. Rainey Parramore addressed the Board. (He is the president of the Wetumpka Volunteer Fire Department.)

He assured the Board that services will not be diminished but increased.

As to the matter of financing, he said they would like to talk to the Board regarding finances, but regardless of the finances, the fire department will operate both stations. The County pumper will stay at the McCall Bridge Station. (One fire engine and one brush truck will be moved to the new station.)

Wes Greenwald was administered an oath by Muriel Straughn, deputy clerk. He recalled historical facts about flooding that occurred at Lake Talquin in the 1960's and 70's. He then called attention to the fact that the lake is much more populated now than it was then with full time residents. He stated that with the proposed fire station, emergency measures could be more easily implemented to avoid major impacts of such potential disasters again. He urged the support of the Board with this fire station.

Chair Dixon stated that his position was not that he did not wish to have the fire service. He explained his argument. He pointed out that the proposed station is less than five miles from the other fire station. He then called attention to the fact that there are parts of the County north of I-10 without a functional fire station of any kind. He said, "For the areas where we do not have any coverage, any coverage whatsoever, you will admit that you have some coverage - albeit that it may not be up to your standard, it may not be where you want it, when you want it, but somebody is coming...In that area, you can draw a circle, nobody is coming. There are quite a few areas in the county where nobody is coming. Period. There is nothing to come. My concern is that if we focus all of the county resources into one area of the county, (and remember, I live down there, too.) what happens to the other people in the county? I don't expect that to be your concern, you are a neighbor trying to do the best for your neighborhood. I understand that and respect that. My position is around this table, we have to do what is in the best interest of the County. I am not sure that putting more resources into the Wetumpka is what is in the best interest of the County at this point. That is my position. Simply that."

Mr. Greenwald stated, "My position is that the citizens that live down there have gone to great lengths to make this happen. They have gotten the grant. So, if they are willing to absorb the expense to match the grant, I really fail to see what the problem is. The people who live in that area are trying to better put services in their area."

Mr. Dixon replied, "You are missing my point. My point is simply - is that Wetumpka now doesn't begin to absorb more money. As he said, other volunteers, as Mr. Parramore clearly said, other volunteers are in seriously bad shape as well. If that station alone, or those two stations begin to absorb more money, then there is less money to go around. That is why you heard my comment about supplanting or supplementing the additional station. We don't have the ability to supplement, **if** necessary, this additional station."

Mr. Greenwald asked, "Where do you see the expense is so far as the County having to supplement it?"

Mr. Dixon said, "I said 'if', 'if'. That is my position. It has been my position. I am sure you can check with Mr. Parramore. That has been my position all along."

Mr. Greenwald turned to Mr. Parramore and asked if he could foresee the station having to be supplemented by the County. Mr. Parramore answered, "No." He concluded by saying, "That is my position. We've got people who want to help themselves. They have gone to a lot of trouble. The money is being raised by a great number of people. My fear is this - not only for myself, but for that area that is expanding so tremendously since 1969 - if we get caught in a situation simply because a decision was made that "We are not going to let this happen" for whatever reason they may be - and we find ourselves down there for a week without a way to get fire service, without a way to get medical help, that is a little disturbing."

Chair Dixon stated, "Mr. Greenwald, we get a lot worse scenarios behind that podium. We've got a group over on Crawfish Island where everyday a train blocks them from any medical care for five hours at a time. Everyday. Everyday, they suffer their Katrina everyday

because they are literally cut off... There is no way short of a helicopter...I just have a different position. You have every right to go out and get a grant and put in a fire station. Nobody is opposed to that, Mr. Greenwald. What I am concerned about is having to supplement a station when we need to be putting in some more stations in other areas of the County that have none."

Mr. Rainey Parramore addressed the Board once again. He pointed out that the newly proposed station is outside the five mile radius of the McCall Bridge Station. He pointed out that Wetumpka responds to calls all over the County - not just to the Lake Talquin area. He said that this station will not diminish service to anyplace in the County. It will only enhance countywide service.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 3 - 2 TO APPROVE THE SITE FOR THE FIRE STATION AND GRANT THE VARIANCE FOR THE REQUIRED SIDEWALK ON DAVIDSON ROAD BASED ON THE FINDINGS AND FOLLOWING CONDITIONS: REDESIGN THE SITE PLAN TO PROHIBIT ANY ENCROACHMENTS INTO THE REQUIRED 25' TYPE B BUFFER AND TO PROVIDE SOIL BORING RESULTS FROM ENVIRONMENTAL HEALTH. COMMISSIONERS DIXON AND HOLT OPPOSED THE MOTION.)

PUBLIC HEARING

Final Plat for Susan's Place, A Re-Plat part of the Waha Minor subdivision (SD-2006-06) 6.18 Acres into 2 Lots

Owner: Scott B. Brown and Susan Sims Brown

Applicant: Tommy Skipper

Location: Cooks Landing Road just north of Alma Yates Street approximately 3 miles southeast of Wetumpka

TAX ID: 4-34-1N-4W-8840-00000-0010 and 6-03-1S-4W-0000-00110-0000

Type of Action: Quasi-judicial action in conjunction with the advertise public hearing as a Type II plan per Subsection 7202 of the Gadsden County Land Development Code.

Planning Commission Recommendation: August 10, 2006 - Approval based on findings subject to the Growth

Management Director's review of the covenants and restrictions for compliance with Subsection 6009.C.10.

The following people gave testimony after having been administered an oath by Muriel Straughn, deputy clerk.

**Growth Management Director Bill McCord
Tommy Skipper**

Chair Dixon called for public comments. There was no response.

**UPON MOTION BY COMMISSIONER WATSON AND SECOND BY
COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE
VOTE, TO APPROVE THE FINAL PLAT AS DESCRIBED ABOVE.
(COMMISSIONER LAMB WAS NOT PRESENT FOR THIS VOTE.)**

7.

PUBLIC HEARING

**Ordinance 06-024 - Gadsden County Library Policies,
Procedures and Regulations**

County Attorney Thornton Williams introduced the proposed ordinance. He said that it provides for the conduct and behavior of the patrons of the Library. He said that it was advertised in all three local newspaper. He recommended adoption of the ordinance.

Chair Dixon called for public comments. There was no response.

**UPON MOTION BY COMMISSIONER LAMB AND SECOND BY
COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE
VOTE, TO APPROVE THE ORDINANCE.**

8.

Discussion of Private School in Agricultural 3 Land Use

Ms. Elda Lee Cook requested that the County approve her home as a satellite school of Champion Preparatory Academy so that her son, Bobby Cook, who is a disabled student could be the recipient of the McKay Scholarship.

Discussion followed.

Mr. McCord stated that the Board could change the land use of the entire subdivision then grant a special exception use to accommodate the school. However, he recommended that Ms. Cook bring additional information to him to warrant the land use change. He also requested that Ms. Cook bring a letter from the McKay Scholarship stating that the residence would meet all the eligibility conditions of the Florida Statutes to receive the scholarship.

Mrs. Cook addressed the Board.

Discussion followed.

Commissioner Watson was in favor of rezoning the property to AG 1. He added that in changing the land use would not make any commitment. He said that the lot would be more conforming lot as AG 1 than it is now.

Discussion continued.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO GIVE MS. COOK A LETTER STATING THAT THE BOARD HAS COMMITTED TO APPROVE THE LAND USE CHANGE IF THE PROPOSAL OF THE SCHOOL MEETS ALL OTHER QUALIFICATIONS AND STATE STATUTES.

9. **Discussion of Policy on County Solicitation of Sponsorships or Citizen Contributions to the County**

Issue: Can a county (non-charter) solicit donations or receive unsolicited citizen contributions to cover the expenses of an event that serves the public interest?

See analysis in the attached agenda report.

Mr. Williams stated that staff has been approached about receiving donations to the County. He said that there is no policy in place concerning the issue. He reported that he has done some research and there are some general ethics laws that come into place.

The proposed policy would be limited to Parks and Recreation Department and would be restrictive.

He then called attention to the survey which he sent out to other counties. (attached) He concluded that it is something that can be done, but would have to be closely monitored.

Discussion followed.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 1, BY VOICE VOTE, TO AUATHORIZE STAFF TO BRING BACK A POLICY FOR CONSIDERATION. COMMISSIONER WATSON CAST THE LONE DISSENTING VOTE.

10. COUNTY MANAGER'S AGENDA

Mr. Brown had nothing to discuss.

11. COUNTY ATTORNEY'S AGENDA

Mr. Williams had nothing to discuss.

CITIZENS REQUESTING TO BE HEARD

There was no response.

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Lamb (none)

Commissioner Watson (none)

Commissioner Price stated that he has received a lot of calls from the people in the Sawdust community about the need for a dump site. Those citizens are having to travel 17 miles to the nearest site.

The matter was referred to the staff.

Commissioner Holt (none)

Commissioner Dixon (none)

12. Receipt and File - for the record

County Manager's Travel to FAC 2006-07 Legislative

Policy Committee Meeting

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR
DECLARED THE MEETING ADJOURNED.

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A SPECIAL MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON SEPTEMBER
12, 2006, THE FOLLOWING PROCEEDINGS
WERE HAD, VIZ.

PRESENT: Ed Dixon, Chair
Brenda Holt, Vice-chair
Eugene Lamb
Derrick Price
Thornton Williams, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

CALL TO ORDER

Chair Dixon called the meeting to order. Commissioner Lamb led in a prayer and Commissioner County Attorney Williams led in pledging allegiance to the U.S. flag.

Observance of the American Tragedy of September 11, 2001

Chair Dixon called for a moment of silence to honor the people who lost their lives on September 11, 2001 to acts of terrorism perpetrated by Osama Bin Laden.

Amendment to the Agenda

The agenda was amended to **remove** the discussion of Tallahassee Memorial Healthcare, Inc. Urgent Care Agreement and Services.

DISCUSSION OF PROPOSED GROWTH MANAGEMENT FEES AND IMPACT FEE STUDY

Proposed Building Inspection Fees

OMB Director Davin Suggs addressed the Board. He made a PowerPoint presentation.

He explained that the Board is recovering 100% of the cost of operating for the Building Inspection Department through fees. However, the issue with Building inspection is being able to continue to cover those costs. Statutorily, all fees collected must go back directly to Building Inspection. Activity is expected to increase in the department and the proposed increase will insure that there will be adequate resources to maintain the necessary service. The fees are not designed to make a

profit, but hopefully it will allow the Board to maintain a contingency and reserves for possible fluctuation in activity from year to year. He recommended that when and if the Board should adopt the proposed fees, they do it by resolution which would allow for inflationary increases and market fluctuations.

Building Official Tony Colvin addressed the Board. There was a lengthy discussion between Mr. Colvin and the Board regarding services rendered and fees.

Chair Dixon called for input and questions from the public.

Mr. Jim Kellum addressed the Board. He was in support of the increase of fees.

Direction to the staff:

- Bring back a resolution reflecting the inflationary factors tied to the housing industry by which to adopt the proposed fees.
- Begin a survey of the services rendered.
- Upgrade mobile electronic technology to expedite permits and inspections.
- Upgrade vehicle fleet to guarantee adequate transportation to facilitate inspections.

Planning and Zoning Fees (P & Z)

Mr. Suggs began discussion about Planning and Zoning fees by saying that the County cannot recover 100% of the cost of operating that department. He explained the following:

- The department includes code enforcement. It is not a direct P & Z cost and the County cannot charge an individual for code enforcement.
- The staff spends a great deal of time working on general county projects, staff meetings, assisting other county departments with projects.

There was a discussion of an occupational license.

Danny Miller made a number of comments. He opposed a 43% increase to the building fees. He asked them to consider that it is the home owner that will be impacted by the increase. He also said that even with the increased fees, they are still considerably lower than any of the counties in the surrounding areas.

He supported the occupational license.

Property Appraiser Clay VanLandingham stated that he felt that an occupational license was a great idea. He said that it would help him in identifying new businesses from the standpoint of getting them on the tax roll. The occupational license would serve as the trigger to start that process.

He then said that all the fees that are incurred by the developer will be passed along to the buyer and ultimately the fees will be financed for the life of the mortgage. He asked them to consider educating the consumer of the impact that financing those fees into their mortgages will have on the assessments, etc.

Direction to the staff:

Bring back the following examples for the Board to review :

1. What will it cost under both proposed fee schedules for an individual to build a home \$100,000 - \$200,000 (average 1500 sq. ft. home) Building Inspection fees and Planning and Zoning fees?
2. Minor Subdivision - What would it cost the developer under both sets of proposed fees?
3. Major Subdivision such as Magnolia Forest - What would it cost the developer under both sets of proposed fees?

Residential Permit - set the fee using the greater subsidy. Use Mr. McCord's proposed fee as opposed to OMB proposed fee. Chair Dixon explained that if the Board must subsidize anything in the department, it should insure that it will subsidize individual interaction with regard to "how much we charge".

He suggested that the staff make some effort to educate the public about the permit process. It was also suggested that they implement other measures to lighten their load and thus

reduce the number of staff hours required to process those applications.

Otherwise, staff was instructed to use the proposed fee schedule that represents the actual cost plus the indirect cost (lower subsidy fee schedule).

Chair Dixon declared a recess.

The meeting was reconvened.

IMPACT FEES - EDUCATIONAL WORKSHOP

Attorney Thornton Williams introduced Doug Sunshine and Stacey McMillan from his office who made a presentation on Impact fees.

Mr. Sunshine started by saying that impact fees are a one time cost that is assessed against new development. They are used to provide capital facilities such as roads, parks, schools, EMS, law enforcement, etc. They are an outgrowth local government's home rule power. They are not a creature of statute, but by Florida case law. He continued using the attached information

Time Line Proposed

- The next step would be a workshop determination in October.
- The professional study sometime in November.
- The draft and notice of Impact Fee Ordinance in January.
- Assessments could begin in June of 2007.

Early decisions to be made:

1. Determine which methodology to use - Consumptive base Vs. Improvement base (Consumptive base would be more flexible. Improvement base would be generated by a set of projects.) Determine which consultant to hire if consumptive base methodology is selected as the model to use.
2. Determine if the timeline and general direction meets the Board's approval.

Discussion followed.

There was a consensus of the Board to proceed using the consumptive base methodology. There was also a consensus to approve the timeline proposed.

Staff directed the attorney to look into using an impact fee for construction of affordable housing.

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR
DECLARED THE MEETING ADJOURNED AT 9:00 P.M.

Edward J. Dixon, Chair

Muriel Straughn, Deputy Clerk

AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON SEPTEMBER
19, 2006, THE FOLLOWING PROCEEDINGS
WERE HAD, VIZ:

PRESENT: Edward J. Dixon, Chair
Brenda Holt, Vice-chair
Eugene Lamb
Derrick Price
Sterling Watson
Paul Sexton, Assistant County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

Invocation and Pledge of Allegiance:

Chair Dixon called the meeting to order. Commissioner Price led in a prayer and Commissioner Holt led in the pledge of allegiance to the US flag.

1. SECOND BUDGET HEARING - 6:00 P.M.

Chair Dixon announced that this meeting was the second public hearing for the adoption of the final millage rates and the final budget for FY 2006/2007. He then turned the floor over to County Manager Marlon Brown.

Mr. Brown read the millage rate into the record, "**The proposed county-wide millage rate is 10 mills which is 9.17% over the county-wide roll back millage of 9.1597 mills.**"

Chair Dixon opened the floor for public comments.

Mr. Dan Webb addressed the Board. He recalled that he heard the budget director say at the last meeting that there was a 14-15% increase in ad valorem revenue over the previous year. However, he said that the advertised budget showed an increase of 33.1% in operating expenses proposed over last year. He challenged the Board to decrease the millage rate in view of such a significant increase in revenue. He called attention to the proposed raises to county employees. (10 - 11%) He suggested that the County should

mirror what the State is giving, which is only 3%.

Ms. Patricia Hudgins addressed to Board in opposition to the millage rate.

Chair Dixon called for other public comments. There was no response.

He then turned to the Board for comments.

Discussion followed.

Commissioner Watson spoke at length in support of decreasing the millage rate.

UPON A MOTION BY COMMISSIONER HOLT AND A SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 1, BY VOICE VOTE, TO SET THE MILLAGE RATE AT 10 MILLS. COMMISSIONER WATSON VOTED AGAINST THE MOTION.

Chair Dixon then called for discussion on the proposed 2006/2007 Budget.

Mr. Suggs gave an overview of the budget.

Chair Dixon called for public comment on the budget.

Mr. Jim Kellum addressed the Board with comments and questions about citizens not getting accountability from the County administration as to what was happening with the tax dollars.

Ms. Katherine Poindexter, finance director for the Sheriff, addressed the Commission. She asked them to look again at the funds approved for staffing and salaries at the Sheriff's office. She asked for an additional \$152,000 in the budget so that the Sheriff could be competitive in salaries with potential employees.

Sheriff Young also addressed the Commission and said he was trying to figure out why his law enforcement budget was not funded as he requested. He argued that the law enforcement department supports the entire community. He said the Sheriff's office has had to significantly increase services in order to protect the public. He said that he continues to need qualified people, but he can't do that when he can only offer a \$19,000 starting salary. He said his jail

employees feel like inmates because more money is coming in to the inmates than they are being paid. He further stated " I cannot stand the fact and will not tolerate this Board -- this Board overlooking the Sheriff's Office. When you talk about the men and women who are out there making a low income like they are making, I'd be less than a sheriff if I didn't come up here and say something to you all about it. Now, you know Chairman, you know, Commissioner Holt, you have been there. Commissioner Price, you have been there. Lord knows how many times you been there, Mr. Lamb. So why can't we come up with decent salaries for the Sheriff's Office so that we can adequately support this community."

He said he needed and requested about \$3 million over last year's budget to provide the services demanded by the public. He said that he had promised his deputies at least a 7 - 10% raise and that he was looking for it. He said "We need money. We need money and it is going to take this Board here to approve it."

Chair Dixon asked the Sheriff if he was asking for money over and above what has already been discussed.

Sheriff Young replied that he needed and asked for \$3 million over the last year. He said the Board had only budgeted an additional \$600,000, but it was not enough. Then he said he did not feel that anybody in the County would say anything about giving the Sheriff what he needed to operate.

Mr. Harvey Sweeney addressed the Board opposing the large pay increases planned for the county directors.

Ms. Iella Wallace, addressed the Board and described herself as the "new kid on the block" having moved here after 40 years in Philadelphia. She said taxes are high in Philadelphia and she and her husband have retired and moved here because Gadsden County's taxes are lower, and her purpose for being at tonight's meeting was to get a core understanding of the millage taxes, property taxes and other taxes.

Chair Dixon called for other comments. There was no other response. He then closed the public portion of the hearing.

Commissioner Watson asked Mr. Suggs to go through exactly what the Sheriff's budget is, how much of an increase he got, and how much he requested.

Mr. Suggs stated that last year, the County probably contributed a total of about \$6.1 millions to the Sheriff towards his personnel, operations, and capital outlay. He said this year, the County increased that amount to a little over \$6.7 million - an increase of almost \$600,000 (\$594-595,000).

Mr. Suggs said the Sheriff's requested an increase of close to the \$3 million over last year. For law enforcement the major things the Sheriff requested was:

1. 5% operating increase over his operating budget,
2. The issue of the cars and guaranteeing or providing money so that he could replace his fleet of vehicles. He has requested \$165,000 to cover that vehicle lease for next year. (This was included in his proposed budget and funded by the Board.)
3. He requested about \$120,000 for technology on law enforcement side.
4. He requested (and the County had agreed to look at compensation for the Sheriff's staff as they had looked at compensation for the Board's staff) with the initial request being between 7 and 10% for all law enforcement and correctional officers, and administrative personnel - this was for all employees in the Sheriff's Office.
5. The most major request on the law enforcement side was his request for 75 additional personnel over a five year period, with 15 being requested during this budget year - 10 deputies and 5 administrative personnel.
6. On the corrections side, the major request was 5% above last year's operating budget, believed to be 9 sworn officers and 2 administrative people.
7. Compensation increases were also requested for corrections, the same as for law enforcement.

Commissioner Watson summarized that the Sheriff was asking for an additional \$3 million which would take his budget to \$9.1 million budget.

Mr. Suggs clarified that if the Board approved and funded the Sheriff's budget as he requested, the total amount would be \$8.5 million.

Commissioner Watson asked if it was \$2.4 million more than last year and Mr. Suggs responded, "Correct."

Chair Dixon said that the Sheriff got \$600,000 of the \$1.5 million of the new ad valorem tax dollars.

Mr. Suggs concurred.

Commissioner Lamb said the Sheriff's Department has been his number one concern and the second priority concern was roads.

Commissioner Holt reiterated that the Sheriff's request for more officers and better wages and equipment was primary to her rationale to not roll back the millage rate. She asked if there was anything in the budget that could be cut back in order to give the Sheriff more money.

There was a response from the audience, "Raises."

Chairman Dixon said he has had many discussions with the Sheriff and his \$3 million budget increase is real - basic necessity real. He said the question was how to get there in one year, or if the county could get there in just one year. He surmised that it could not be done.

He went on to say that the Sheriff controls one-third of the County's budget, without anything changing. He added that the staff has bent over backwards trying to get there and that he felt that they are making progress. He said every department head and every agency coming before the County Commission has a significant need that the County cannot overlook anymore.

County Manager Brown said, "If it is the will of the Board to take a look at providing the Sheriff additional money - more than what the County has already offered - OMB Director Suggs would ask you to take recess and let us look at how the County can get there." He also said if the Commission chooses to pass the budget as it was presented, the Commission could still give staff guidance during the course of the year to make amendments and changes to the Sheriff's budget as monies become available.

Mr. Brown said, "We have done as much as we can for the Sheriff in terms of new vehicles, employee issues and we

have made a commitment to the Sheriff to help him in whatever way the County can. And, the staff has looked at all of the various issues the Sheriff is confronted with, whether medical, food, administrative areas in terms of how you can save money. The County is working with the Sheriff daily advising and counseling him in terms of what he can do to help shore up his budget. We are not there yet, but I feel that we will get there."

Chair Dixon said he felt this was a good budget and that a lot of work had gone into it, but he felt there were two areas the Board should basically look at on a monthly basis - the Senior Citizens Center and the Sheriff. He said the Board is committed to the salaries for the Sheriff's Office and that they can get there with the monies they have allocated and look at some things if money is coming in better than anticipated.

Commissioner Holt asked, "What type of raise is the Sheriff's Department getting now for the deputies and correction officers, if they receive what the County proposes right now?"

Chair Dixon called Ms. Poindexter forward.

Ms. Poindexter said the recommendation of the Board was a 7% across-the board increase. However, she pointed out that the budget will not fully cover the salary and benefits for the 7% increase - neither does it bring the corrections officers base pay up to the entry level pay they want it to be.

Chair Dixon said then the County should not have been discussing percentages, but rather a change in the pay scale.

Chair Dixon called for the will of the Board.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 - 1, BY VOICE VOTE, TO APPROVE THE BUDGET AS PRESENTED. COMMISSIONER WATSON CAST THE LONE DISSENTING VOTE.

Amendments & Approval of Agenda:

The following amendments were made to the agenda.

ADD TO GENERAL BUSINESS AGENDA: Additional information for Dupont Road, Richbay Road, Telogia Creek Road as candidates for projects of the FDOT, County Incentive Grant Program.

ADD TO COUNTY MANAGER/COUNTY ATTORNEY AGENDA: Update on the discussions with Tallahassee Memorial Hospital and the Urgent Care Facility.

ADD TO ITEM # 19: Information regarding Minister Alonzo Brown's proposal for the Gadsden County Wall of Fame.

ADD TO COMMISSIONER PRICE'S ITEMS: the appointment to the Industrial Development Authority.

REMOVE FROM CHAIR DIXON'S ITEMS: Discussions regarding County Attorney contract, as well as the County Manager's contract.

Chair Dixon called for the will of the Board.

UPON A MOTION BY COMMISSIONER PRICE AND A SECOND BY COMMISSIONER LAMB TO APPROVE THE AMENDMENTS TO THE AGENDA, THE BOARD VOTED 5-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

2. **Awards, Presentations and Appearances:**

Apalachee Regional Planning Council and Florida Department of Transportation Projects

Mr. Bruce Ballister, Regional Planner with Apalachee Regional Planning Council (ARPC) appeared before the Commission regarding the Florida Department of Transportation (FDOT)/ARPC Liaison Project as shown in the attached agenda packet. Mr. Ballister requested a consensus or a resolution from the Board as to their wishes on the Bypass Project and the Greensboro Depot restoration project.

UPON A MOTION BY COMMISSIONER WATSON AND A SECOND BY COMMISSIONER PRICE FOR A RESOLUTION TO SUBMIT THE ABOVE TWO PROJECTS TO FDOT, THE BOARD VOTED 4-0, BY VOICE

VOTE, IN FAVOR OF THE MOTION. Chair Dixon was not present for this vote.

Florida Association of Counties (FAC)

Mr. Jon Brown, County Public Relations Director introduced Mr. Palmer Mason, FAC Legislative Director. Mr. Mason briefed the Board regarding the preparations in progress for the 2007 Florida Legislative Session and issues being discussed at the FAC 2006-07 Legislative Policy Committee meetings. Mr. Mason said he wanted the Board to look at him and his staff as an extension of the County staff at the Florida Capital. He introduced his staff - Ms. Rosie Byrd, Sr. Legislative Assistant; Ms. Diana Grawich, who handles environmental and agricultural issues, as well as being the lead staff person on rural caucus; and Ms. Amanda Grafari, who covers the public safety issues and court-funded issues. He also explained that Mr. Bob McKee handles finance and tax and appropriations issues, and Mr. Eric Poole handles growth management, transportation and emergency management issues. Ms. Ginger Delgal is General Counsel.

He recognized that Gadsden County has always been very active in the FAC and expressed appreciation to the Board for their participation. He said some of the issues to be faced during next year's legislative session are as follows:

- Property insurance (which may bring a special session in November;)
- Health care with changes in Medicaid (from a fee for service to an HMO cost control type.) Pilot projects will be opened first in the rural communities.
- Funding for county health departments
- Affordable housing
- Property tax
- Revenue cap

He then said that the year to watch will be 2008 because most of the issues will be constitutional changes that will have to be approved by voters.

Commissioner Holt asked questions regarding the revenue

cap.

Mr. Mason said that a survey will be mailed out to the counties requesting information that can be used in lobbying the legislature on behalf of the counties with respect to the proposed revenue cap.

CONSENT AGENDA

**UPON A MOTION BY COMMISSIONER HOLT TO APPROVE THE
CONSENT AGENDA, AND A SECOND BY COMMISSIONER PRICE, THE
BOARD VOTED 5-0, BY VOICE VOTE, IN FAVOR OF THE MOTION
to wit:**

4. Approval of Minutes - July 18, 2008 Regular Meeting
August 28, 2006 Special Meeting
5. Ratification of the Approval to Pay the County Bills -
Accounts Payables Dated September 8 and 15, 2006
Payroll Dated September 14, 2006
- 6 Approval of Medical Director Agreement with Dr. Carol
Sutton, M.D. dated September 19, 2006 through September
19, 2007
7. Approval of Gadsden County Health Department FY 2006-
2007 Contract
8. Resolution # 2006-054 Recognizing October as Influenza
Awareness Month
9. Approval of Signatures for Special Assessment Lien for
Marvin T. and Tangie R. Simmons
10. Approval of Signatures for Special Assessment Liens and
Rehabilitation Contracts for Wendy Sapp
11. **PUBLIC HEARINGS:**

**Public Hearing and Second Reading of Ordinance 2006-021
- Peavy & Sons Construction Comprehensive Plan
Amendment CPA 2006-05 Parcel I.D. # 4-28-1N-4W-0000-
00100-0000 changing 19.19 acres from AG 3 to Mining**

Owner: Elberta Land Company, Inc.

Applicant: Tom Simmons and Allen Nobles & Associates
Contact Person: Jason Clements
Location of Property: southeaster Gadsden County,
between McCall Bridge road and Cook's Landing road on
the eastern side of SR 267 (Pat Thomas Parkway)
Planning Commission Recommendation: Approval based on
findings listed in the agenda report.
Staff Recommendation: Approval based on the findings in
the agenda report.

Growth Management Director Bill McCord stated the Board
had previously reviewed this item at the first reading
of the ordinance and voted to approve the land use
change of 19.19 acres from Ag-3 to Mining. He said the
applicant plans to operate a sand borrow pit on the
property.

Chair Dixon called for comments/concerns and there were
none.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY
COMMISSIONER PRICE THE BOARD VOTED 5 - 0, BY VOICE VOTE
TO APPROVE THE ORDINANCE DESCRIBED ADOPTING THE PEAVEY
LAND USE AMENDMENT.**

12. **Public Hearing and Second Reading of Ordinance 2006-022
- Smith-Montford Comprehensive Plan Amendment - CPA-
2006-04AD - Parcel I.D. # 2-18-3N-1W-0000-00412-0700
(Changing 3.79 acres from Commercial to Rural
Residential**

Owner: Nettie Chester
Applicant: Gadsden County Board of County Commissioners
Location of Property: Northeast of Havana, on the west
side of Concord Road approximately 450 feet north of
the intersection of Fairbanks Ferry Road and is part of
the central commercial area of Concord.

Mr. McCord said the Board had previously reviewed the
ordinance at the first reading and the Planning
Commission and the Growth Management Department
recommended approval of the land use amendment and
Ordinance 2006-022.

Chair Dixon called for public comments and concerns and
there were none.

UPON A MOTION BY COMMISSIONER LAMB AND A SECOND BY COMMISSIONER PRICE TO APPROVE THE LAND USE AMENDMENT AND THE SECOND READING OF ORDINANCE 2006-022 WITH ATTACHMENTS AS SHOWN IN THE ATTACHED AGENDA PACKET, THE BOARD VOTED 5-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

13. Public Hearing and First Reading of Ordinance 2006-023 - Land Development Code Amendment - LDR 2006-02 - Non-Conforming Uses/Structures, Subsection 5003, Gadsden County LDC.

Mr. McCord stated the Board had held meetings over the past several months and had taken public input concerning the non-conforming regulations of the Code, especially the ability to re-establish non-conforming residential uses if removed or involuntarily destroyed. He said staff had prepared an ordinance amending the existing regulations to permit the replacement/reconstruction of non-conforming residential uses with some restrictions. After further discussion concerning items on appeal, Mr. McCord said this will not allow for anyone living in an RV unit not in an approved RV park to replace it and continue living in an RV. The County's Comprehensive Plan strictly prohibits RVs as residential structures when they are located anywhere other than in an RV park. He further stated when a home (mobile home or site built home) that is located in any nonconforming residential location is removed, it must be replaced within the two year time limit. After two years, it can no longer be re-established.

Mr. McCord said the Ordinance does not address the "immediate family" issue. He also said the immediate family issue should come back before the Board in mid-October.

The Planning Commission and Growth Management staff recommended Option #1 of the attached agenda packet for approval of the first reading of the draft ordinance, amending subsection 5003 - non-conforming uses permitting the replacement/re-establishment of non-conforming residential uses/structures with limitations.

Chair Dixon called for public comment and there was none.

UPON A MOTION BY COMMISSIONER PRICE AND A SECOND BY COMMISSIONER LAMB TO APPROVE THE FIRST READING OF THE DRAFT ORDINANCE 2006-023, AMENDING SUB-SECTION 5003, NON-CONFORMING USES PERMITTING THE REPLACEMENT/RE-ESTABLISHMENT OF NON-CONFORMING RESIDENTIAL USES/STRUCTURES WITH LIMITATIONS WITH ATTACHMENTS AS SHOWN IN ATTACHED AGENDA PACKET, THE BOARD VOTED 5-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

13. Public Hearing - Adoption of Growth Management Fees and Enabling Resolution

County Manager Brown stated the Board had requested that the staff go back and look at the growth management and building inspection fees, particularly dealing with a homeowner who would like to develop or sub-divide their property. He reported that the staff has come up with some options to share with the Board.

OMB Director Suggs explained the proposed Resolution containing the final proposed fees for building inspection and the growth management planning and zoning fees.

County Manager Brown then asked for the Board's approval of the Resolution adopting the attached schedule of fees.

Chair Dixon called for public comments/concerns.

Ms. Lola Murphy was recognized for questions regarding the immediate family exemptions.

There was no public opposition to the proposed fees.

Discussion followed.

UPON A MOTION BY COMMISSIONER LAMB AND A SECOND BY COMMISSIONER PRICE TO ADOPT THE FEE SCHEDULE, THE BOARD VOTED 5-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

GENERAL BUSINESS:

15. Approval of Dupont Road, Richbay Road and Telogia Creek

Road as Candidate Projects for Florida Department of Transportation - County Incentive Grant Program

County Manager Brown presented Dupont Road, Richbay Road and Telogia Creek Road as candidate projects for the Florida Department of Transportation (FDOT) through the County Incentive Grant Program. He explained that the Public Works Department checked all of the roads and these roads need service the most. He asked that the Board submit them to FDOT.

Chair Dixon asked Public Works Director Robert Presnell if Dodger Park Road would qualify as one of those roads meeting the criteria for the program.

Mr. Presnell stated that it would, but it has already been contracted for resurfacing. He also briefly explained that a road would have to relieve congestion from the state highway system to even be considered for funding. The road has to connect to one of the state highways at some point.

UPON MOTION BY COMMISSIONER LAMB AND A SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5-0, BY VOICE VOTE TO APPROVE RICHBAY, DUPONT AND TELOGIA CREEK ROADS AS CANDIDATE PROJECTS FOR DEPARTMENT OF TRANSPORTATION FOR THE COUNTY INCENTIVE GRANT PROGRAM.

16. Rural Waste Site Locations

County Manager Brown explained that there are five county waste sites throughout the County - one in each of the districts. He said that the Board had discussed adding another dump site. He asked for direction as to how they would like staff to proceed with looking at this issue.

Discussion followed.

Commissioner Lamb said he thought this was another one of the areas the Board needs to look at as they go forward to see if monies can be found for the additional sites. He said he understood there is not money available at this time, but he felt it should be thoroughly discussed at workshops and there should be ongoing efforts to try to find funds from somewhere to

make this happen.

Before moving on to the discussion on dump sites, Chair Dixon asked Mr. Presnell to clarify a statement in the report on the previous issue. "Of the 92 roads that qualify, the County has done 81 or 89 roads."

Mr. Presnell stated that the asphalt condition on 81 of the roads that connect to the state highway system do not qualify for resurfacing funds because the County had already resurfaced them. If they have been resurfaced since 1998, they would not likely need to be resurfaced.

Chair Dixon then stated the dumpster site in Midway is completely enclosed into the City of Midway now and the dump site should be relocated to make it more accessible to the people living in the rural areas. He then asked what the sites are now costing the County.

Mr. Presnell said they are still in negotiations with the City of Quincy regarding the tipping fees at the Byrd Landfill. The new manager has asked to meet with the County and be brought up to speed on negotiations.

Mr. Brown explained he had been in discussions with the City Manager on the renewal of the contract between the County and the City which is up for renewal the end of this month. He stated the information from the City of Quincy is the actual cost for taking the county's garbage to their transfer sites.

He then reported that there has been some investigation into taking the garbage to the Jackson County waste site. That information has been shared with the City of Quincy. He said there are issues on the costs not only with the County, but other cities as well as to what that true cost really is - what is in the fee the County is actually paying.

He said City Commissioner Dowdell is the City's designee for meeting with the County Commission on this issue and the fire services issue. A meeting will be set up soon to move those discussions forward.

Mr. Brown said the County does currently have a contract with Waste Management and that the County is

in discussions with them as well.

Chair Dixon asked what the sites are costing and if the County had been able to reduce the costs.

Mr. Presnell explained that the garbage costs have been reduced overall and that the sites should start showing some reduction in loss because of the change in the permit fees. There was also a bag limit per visit imposed. He said he thought that would help some, but not enough to break even. He said the cost is running about \$59,000 per site.

Commissioner Holt raised questions as to whether the City of Midway and the County should be in discussions to discern whether they would like to continue the current dump site when the County moves it further into the County.

Mr. Presnell said the reason for the original location in Midway was because the County owned that particular property. He also said they are trying to get land donations from St. Joe or other large land owners in the area for the next location.

Chair Dixon said his concern was that the site should not be accessible to the residents of the City of Midway. The new sub-division residents should be buying curb-side service.

After further discussion on the need for more sites, Commissioner Holt asked that the County Manager look at the distance in determining site locations, and not just districts.

There was a consensus to workshop the waste sites and to look at the budget to determine if additional sites could be accommodated. There was also a consensus to move the Midway site over into the Coonbottom area.

Hospital Update

County Manager Brown gave the Board an update on the hospital. He said the County has received by the Judge signing an order for the approval from of bankruptcy courts for use of the hospital for an urgent care

facility. He said the County has been in negotiations with Tallahassee Memorial Hospital and hopes to have it wrapped up by the end of next week and they will be able to bring it before the Board for the October 4 meeting for ratification.

Assistant County Attorney Paul Sexton said that in winding down to the last set of details, a set of changes were made and the contract has been sent back to TMH. The County is waiting for a response from them.

Mr. Brown said the County has been inundated with applications for staffing of the urgent care facility, and that probably everyone that had worked at the hospital before has submitted an application. TMH has agreed to assist the County in reviewing the applications and that Mr. Joe Sharp, TMH and himself have begun discussions with different physicians that may be interested in working at the urgent care facility. He stated they were still committed to this and it will be up and running as quickly as possible.

County Manager's Residency

County Manager Brown reported that he will become a Gadsden County resident in about six months. He said that he would be closing on some property in the county and construction will soon follow.

19. Citizens Requesting to Be Heard on Non-Agenda Items:

Mr. Alonzo Brown addressed the Board. He made a proposal to have a "Wall of Fame" monument of some type erected to showcase and acknowledge the "Jewels of Gadsden County" who have made their mark in life. He said the monument would serve to inspire the youth and bring about a greater community morale. He then said that the wall of fame would also show other counties, states and countries that Gadsden County has made many contributions to society.

He requested \$250,000, to make the proposal a reality. However, he said those figures could fluctuate and he would accept anything the County could offer.

Chair Dixon thanked Mr. Brown for his presentation and his community spirit. He said he would like the

opportunity for the Commission and staff to review it. If they are unable to contribute funds toward the proposal, he suggested that at least perhaps they could direct him to other resources.

Commissioner Holt encouraged Mr. Brown to begin first by collecting the data he would need, then begin looking for funding sources. She urged him not to wait on local government. She said she would be in touch with him about it.

Chair Dixon called for others wishing to be heard.

Mr. Ed Allen addressed the Board regarding the RV issue at Lake Talquin. He stated they had been trying to get the RV's out of the residential zone for five years. He said a scheduled appointment had been set for last week with the Planning & Zoning Board Meeting and they refused to hear what the citizens had to say. He asked Chair Dixon why it was that Planning & Zoning could not hear them.

Chair Dixon asked Mr. McCord to explain why.

Mr. McCord stated it was on the agenda and public notification was made to those affected. However, he recommended to the Planning and Zoning Commission to postpone the hearing because some of the owners affected had appealed the order to remove the RVs. He stated that a further investigation is necessary in order to uphold the county's position.

He also said what he did suggest to the Planning Commission that it would certainly be appropriate to take public comment from those who came for that purpose, but continue the public hearing to a certain date. However, the Planning Commission decided not to open it up for public comment, but postpone the entire hearing the November 16 meeting.

Attorney Paul Sexton interjected that a representative from the County Attorney's Office was at the meeting and one of the concerns of the Planning and Zoning Board was the splitting of testimony between now and a later date. He said it was a concern of the Board that all of the testimony be heard at one time, and not have to worry about which Board members were present at one

meeting vs. the other. He said he felt that may have had an effect on the decision to postpone taking testimony at that time.

Commissioner Watson asked how many RV's are located in the County that would be affected by the order to remove them. Mr. McCord replied he did not know how many there are throughout the County, but that his staff had taken a "scan" of those in the Lake Talquin area and found 27-30 at the Ingram's Marina.

Mr. McCord then said he understands those RVs may be in the process of being moved and that may bring about another issue for the Board of County Commissioners. The issue now will be surrounding the non-conforming use. When such property is sold to someone else, the non-conforming use of that property is rescinded. He said that it has not come to surface yet, but he is sure that it will. He also said there are a number of others RVs scattered around the north shore of Lake Talquin and those persons have been sent notices as well. He explained those that do not remove the RVs and do not appeal either will then be issued citations and they will have to address those in court.

County Manager Brown asked how many letters had been mailed. Mr. McCord responded 7 - 9 and those are moving forward.

Commissioner Watson asked if a survey had been done of the entire County to see how many there are and if it is the plan to clean up the whole County, or just those few.

Mr. McCord said the entire County had not been surveyed, but as his Department is made aware of them, they will take action regardless of where they are in the County.

Mr. Allen said he is particularly concerned about five which have no permits for septic or lights whatsoever. He explained he smells septic odors from a mobile home and camper trailer parked behind it located near him. He presented a report from the Health Department on the septic issue. He claimed that report contains sufficient information to justify its removal.

Chair Dixon asked Mr. Allen to give a copy of the report to Mr. McCord. He then asked Mr. McCord if action could be taken based on that report specifically.

Mr. McCord answered that this RV is one that had been sent notice and they did not appeal the notice. He said the department is "going after it."

County Manager Brown assured Mr. Allen the County would contact the Health Department and make sure they diligently expedite the removal that particular one.

Chair Dixon admitted that the County had been guilty of "no follow-up" in the past and that the County looked very bad and smelled very bad because of it. He further advised Mr. Allen that the Commission, the County Manager and staff will do all that is within their authority to make certain those situations are remedied as soon as possible.

Mr. Allen said these campers have been rented out to "cowboys from Georgia" and he and his wife have been suffered verbal abuse from them.

Mr. Wesley Joyner briefly addressed the Board also stating they have been fighting this battle for five years because of one person.

There being no further public comments, Chair Dixon asked for items from the Commissioners.

20. **Commissioner's Discussion Items**

Commissioner Lamb had no report.

Commissioner Watson had no report.

Industrial Development Appointment

Commissioner Price asked the Board to approve his appointment of Calvin Dawkins to the Industrial Development Authority.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPOINT CALVIN DAWKINS TO THE INDUSTRIAL

DEVELOPEMTN AUTHORITY.

Commissioner Holt

Commissioner Holt requested information regarding county employees and the increase to their salaries relative to their increased production. She said, "It is easier to evaluate what is going on if the Board has something showing an increase in service production. There are departments that may not generate any monies, but they do generate services and if the services have increased, it is easier for the Board to explain to the public things that are going on in those departments and why there should be an increase in salaries."

County Manager Brown stated that Mr. Suggs will prepare for the Commission, as part of the final budget, performance measures for each of the departments in terms of what they have accomplished over the past year. He also said this is part of the training Mr. Suggs will have with the departments in preparation of next year's budget.

Commissioner Holt said she would like to see fairly quickly some OSHA training, cross training, and training for upward mobility for county employees. She said these are some of things that need to be looked at in upgrading staff employees at the same time so there is no conflict with someone being hired that may be better qualified and having people on the job for a longer time that could have been trained for those positions.

Chair Dixon

Value Adjustment Board Appointments

Chair Dixon appointed Commissioner Lamb and Holt to serve with him on the Value Adjustment Board.

UPON A MOTION BY COMMISSIONER HOLT AND A SECOND BY COMMISSISONER PRICE, THE BOARD VOTED 5-0, BY VOICE VOTE, TO APPROVE THE APPOINTMENTS STATED ABOVE TO THE VALUE ADJUSTMENT BOARD.

Legislative Agenda

Chair Dixon stated, "We are now moving into the Legislative season now, and the Board needs to be ahead of the game in terms of all commissioners bringing ideas back to the table so the Board can hash through them, get them in some form, for the Commissioners to get with their cities (if they represent a city) as well as the citizens within the community and find out the issues for economic development the Board needs to address.

The County may need to rethink how we do economic development. We have to be smarter about the County's business if we want to help the citizens in terms of lowering taxes and creating greater opportunities to prosper. The County needs to rethink everything we have done because if we don't, Gadsden County will be "dead in the water" and will become a bedroom community to Tallahassee. Gadsden County does not have a wonderful world. It has wonderful properties and it needs to create wonderful opportunities for kids to come here and stay here."

21. Receipt and File for the Record

- Memorandum from Tourist Development Council Chairman - Alternative Plan for Approval Marketing of Gadsden County
- Letter from Comcast Regarding Changes in Service in the County
- Letter of Appreciation to the Public Works Department from Ms. Alice Butler and Harold Carter
- Resolution from Sumter County Proclaiming September 22, 2006 as "Native American Day."

October Meetings

October 3, 2006 - Regular Meeting
October 10, 2006 - Workshop/Special Meeting
October 17, 2006 - Regular Meeting

**THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE
MEETING WAS ADJOURNED AT 9:00 P.M.**

Edward J. Dixon, Chair

Muriel Straughn, Deputy Clerk

AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON OCTOBER 3,
2006, THE FOLLOWING PROCEEDINGS WERE
HAD, VIZ.

PRESENT: Edward J. Dixon, Chair (arrived late)
Brenda Holt, Vice-chair
Eugene Lamb
Sterling L. Watson (arrived late)
Derrick Price
Thornton Williams, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

Call to Order

Vice-chair Brenda Holt called the meeting to order.

Invocation and Pledge of Allegiance

Commissioner Lamb opened the meeting with a prayer and
Commissioner Price led in pledging allegiance to the US flag.

Amendments and Approval of Agenda

Add to General Business Agenda:

- 17a. Approval to Enter into Interlocal Agreement with City of Quincy
to Provide Sewer, Water and Gas for the Bradwell Economic
Development Project - \$750,000

Add to County Manager's Agenda:

- 18. Approval Of Agent of Record Insurance Services - Add
additional information filed by Lawson and Associates

Delete from Commissioner's Items

- 22. County Attorney's Contract (reset for 10/17/06 agenda)
County Manager's Contract (reset for 10/17/06 agenda)

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER
PRICE, THE BOARD VOTED 3 - 0, BY VOICE VOTE, TO APPROVE THE

AGENDA AS AMENDED ABOVE. (Commissioners Watson and Dixon were not present for this vote.)

Awards, Presentations and Appearances

1. **Gretna Wellness Center**

Gadsden County Health Department Administrator Sylvia Byrd addressed the Board. She reported that the target date to open the Gretna Clinic is November 1 for ½ day, every Wednesday afternoon from 1:00 p.m. to 4:30 p.m. with the nurse practitioner and ancillary help from the Health Department.

Depending on how much the clinic is utilized, the department will increase the number of hours it is open.

Partners include FAMU School of Nursing; FAMU College of Medicine; and Killearn United Methodist Church Volunteers; Big Bend Area Health Education Council.

She passed out brochures that tells about precautions to take in the event of a flu pandemic.

Consent Agenda

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSISONER PRICE, THE BOARD VOTED 5- 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT:

2. Approval of Minutes - August 29, 2006 Regular Meeting

3. Ratification of Approval to Pay County Bills

Accounts Payables dated September 22 & 29, 2006
Payroll dated September 28, 2006

4. Approval of 2007 Budget Amendment **OMB-BA# 070001**
Increase the Insurance Premiums Budget from \$546,614 to \$608,640 (increase of \$62,026. Money to be taken from general fund contingency leaving balance of %500,816

5. Authorization to Amend FY 2007 Budget for Adopted Planning and Zoning Fees **OMB-BA#070002** moving \$300,000 from General fund contingency to Planning and Zoning. Leaving balance in general fund contingency of \$200,838.00

6. Authorization to Amend FY 2007 Budget to reduce the funding of FLAP by \$1700 and establish reserve for contingency in the Judicial Services Fund **OMB-BA# 07003**
7. Microsoft Enterprise Agreement - \$56,515.00 per year for three years Volume Licensing
8. Satisfaction of Liens - SHIP/CDBG Alberta Wilder; Irene Weatherspoon; Inez Manuel; Julia Crawford; Vannoy Potts; Frank Robinson
9. Special Assessment Liens and Rehabilitation Contracts - Kimberly Baker
10. Contract with Associated Consulting Professionals, Inc. (A.C.P) as Lead Base Paint inspector
11. Modification of Grant agreement #06-DR-73-02-30-01-052 with the Department of Community Affairs - (Planning grant and Interlocal Agreement Between the School Board and the County to establish School Concurrency system.)

PUBLIC HEARINGS

12. Ordinance 2006-023 Land Development Code Amendment LDR-2006-023 Second Reading

Growth Management Director Bill McCord introduced the above named ordinance explaining that a number of workshops and hearings have been held on it. The first reading of the ordinance was on September 19, 2006 when it was approved by the Board.

Chair Dixon called for public input. There was no response.

Discussion followed.

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ORDINANCE STATED ABOVE.

13. Final Plat Approval for San Bonita Estates Subdivision (SD-2005-02) 39 Lots on 84.2 Acres in RR

Owner: San Bonita Estates, LLC

Applicant: David H. Melvin, Inc. Consulting Engineers

Location: North side and west side of Gibson Sawmill Road, west of US 27 approximately three miles south of Havana

TAX ID: 3-11-2N-2W-0000-00423-0200 AND 3-11-2N-2W-0000-00434-0100

Type of Action Required: Quasi-judicial in conjunction with the advertised public hearing as a Type II plan per Subsection 7202 of the Land Development Code.

Planning Commission Recommendation: Approval based on the findings listed in the agenda report and subject to the conditions also listed in the agenda report.

Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk. He gave a brief overview of the project pointing out the findings as listed on pages 5-7 of the agenda report and recommended special conditions on pages 7-9. For further details, see the attached report.

He pointed out that the Post Office has recommended a central mailbox station within the subdivision. However, the Planning Commission did not recommend that a central system be required.

Vice-chair Holt called for public comments.

Jeremy Calloway addressed the Board. He was administered an oath by Deputy Clerk Muriel Straughn. He raised issues regarding the requirement for sidewalk bonding. He asked if bonding is an option that the board would allow.

Mr. McCord pointed out that they were not required to put a sidewalk system within the subdivision because of the lot sizes. What the board did require at the preliminary plat approval stage was that they dedicate additional right of way for the roadway along Gibson Road and construct a sidewalk along Gibson Road. Until now, they have not installed the sidewalk. Neither have they had an inspection on the improvements made thus far. The streets and the drainage system has been constructed. The developer is asking to bond the sidewalk and construct it later.

Brian Riel was administered an oath by Deputy Clerk Muriel Straughn. He said that he discussed with the Planning Commission an alternative. He understood that he should write a letter to the Board saying that if they did not complete the sidewalk within 90 days of the recording of the

final plat, they (the developer) would agree that no building permits would be issued for homes until such time as the sidewalk is constructed. He went on to say, "What we want to do is tie the sidewalk, given the small portion of land by Gibson Sawmill Road, we want to tie the sidewalk into a nice sign entrance. When we are out there building two walls, we can tie it in together."

Chair Dixon asked if that condition could be part of the development order.

Mr. McCord answered affirmatively.

There was some discussion about placement of the septic tanks on some lots relative to set backs. However, it was determined that the developer had already addressed the staff's concerns regarding the septic tanks after the preliminary plat stage.

There was discussion about the Post Office's request that they install a central mail delivery system. Commissioner Watson was opposed to the central mail delivery system. No action was taken as it was decided that the developer should work this out with the Post Office.

There was a discussion also about the church located near the subdivision. It was determined that there was a buffer in the plan.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER DIXON, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE FINAL PLAT WITH AN ADDITIONAL SPECIAL CONDITION THAT THE SIDEWALK WILL BE CONSTRUCTED WITHIN 90 DAYS OF THE RECORDING OF THE PLAT. IT WAS FURTHER MOTIONED THAT THE DEVELOPER WOULD PROVIDE A LETTER AGREEING THAT BUILDING PERMITS WILL NOT BE ISSUED UNTIL THE SIDEWALK IS COMPLETED.

**14. Ordinance - First Reading J-11 Investments (Petrandis)
Comprehensive Plan Amendment - CPA-2006-06 Small Scale
Amendment 3.08 Acres of AG 2 - change to RR Two for one
Subdivision**

Owner: J-11 Investments, Johnny Petrandis

Applicant: Johnny Petrandis

Location: 2.9 miles north east of Havana on McNair Road between U.S. 27 North and CR 12

Type of Action: Quasi-legislative action in conjunction

with the advertised public hearing as a small scale amendment to the Future Land Use Map (FLUM) per Subsection 7401 of the Land Development Code.

Planning Commission Recommendation: Approval of the land use change based on the findings listed in the attached report.

Staff Recommendation: Approval of the land use change based on the findings referred to above.

Growth Management Director Bill McCord gave a brief report of the proposed ordinance as contained in the agenda report.

Vice-chair Holt called for public comments. There was no response.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE PETRANDIS SMALL SCALE LAND USE AMENDMENT.

15. Variance Request - V-2006-02 - Hampton Inn Sign Variance Modification Request

Owner: Payal Hospitality, Inc.

Applicant: Payal Hospitality, Inc.

Representative: Transworld Signs

Location: south side of I-10 east of SR 267 approximately 3.5 miles south of Quincy

TAX ID: 3-25-2N-4W-0000-00331-0700

Type of Action: Quasi-judicial action in conjunction with the advertised public hearing as Type III action per Subsection 7203

Planning Commission Recommendation: Approval based on the findings listed in the agenda report.

Staff Recommendation: Same as above.

Growth Management Director Bill McCord was administered an oath by Deputy Clerk Muriel Straughn.

Mr. McCord reminded the Board that it was before them on April 25, 2006. Hampton Inn requested several variances last spring which were approved. They are now revisiting those because at the time they submitted their paper work, the drawings were corrupted. The scale was not correct.

Mr. McCord explained that the Code allows them two signs that are allowed to total 200 square feet each or a total of 400 square feet. The new proposal is for three signs that

total 222 square feet is still substantially less than they are entitled to for two signs totaling 400 square feet.

Chair Dixon called for public comments. There was no response.

UPON MOTION BY COMMISSIONER WATSON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE MODIFICATION OF THE SIGN VARIANCE REQUESTED ABOVE.

General Business

16. Engineering Consulting Services for Gadsden County - Preble-Rish, Inc.

See the attached agenda report for details of this bid award.

Commissioner Holt voiced concern about the problems that seem to be repeating themselves relative to road construction projects after they are complete. She stated that she was not completely satisfied that Preble-Rish is currently meeting the needs of the County. She also stated that she wanted something in writing in the final contract that would hold them to a performance that meets the county's expectation. She said that she did not oppose giving Preble-Rish another opportunity, but she wanted to eliminate the problems experienced in the past.

Assistant County Manager Arthur Lawson addressed Commissioner Holt's concerns by saying those matters will be addressed during the negotiation process.

Discussion followed .

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE TO AUTHORIZE THE STAFF TO NEGOTIATE WITH THE TOP RANKED ENGINEERING FIRM, PREBLE-RISH, INC. FOR ENGINEERING SERVICES FOR THE COUNTY.

17. Approval of SHIP Annual Report

Community Development Administration Director Farnita

Saunders addressed the Board. She called attention to the fact that there are two reports. One for 2004/2005 and 2005/2006. She highlighted the 2005/2006 report.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO SIGN THE SHIP ANNUAL REPORTS AND SUBMIT IT TO FLORIDA HOUSING FINANCE CORPORATION.

17a. Approval to Enter into Interlocal Agreement with City of Quincy to Provide sewer, Water and Gas for the Bradwell Economic Development Project - \$750,000

Mr. Brown told the Board that the county is pursuing an economic development grant for \$750,000. Discussions have been ongoing with the City of Quincy to provide services that will be paid for through the use of the grant.

Ms. Saunders explained the interlocal agreement. She said that the application is finished and when the project has concluded, it should provide 22 new jobs.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE INTERLOCAL AGREEMENT WITH THE CITY OF QUINCY TO PROVIDE SEWER, WATER AND GAS FOR THE BRADWELL ECONOMIC DEVELOPMENT PROJECT SUBJECT TO THE ATTORNEY'S REVIEW OF THE AGREEMENT AND THE APPLICATION.

County Manager's Agenda

18. Approval of the Agent of Record for County's Capital Health Program Health Insurance Services

County Manager recommended that PRIA be awarded the bid for the Agent of Record for the CHP Insurance.

Commissioner Holt stated that she would like to stray away from the County Manager's recommendation and award the bid to Lawson and Associates Insurance.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE BID AWARD OF THE CHP INSURANCE TO LAWSON AND ASSOCIATES.

19. Appointment of Citizen Representatives for Non-Profit Funding Process

No action was required.

Commissioner Dixon asked the commissioners to do due diligence in making their appointments known to the County Manager.

20. Miscellaneous

Mr. Brown announced the grand opening of Piggly Wiggly on Wednesday, October 4, 2006 at 11:00 a.m. He encouraged the Board to be present.

Commissioner Watson asked if the County has been reimbursed for the money that was fronted on this project.

Ms. Saunders replied, "Commissioners, we have not been paid yet, but what we are about to do - since we are going to be awarded the grant - we are going to go ahead and request our money back from RD so that should pretty much cancel out any funds that have been paid out. We won't have to pay any more funds out to the contractors for the project. We will see funds draw down from funds from RD now."

Commissioner Watson asked when it would be finished.

Ms. Saunders replied, "Well, we are about to get the money from RD now that the grant is going to be in place...We should have the money back within about a 30 day time frame...All the money that we paid out so far on behalf of the project."

Mr. Brown interjected that the ceremony will include the actual awarding of the grant.

Chair Dixon asked Ms. Saunders to report back to the Board on the progress that that grant.

County Attorney's Agenda

21. Miscellaneous Items

Mr. Williams had nothing to report.

Citizens Requesting to Be Heard

Mr. Jim Kellum addressed the Board. He asked if the Board was aware of a bill passed by the State of Florida allowing the county commissions to allow the seniors over 65 the availability of the \$50,000 homestead exemption. He also asked if it had been publicized and offered to the public for discussion.

Chair Dixon said that the Board had discussed it a couple of times. While he could not recall the details, but he was confident that the Board had discussed it and determined that they would not take action on it.

Mr. Kellum asked that board to do more research and possible put it to a public hearing for citizens to give input.

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

Commissioner's Items

22. Commissioner Lamb

Commissioner Lamb thanked the county for the opportunity to attend the workshops he has attended recently. He said they have been very helpful and enhanced his ability to be an effective commissioner.

Commissioner Watson

There was no report.

Commissioner Price

Commissioner Price announced the passing of Bishop Nathaniel Pollock whose funeral would be held on Sunday. He asked the Board to recognize the Bishop's life as a leader in the community and County with a resolution.

It was determined that a resolution would be presented for adoption on October 17.

Commissioner Holt

Tourism

Commissioner Holt asked the Board to consider a countywide activity to present to the Tourism Council to promote as a festival type event that will bring in tourism.

Amendment 6

Commissioner Holt asked the county manager to determine how many seniors are in Gadsden County that would be affected by the proposed Amendment 6 and how it will impact the tax revenue if it should pass.

She also asked them to investigate the portability of homestead exemptions when a person moves from one location in the state to another.

Commissioner Dixon

Commissioner Dixon extended his time to Mrs. Gray from the Classroom Teachers Association and the Florida Education Association.

Ms. Gray asked the Board to support smaller class sizes by signing a pledge card.

Chair Dixon then made encouraging remarks to the public and his fellow commissioners about the necessity of continuing to be involved and engaged in the government at the state and national level in order to bring to Gadsden County what is best for citizens locally.

Receipt and File - For the Record

23. Clerk's Financial Statements

Letter from Town of Havana - Annexation Ordinances No. 325 and 326

Letter from City of Midway to Gadsden County School Superintendent Reginald James

County Letter to Department of Agriculture and Consumer Services - Off-Highway Vehicle Designated Trail System Grant Application

Letter from Elder Affairs - Communities for a Lifetime

Letters to Public Works - Appreciation of their work

Notice of Upcoming Meetings

October 10, 2006 - Workshop/Special Meeting

October 17, 2006 - Regular Meeting

November 7, 2006 - Regular Meeting

November 14, 2006 - Workshop/Special Meeting

November 21, 2006 - Regular Meeting

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR
DECLARED THE MEETING ADJOURNED.

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A SPECIAL MEETING OF THE BOARD
OF COUNTY COMMISSIONERS HELD IN
AND FOR GADSDEN COUNTY, FLORIDA ON
OCTOBER 10, 2006, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

PRESENT: Edward J. Dixon, Chair
Brenda Holt, Vice-chair
Eugene Lamb
Derrick Price
Thornton Williams, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

ABSENT: Sterling Watson

CALL TO ORDER

Chair Dixon called the meeting to order. County Manager Marlon Brown led in a prayer. County Attorney Thornton Williams led in pledging allegiance to the U.S. Flag.

AGENDA AMENDMENT

Mr. Brown asked the Board to consider the following amendment to the agenda:

ADD: Discussion of Tallahassee Memorial Healthcare, Inc. Urgent Care Agreement and Services

1. Gadsden County Emergency Management Presentation

Discussion Participants were: Sheriff Major Shawn Wood, Emergency Management Director for Gadsden County; Red Cross Director Chris Floyd; Denise Embler; Public Works Director Roberts Presnell; Phillip Hill, EMS; Rick Miller, North Florida Regional Task Force

Questions Raised by County Manager:

1. How prepared are we for a disaster?
2. What kind of response plan do we have in place?
3. Where do we stand in terms of recovery?

4. Where do our citizens go when they need to seek certain types of revenues and assistance if they have experienced a disaster?

Major Shawn Wood reported that his office has been working on an emergency management plan in the event of a number of disaster scenarios. He said the plan is almost complete, but it will always be a living document constantly in transition.

Chris Floyd, acting director of the North Florida Region of the American Red Cross made a presentation demonstrating several components of the plans that have already been identified. Some of them are as follows:

- East Gadsden High School will serve as the regional special needs shelter.
- In the event of a declaration of emergency, the Board of County Commissioners would become the lead agency to spearhead the County's efforts that would follow the Sheriff's efforts.
- Chairman of the Board becomes the key component of the ICS model. It gives the chairman latitude as to determining who handles what in the various fields of

Mr. Floyd referred to a packet of information he provided for the purpose of this meeting highlighting many of the strategies of the plan. (attached)

There was some discussion about the Tallahassee Community College (TCC) Pat Thomas Academy as to whether their building is qualified as a shelter.

Mr. Floyd said, "They are not 4496 compliant which is the Red Cross criteria to document that a building is qualified to withstand a category 3 hurricane. A building must have a shuttering system or impact resistant glass or screens that will reduce the possibility of wind blown debris penetrating the building. Other issues also come into play for risk shelters."

Commissioner Price asked Mr. Floyd to give the names of the churches that have been identified as being risk shelters to the County Manager so that the information can be distributed to the newspapers.

Question:

What is a storm is not a category 3 and we have some locations that people can go to. Is there a situation where you can say that this building can withstand a category 1 or category 2? We may need shelter for those people is it is not a category 3?.

Mr. Floyd:

The Red Cross Shelter criteria focuses on 110 mph. It has to be at least that to be designated as a risk shelter. Several items come into play here. First of all, the liability issue. That is the big issue of putting someone in a facility that is rated for less than 110 mph. Say it is a category 1 or a tropical storm. There are the twisters, there are the tornados and a hurricane can build to a greater hurricane with a matter of 10 - 12 hours.

So, by putting someone in a non-designated risk shelter, you are definitely running the risk of having someone severely injured or maybe even killed. That is why we want to keep the risk shelters in our schools making sure that they are compliant and focus around new schools and retrofitting some of the older schools to bring them up to compliance.

Holt:

We discussed Havana Middle before. Is there any reason why - is there a window for that application?

Floyd:

What I understand about Havana Middle School is that right now, it is a window issue. There are no protections on the windows. There are some mitigation dollars that were available. I was contacted about a week before the deadline. I think it was Nancy Gee. I was swamped at the time and I believe the County opted not to apply for it because it was such a short deadline. ..

Holt:

So we need to kind of get on that simply because if we look at January, right after hurricane season, so then by the time you get the grant, there is enough time to retrofit.

Floyd:

I think the first thing we want to do with Havana is let us go back to State Emergency Management and pull their inspection work. They are the ones that inspect the shelter to meet Red

Cross 4496. Let's pull their documentation as to why they say that it does not meet those hurricane selection criteria. Once we have taken a look at it. Yes, it is a problem with the windows, there might be a problem with the roof - the roof structure. It could even be a problem with the wall. Once we get our arms around that, once we share that with the County Commission, at that point we will know if there is a possibility of getting grant funds to retrofit Havana or is this not going to happen.

Holt:

Is there anything going on between Emergency Management and the School Districts to make sure that when they build those schools, they meet those standards? We are building a school now that part of it meets it. Part of the School doesn't meet it. It doesn't quite make sense.

Floyd:

I agree with you. Ultimately, that lies in your lap. For a School District to receive a waiver to build a school that is noncompliant, it has to approach the county commission. The County Commission has to give a letter.

Holt:

I know all that, but I am saying on a State level, is there anything going between the State level Emergency Management and the State so that way -

Major Wood interjected that TCC does allow them to use their facility as a secondary site. He said they do have a communications center and they have the ability to house a lot of outside first responders who come into the area to assist in the event of a disaster.

Primary Function of the Plan:

- Meet the life sustaining needs of the people first - then work toward restoration of utility distribution (water and sewer first)- determine where the damages are then implement/devise a plan to get everything re-established in the safest and most time efficient manner.
- The first action would be to set up emergency aid stations within each of the municipalities. (Multiple stations in Quincy) These stations would meet the very, very, basic needs - food, water, clean-up kits and tarps.

- The second action would be food distribution. They would utilize a network with local vendors to acquire goods first; then go to state sources. Points of distribution for feeding have been pre-identified for Gadsden County

Secondary function - damage assessment

- Major Wood spoke briefly about the unique needs in Gadsden County, particularly with respect to modes of transportation. He said they would expect to make use of school buildings and buses. At a point beginning from 24 hours prior to a hurricane event, they expect to start moving the buses to and from schools transporting people from communities without transportation.
- Alternative energy sources The County currently has some emergency generators but it is looking to acquire others through grants to place in strategic spots.

Education -

Mr. Floyd reported that the Red Cross is developing a program to implement in the local churches and civic groups as an attempt to reach as many people as possible to educate them as what has to be done within the first 72 hours a disaster.

Brian Rowe addressed the Board regarding plans that are in the process of being developed.

Discussion among the Board followed.

Commissioner Holt asked Mr. Floyd to provide her with the list of churches that are currently identified as being in the network of shelters in Gadsden County. She also asked for literature which she can give to the churches that are interested in becoming part of the disaster recovery network.

Mr. Floyd offered to help the County apply for Emergency Management Emergency Prepared and Assistance Trust Fund Grant to purchase 3 - 4 mobile generators and pre-wire 5 churches (that can be confirmed as a qualified shelter that can likely survive a disaster.) Those churches can be made ready in advance of a disaster and the generator can be stored with the County until a pre-landfall or post-landfall event takes place.

Question:

How can children and elderly be identified in the event they

get lost?

Mr. Floyd replied that they have ordered wrist bands for those vulnerable people who come into a shelter.

Question:

Where they would people be located when the local shelters are full?

Mr. Floyd replied, "Either to Jackson, Leon or across the state line into Georgia...Havana Middle School, while it is not Red Cross compliant in terms of being built to the construction criteria that makes it a risk shelter, there are some opportunities to apply some mitigation dollars to possibly strengthen that building so that it could be a risk shelter in the future."

Commissioner Lamb then inquired of Mr. Floyd to see if there had been any dialogue Ring Power in Midway. He said the he understood that they were building one building on that site that could be a shelter. He asked Mr. Floyd to look into it by calling Midway City Manager Paul Piller.

Mr. Floyd recommended the following:

- 1) Place a link from all constitutional officers websites to the hurricane survival guide.
- 2) Work within the African American community to encourage the citizens to be prepared.
- 3) Work closer together within the communities in a coordinated fashion to formulate a response for long term recovery when the disaster happens.

Dixon:

My big concern is, Chris knows, they have the same operation in each county. It is downloaded. My concern is with our ability to sustain the first 72 hours.

I look at things like, "Do we have any water?"

The county's gas and gas tanks that sit above ground are electrical in nature. They have no back up. So, this "continuation of operation" stuff concerns me.

I happen to know also that 45% of the county's houses are substandard which means that - forget about 110 mph winds, all it's got to do is come real close and stay for a few minutes

and we are going to have people coming out of the wood work. Even in a minor hurricane, they are not going to have anything to go back to. So, my concern is with our ability to handle what happens here in those first three days.

I want to read the plan, and I told the manager that I read the last plan and it was basically downloaded from somebody else and changed the name and it didn't mean a hill of beans to anybody. Nobody at the county commission knew that at the point of the declared emergency, the county is actually in charge of and becomes responsible for. Nobody at the County knew. We keep starting over again. I think I hit Mr. Floyd every time he comes up because we seem to be at the same place every year. That shouldn't happen anymore.

I don't know if it is the continual change at Emergency Management directors of if we are dropping the ball somewhere. But, we never move past this initial briefing. Here we are in the middle of a hurricane year having this briefing. This is a two month before the hurricane season briefing. Am I wrong?

When are we going to get it up and running to the point that we are actually on the front end of this thing? I am interested in seeing this plan and I am interested in seeing how low to the ground it is. I am not interested in seeing a whole bunch of fluff that feels good, sounds good, but has no iota of reality.

That is my concern. I believe in using what we've got. But, we have to understand that if we don't have some resources on hand for ourselves (I want you to tell me if we have any), how we are going to survive knowing the houses are no good, our poverty level is higher than any other county in the state. That means that people don't have walking around money. They ain't got \$500 to go get a car and get out of town. And basically, when we give the order two or three days ahead of the hurricane, our order is basically going to have to be, given the shelter situation, if it is a bad deal, is "go north." That is going to be the order - go north. Go to Leon County, you have already acknowledged as we have acknowledged that transportation is a problem. So, given that, what is the plan and does the plan work for us?

Wood:

First of all, I don't know that we would go north. We learned through the storms that going north can be a worse problem than trying to go east and west. If you north in a storm, you are

liable to get to a place that you don't know and they may also be out of electricity.

Dixon:

Either direction, leave here is the point.

Wood:

Right. Insofar as talking about a massive evacuation, that is what we are getting at, and that is where when we are 72 hours out, as we were in Katrina, you know Katrina turned, those were the conversations we were having. We were saying, "What are we going to have to do to get people out of Gadsden County?"

One of the things that happens to us being an inland county is that right off the bat, your coastal counties give evacuation orders. This means that the Leon County shelters often fill up. I don't think they have ever been full, but they start heading that way.

What we have been looking at doing is going east and west. As Tallahassee was the shelter for many people of Katrina, that is what we would look to do. We would look to do a massive evacuation to go either to Pensacola or to Jacksonville, stay within the state.

As far as changing over anew. That plan was not mine. I won't take ownership of it. It was before I got here.

Dixon:

I don't care whose plan it was. The County is in bad shape. That is my concern. It was in bad shape last year. We are in bad shape now. You are still not answering any of my questions. What is the reality? What have we done? What things have we put into place?

Floyd:

A couple of things and I am going to use the Katrina experience as a test of some of our preplanning.

Dixon:

Don't tell me what you are going to bring up to Gadsden County. You have already said that we've got three days to manage without you.

Floyd:

I have not said that. No, sir. That is the State. I have not said that. I am going to be on the ground as quickly as roads

are made passable by your Public Works.

Dixon:

So, you are coming in after the event for the most part.

Floyd:

We've got to be here all along at a shelter.

Dixon:

I didn't say that you weren't going to be here. I am saying that for the most part, you are after the event as well.

Floyd:

Well, we have to hunker down. We've got vehicles that will be parked in underground garage that is not in a floodplain so that the vehicles themselves will survive the storm.

Dixon:

Go ahead. I want to hear you out.

Floyd:

During Katrina, this is a good example, three days out, that thing was pointing at us. I pushed the panic button, so to speak, to ask internally in the Red Cross that we start receiving our external resources. Prior to landfall, we had 250,000 additional meals ready to eat that were in Tallahassee the Saturday before the storm. We wound up sending them to the west, to Mississippi. We had 20 additional of those nice big red feeding trucks on the ground in Tallahassee ready to roll out. The whole plan if the storm would have come at us, yes, those vehicles would have been in Tallahassee. They would have been out of harm's way and parked in a parking garage. We can't leave them out on the street, we can't deploy them over into a county like Gadsden County because they are high profile vehicles and they are probably going to blow over.

Going into that entire needs assessment, we are going to be working with the county's emergency operations center finding out where the needs are post event and during the storms. As soon as roads can be made passable, we are going to be deploying those emergency aid stations. During the presentation, those are going to be on the ground, truly, within 6 - 12 hours that the wind stops blowing and the roads are open. You can't get someplace if the roads aren't open.

Again, going back to that needs assessment, knowing what the resources are, knowing where they need to be deployed, we are

going to push it out big time. It is going to be out in the field as soon as we can get access to them.

Now, the question about, "Will everybody receive at their front door, a hot meal 10 hours after the storm?" No, sir. That is not going to happen.

Dixon:

Mr. Floyd, that is not the question that I asked.

Floyd:

O.K. But, we, the organization, is going to push out as quickly as we can get into the fields.

Dixon:

Now, Major Woods, he didn't answer my question either.

Wood:

I will go down the ones that you asked me.

Electrical - One of the things when a major disaster comes in, as far as getting electricity, it is not a public entity, it is private. With the County, we have Talquin. The cities have different power companies. Clearly, we are at their mercy. They are in our EOC and they are working hard to restore power for the county.

As far as county responders, at the EOC, we have a generator. Our secondary site as a mobile command, we have a generator. Our third site is the jail, we have a generator. All three parts of those have communications components.

As far as cities, most of our cities have the ability to have a limited area up and running.

Our County,

Dixon:

Define a limited area up and running.

Wood:

For the cities, most of them have generators so they can do basic necessities. As far as being a responder,

Dixon:

None of them have gas.

We do all their gas. Chattahoochee has gas.

Wood:

This is what we do three days out. Three days out, we call and fill our tanks up. I think Robert calls and does the same thing with his tank. That is when we go through these checks. They all get their gas.

Dixon:

Let me give you a good example and then we will move on.

Last year, we ordered gas and gas did not come in. Am I right Robert? Because everybody was experiencing a hurricane. And we projected that we had enough gas to run county vehicles, those same vehicles Mr. Floyd needs, to clear those roads, cut those trees, keep the law enforcement vehicles operational for the County, the Sheriff and all the cities as well as FHP and those other folk who use our gas a few days, at max.

When are we going to get another truck load of gas?

Wood:

We had an agreement with Hinson, that they have a truck on standby.

Dixon:

Where is Hinson's tanks?

Wood:

He has one that he puts in a portable tank. I can't tell you that the storm may blow it away.

Dixon:

They all stand up on the ground.

Wood:

No, I am talking about one that is hooked to a semi. A down load tank, but you are right. The whole State of Florida Asked for gas at the same time.

Dixon:

My job is not with the whole State of Florida. My job is to plan for the worst case scenario, just as your job is. That is a seriously weak link in our situation. We talked about it two years ago, we talked about it last year, we're talking about it again this year. No attempt has been made to fix it.

That is what I think Emergency Management is supposed to be doing. Those things that will continue our operations after the event. The functions of the county government, city government, our ability to deliver resources to those places where they are needed. We've got the number one thing, gas, and it is all vulnerable.

Robert, have you found a way? Do we have anything other than electrical to run our gas pumps?

Presnell:

We've got a generator.

Dixon:

We've got a generator now. O.K.

To the ones underground down here?

Presnell:

The Sheriff's office operates that one.

Wood:

And, we have a generator.

I think the question that you get into is one that, as we look at a porthole to the state, it is definitely one of those things that we do have a lot of people, and I don't control who all gets gas from that gas pump, but, we do have a lot of people who get gas from there. That is a genuine problem. I am not going to stand here and tell you that I've got all the answers. As I was telling you, Chairman, it is a building block. It is a problem that all of us are facing.

Dixon:

We need an answer.

Rowe:

One of the things that the State of Florida, Emergency Management has identified is the shortfall and if our port gets shut down and we can't get gas from Pensacola or Jacksonville, they are working on pre-staging on different suppliers and they are working on getting tankers for a county that says, "Yes, we need fuel. This vendor can't supply us or can't get anymore fuel for us. We need you to supply us with a fuel truck." The State of Florida, DEM, will send a fuel tanker to a designated location to fill first responders vehicles, public works vehicles. It will be a card system where you could have one

person who will take care to make sure that each vehicle is signed in or whatever. That they sign for it. It will be a FEMA reimbursable item. That is something that our logistics section has worked on. They know what the demand has been in the Counties even just being isolated, discounting the ports being closed and having four unprecedented storms in one year that you could not get gas because of every time a storm passed, and you had your need, another storm was coming and they had to close another port. So, you know, DEP has taken the lead role, the Department of Environmental Protection has taken the lead role. Secretary Castille has worked very diligently on preparing those different fuel plans in order to meet the needs of Floridians.

It is not only a local planning, but it is also come down from the state level to the counties in order to meet those needs for ya'll. When you ask us for a tanker, when you ask us for fuel like you did in the past, we will be able to supply you with that.

Dixon:

But, once again, that is a state response. I've got this feeling that we like to talk about Katrina and New Orleans, but, I've got a feeling that when it does happen, we all know that Gadsden County becomes the ninth ward. The better we are able to fend for ourselves, the better off we are going to be. I have no illusions about anything coming out of Tallahassee coming out of Tallahassee in a hurry if they have needs as well. No small county should. It never happened before. I don't know why you should think that it will happen this time. I have no illusions about anything coming out of Tallahassee. And, we shouldn't. Your plan shouldn't. Regardless of what Mr. Floyd tells you, if he gets here, fine. We'll have an overabundance of some stuff. But, your plan should not reflect that they will get here.

If it hits the coast bad enough, they are going to the coast. You can count on it.

We are land base. We don't have that many problems. Nothing I have seen in the literature says that we become that important unless it drops down on us.

The plan should reflect the reality that we need to be or we need to have the ability to take care of ourselves for, I think, for more than 72 hours. I really believe that.

If you look down south with Dennis, and you look at those counties, those small counties down there, they were hurting bad for a long time. Am I wrong?

Floyd:

In terms of?

Dixon:

In terms of their needs.

Floyd:

The needs, especially in Franklin County, wasn't from the mass care of the human support side. When Apalachicola Bay closed down, the oyster industry and the seafood industry closed down, hence everyone was out of a job.

Dixon:

I didn't mean Franklin County, I was talking about the hurricane down south.

Charlotte..

The plan has to reflect reality.

Floyd:

The reality is that during that response phase of the first four weeks, that is what we have discussed here today. The concerns that I have here in Gadsden County are the truly the long term recovery component in terms of rebuilding homes, replacing homes that would be damaged, that is where you get into the real nitty, gritty. That is the piece of the long range planning for disaster that is not in existence here, in my opinion, here in the County.

Rowe:

That is not necessarily true. Right now, there are grants that the State of Florida is applying for.

Dixon:

Sir, how many grant writers do you thin that we have?

Rowe:

No, this is for State capability. It is a state capability to meet the needs of counties. We are not asking you to write a grant for something. This is building the capability for the State of Florida to not rely on FEMA to put in travel trailers, to put in temporary housing, to put in a pod or something like

that. There is a disaster housing team with the State of Florida. There is one coordinator in every - all seven areas. They have come leaps and bounds in, I think they have about seven or eight projects that they are going to be submitting to get their piece of the \$400 million that FEMA and DHS is going to be supplying. That is something that I am really interested in.

Denise Embler: (Apalachee Regional Planning Council
What Chris is trying to tell you is that when you are in the process of rewriting your plan.

The Preparedness and Response part of the plan is very low. In the program, you need some work to bring it up to the level of the plan. However, recovery is still the biggest component of the Gadsden County overall program that needs work.

Holt:

I think that Mr. Wood, and I think that is the problem here that I see, that is that we need more scenarios, we need some more work on this.

I live at the top of 65 coming up from Franklin County. When Franklin County has a problem, that highway is full all the way up in front of my house. They are coming off I-10. O.K.

If a hurricane comes out of the gulf, it is probably going to hit down there somewhere first. And then we would be last. If that is the case, then we are already looking a places already being full. Everything.

So, what we are looking at is movement before the hurricane and hopefully little movement during the hurricane and a lot of movement after a hurricane. We need scenarios to say "If this happens, then what?" When those shelters of are full, then what do we say? What do you do? Are there places in south Georgia that we need to have contact with to we shift people from here to Thomasville? Are we making those connections with those other people as to what we are doing? That is the plan that I want to see when someone picks up the phone as says "Ms. Holt, I have 35 people over here and they don't have anywhere to go." Do you know what I am saying? We need that network. I am thinking that we need more scenarios.

Also, in that, if we look at the schools being temporary shelters and we are going to use these churches within the next 24 hours, when do we start shifting and how do we shift those

people from those churches? That is why I asked for the 18 churches - and maybe we will have more. When do we start shifting them?

If the southern part of the County is in trouble and those churches are out, where do we shift to then? We don't have them on the map, we don't have an emergency map.

I went to a company one time years ago and interviewed for a position as a buyer. They had all over the world thumb tacks of different colors which says "This is what this is."

We don't have that map to say where those 18 churches are. We don't have a map that says, "If this place goes down, this is the next one. This is number one, this is two." So, those scenarios, I think, if you would workshop that, we could come up with some plans that would help us out a lot. Right now, if we do this again, we are going to be right back where we were before.

Floyd:

I do have a map.

Holt:

But, we don't have it.

Floyd:

You'll get it.

Holt:

So, if there is a hurricane this weekend, he is it. Before, even up until last year, do you know that we had people at the school system to say, "You are not going to use this school."

Listen now, you know what I am saying. Those people were saying, "This is my facility."

Floyd:

There is not a principle alive that wants their school to be used as a shelter.

Holt:

You said, "Alive". Right. O.K. Well, in a hurricane, we may not be alive. What I am trying to say is that the population is going to want some help right then. They are not going to want to wait. So, we need some more practice in this and get it on paper and have those maps and stuff in place.

Wood:

We just went through one on evacuation routes. We do this. It a thing, ah, Thursday, we went to Sawdust. Friday, we had the event where they called us out. Saturday, we had a person that drowned and we had to come out. Sunday, we had the person in Havana and we came out. We always - Wednesday, we have a drill, the 25th we have a drill. We are always drilling.

I would disagree with the Chairman about we are where we were. We are improving. I hate that he doesn't see it that way, but, I do.

Dixon:

You have been here two years.

Wood:

Two years, that is correct.

Dixon:

Two years.

Wood:

I do feel like we have come a long way. And, we are getting there. And, the gas issue, that is important and I will come up with some suggestions and prices for what it would cost to have more fuel.

Lamb:

On the gas situation, I think that is a good issue. You know, you don't think about it until it is too late. But, there should be a plan and it is something that should be worked on now and put into place in case there is a disaster or whatever. I feel that there ought to be a way that you all ought to be able to put a plan into place so that if it does come about, we will have it excess gas there so the vehicles can go forth in emergency situations.

Wood:

Commissioner Lamb, one of the things that will happen as we go into this planning stage, what has happened to us is that many people use our facility. We have a lot of different agencies and entities that get gas where we get gas. When you bring everything from the local fire department to the public works to your deputies to any other entity that uses that gas, it doesn't take very long when everybody fills their vehicles up. The problem with refill is that everybody else in the state is

doing the same thing. They are all calling for gas, they all want gas. So, we will have to look at something to where we either have a larger supply of gas or -

Lamb:

Well, isolate the place where some type of additional tank can be placed, so that when this comes about, that we have a supply there.

Wood:

I know that there used to be a lot of portable tanks. That was the big thing for a while for people to have portable gas. But, the DEP regulations got to be where you stored them, it got to be just about impossible. And, you can only store it for so long.

Brown:

Mr. Chairman and Commissioners, I think this exercise was exactly the type of exercise we were looking for. I don't want our departments to view this as negative. We have received some objective feed back in terms of where we need to go. We knew that there were deficiencies in the plan and I think that the feed back that we got tonight from the Board will help us get our plan similar to something that we can bring back to the Board and you can again evaluate to see where we are at and where we need to be.

Embler:

Keep in mind that when you need a plan, that there is a difference in a plan and a program. I can write a great plan that doesn't reflect what you really do. I am trying to write a plan in talking to all of the people who respond for you that this is how Gadsden responds. What we did when we exercised the plan, we determined some weaknesses already. We already have a matrix in place and we are ready to take a look at who can help us with our timelines and which agency is going to be responsible for fixing some of the problems.

Some of them are communication problems, some of them will be education problems, some of them are training problems for you guys. You all need to have NIMS and ICS training. Some of these things have been identified through this exercise and through this planning process.

The plan is a living document. As the program improves, as Shawn improves the program, your plan will reflect the improvements of the program. So, keep in mind that the plan is

not meant to be fluffy and pretty. The plan is just meant to say, "This is how we do business." Then identify how we can do business better and so you make the plan and the program on the same page.

Holt:

Yeah, that is what we are saying, so let's do it.

Dixon:

Major, Mr. Floyd, we appreciate ya'll coming down. Thank you all very much.

Mr. Garner, did you have something you wanted to say?

Garner:

In all the scenarios, one of the most important things that has not been mentioned tonight is what is going to happen to public works employees. Some plan has to be in effect that's going to let these employees be able to get back home and they have the same situation that John Q Public's got. I know that through the City/County Manager's Association and Marlon is new in there with us, but, we are working to find partners to where we can have a group come in to only do Gadsden County employees. We had some people through Ivan and a couple of others, that came from North Carolina and South Carolina. It was coordinated through the City Managers Association and all they did is that they went through the city and worked strictly on employees houses that had roofs out and put tarps on them. These guys are out here to help you and I and nobody is out there helping them. They have family at home too. So, just keep that in mind. Make sure that you have something to relieve and take care of those.

Dixon:

Very good point. Thank you.

Holt:

Let me just ask something. Are we looking at meeting again? Can we come back at a later date?

Brown:

Yes, we will arrange another meeting.

Dixon:

Thank you all again, very much.

2. Economic Development Strategies

Community Development Director Farnita Saunders addressed the Board. She recalled several projects which the department has worked on over the last year which should yield approximately 75 jobs. They were Holiday Inn Express, Hampton Inn, and the Piggly Wiggly Grocery Store.

She also mentioned the Bradwell Project on which the department is currently working. It will bring a Huddle House and a bowling alley to Quincy.

She then stated that the department will continue to try to bring businesses to Gadsden County and to continue a relationship with the existing businesses. One of the most important components in bringing in new businesses is to make sure that the County has adequate infrastructure in place.

Ms. Saunders thanked the Board for their progressive thinking and attitude toward economic development. She then introduced Brad Day, the executive director of the Tallahassee Leon County Economic Council, and Dr. Bill Law, president of the Tallahassee Community College.

County Manager Marlon Brown stated that the County needs to focus on some economic development strategies. He then invited Mr. Day and Dr. Law to share with the Board some insight about how to go about looking at strategies in terms of soliciting high paying jobs into Gadsden County.

Mr. Brad Day addressed the Board. He gave a brief description of the Tallahassee Leon County Economic Council. It is a non profit organization that serves the region. It is a public private partnership between the City, the County, and the private sector. They have strong goals in job creation and capital investment. He listed the major five year goals as follows:

- Create 2,000 jobs in the region
- Set aside 2500 acres for business park development
- Create \$100 million in capital investment that will broaden the tax base.

Then he identified areas of vision or value adopted by the regional council.

- Working with entrepreneurs and small businesses (Small business is the greatest way to affect the economy, but the least appreciated and the least guarded.)
- Educational resources - Tallahassee Community College, Florida A & M University and Florida State University as well as fine private colleges.
- Working with the existing industry.

He encouraged the Board to celebrate all the new businesses that come into the community because they are a sign of what is to come.

With regard to his perspective for Gadsden County, he stated that he sees many assets:

- It has the finest industrial park in the region - Hammock Creek that is well constructed and highly marketed.
- Interstate exits and easy access
- Airspace and airport

TCC President Dr. Bill Law addressed the Board. He made the following points that makes Gadsden County attractive to prospective businesses:

- It is a resource for the Regional Development Council.
- It has affordable land and thus affordable housing.
- It has a client work base that can be trained and educated for the work place. (to be developed)
- It is represented on the Economic Development Council

Questions from the Board:

Dixon:

In my research, the counties that are doing economic development and doing it well have an economic driver that looks beyond its borders. Once you define that core of business that you are really going after, (the Turbo Corps of the world, if you will) - once you have given them that criteria, they go look and search and bring those opportunities back to your community. That is what I am looking for.

Those assets that you just laid out, we are all aware of those. Lee Garner talks about his I-10 exist like it is his savior. If he can work it, it will probably will be his savior. Certainly, his greatest provider to economic impact to his city in a long time.

That is what I am looking for. I am looking for somebody to help us with that plan. Nobody knows that the County is responsible for 10/90 Industrial Park. But, Armer White and John Hunt, who were the private piece of it, we changed a whole lot of things to get 10/90 in. It's been a boon dog for us. It has been fantastic for the job market. It has brought a lot of companies. It also brought a lot of companies who brought the jobs with them. That is o.k. for now. For now. But, we need some companies that are going to come here who needs local folks to come to work.

Dr. Law:

Mr. Chairman, congratulations! You have hit exactly where the hardest part is - what will make the phone ring with that offer.

The reason that we work so hard at expanding local business is because I can do that everyday. I cannot make that phone ring on it's own. So, let's talk about that. There are two or three pieces that are - we fight the same uphill battle that you do.

In a lot of communities, the outreach would be served by your utilities and power company. You would be astounded at how much money those utilities put in because of what is going to happen. They sell power. They have the resources to go and get them.

We are publicly owned and you are co-op. That is a different motif. They are not doing the wrong thing. Brad and I will tell you that we struggle with the fact with the money that the city gives us, they view that as sufficient to replace.

All the trade missions that I have ever been on before I got here were funded by the power companies. So, that is one. We can't fix that, so we've got to some other things.

Second, Mr. Chairman, we are all a part of the community. So much of this outreach is done by the internet and quite frankly when they scan some of the things that have to do with school systems and others, we all fight the same battle. Candidly, you folks fight a little tougher battle than most that I have met. So, some of the relocation people do preliminary work that would work against our outreach effort. So, we have to overcome that. That is the situation we are working on. That is why where we have high visibility training programming, we are trying to catch somebody's attention somewhere to overcome

some of the things. If you just start looking at school performance and those sorts of things, the economics, it is a tough game and it is done at a distance. You never know.

You can go back ten years ago and it was wining and dining those guys. Bring them in, show them around, then you would create a relationship. Now, they have already screened you out before you even know that they are looking. So, it's a little bit of a difficult task. Not impossible, but it makes life a little more difficult.

I guess, what I would like to do - I think the most valuable thing we could do (now, I have my TCC hat on), but this has been my most successful thing. Let's get an identifiable training center up here. You want to have businesses come, when they can walk in and see training taking place, they will move their jobs with it.

I'm trying to get something going in Tallahassee. We had to promise TurboCorp and they took it on faith that we would provide the training to them. We didn't have anything to show them with high end advance manufacturing, state of the art manufacturing. Now, we have created an bit of infrastructure. Now, we have something to market when the next company comes - to show them what we have done. But, we've got a number of discussions going and it is time to focus them in. Stand shoulder to shoulder, get something on the ground that would help market. But, it is so much more effective than even saying, "If you come, we will get the training, we'll put the money up, we'll put the training up, you got to trust us, though." In this day and age, there are too many other places to go. You've got to show it. So, maybe that is something we could work on over the next short haul. You've got some starts, so it is not from scratch. But, that would be something that you could market it. You could put a name on it and get it up on the web site. When those people whose names you don't know start looking through the Gadsden County Web site and they see the "Bill Law Training Center", we'll have more business than we can saw grace over. (laughter) You understand what I am saying.

Holt:

Thank you so much for being here. I have to start this off by saying that in 2003, starting in 2003, I wanted to have workshops and no one else wanted to have workshops. They said, "Why?" Then when some other companies came along, I heard that we are not camera ready. After about the second time, I

thought well, they must have broke the camera because we never had one. Now, we are being developed from the east side and we are going to continue to be developed from the east side. So, how do we get in the businesses that we want in before someone comes in and buys up all the land?

In Sumter County, they are building 600 houses a month. The same thing has happened over in Marion in that belt right across the middle of the State coming up from the south, so they are building and the shopping centers are coming with it. We are going to be eventually be caught up in building and building out. So, how do we do management now to get what we want to get and not be built out ahead of time? That is just one thing.

Day:

There are varying opinions, but I will offer you my opinion. A community can be what it wants to be, pretty much. A little rationale and maybe a little reason might be o.k. But, to have a clear vision of what you want to be is important. Boards like yours make important decisions. I think I saw a planner here earlier from the ARC or someone. You know that Comprehensive Plan really expresses the goals of your community over time. You can't be - I used to be a laissez-faire. Let economic development, let it grow, I don't care what it is, grow. But, I am convinced now that you have to control your own destiny in a lot of ways and be what you want to be.

I think that you have a great opportunity here. There is a real threat to becoming upside down in your tax base.

Dixon:

So, the point is, when we grow up, we don't want to be a bedroom community to Tallahassee. I think that is the point.

Day:

I think that Tallahassee will always be a hub for certain services. It seems to be clear. However, a failure to plan will create a default to residential only. What that will do is that the tax burden on the property owners (people who live here) will be carried to a greater degree than having commercial and industrial people and firms pay for those public services. Industrial and commercial clients demand very little in public services. They generally don't need a lot of police. They generally don't need a lot of - you know, an occasional fire. They don't need a lot of county services. They are a net in-putter -whatever they put into the tax base.

Holt:

That was my example with Marion and Sumter. All the commercial went basically over into Marion and residential in Sumter. Sumter was biting at the bullet because they couldn't get their tax base up. So, they were losing money. But, now they have the villages down there and they are still losing money in that situation. But, my point in that also was basically to say that if we don't plan, we are not getting what we need to get. We have those large tracts of land. We don't, but mostly it is St. Joe Paper Company who has large tracts of land over here. When we look at attracting people, we have to look at making partners and doing some things that we need to do to prepare for development.

When it comes to training, you're totally correct in that about training. I have heard people say, "Well, Ms. Holt, you are always saying businesses would come, but people don't have training." I understand that. But, I also know that if there are people in Japan that can make gadgets and gadgets and don't speak English and send them back over here and we use them, there has to be a way that we can train people here to do the same thing.

So, Dr. Law, I certainly agree with you on that. I just hope that we can look outside the box and attract people based on our assets and put it out there.

Day:

You guys get it. The purpose of an economic development program is to improve the quality of life for all people. That is what it should be about. Job creation, broadening tax base for enhanced public services. Sometimes in rural communities, we say, "Well, why can't we have one of those we have seen in a neighboring city?" If we build that infrastructure and we plan for the proper kind of development, then we can become what we want to become.

There are only so many taxes out there. What we need to do is bring in willing tax payers. Companies are really good because corporations will pay taxes.

Dr. Law:

Mr. Chairman, I want to go back to the point you were making. You get companies like St. Joe who are in fact marketing. You may be aware. For a while we had direct flights to New York City. Let me help you understand who got that done for us. It

was in their interest and in our interest. Whatever your relationship is, they are the folks marketing. I am sure that you talk to them a lot more than I do. On several occasions, I felt like they were sitting back a little bit because they knew that their land in Gadsden, they knew that it was worth more when things become clearer. I think you could engage them to say, "How can we work together to accelerate that?" They have so much land. They are not trying to sell every acre everyday. They are very purposeful in what they do. They are a big player and you can't ignore them. But, I think that if you sat down and said, "What is keeping you from marketing more of this and less of that? What would you do if we did this? Tell us how we can do that." Some of that has to do with the infrastructure, light industrial assembly, some of those kinds of jobs right away.

Certainly, if we could help broker a plan to facilitate that kind of meeting from our good offices, we would be happy to do that. But, again, you may already have those relationships that would work.

There isn't a company that we talk to that doesn't talk about rapid permitting. Our friends in Midway, love them or leave them, but, they are rapid permitters and that makes a big difference.

Dixon:

We aren't ever going to be that fast.

Dr. Law:

You don't have to be that fast, but if you go to the other side of the line, you get less. That is exactly the point.

Holt:

We get your point.

Dr. Law:

In other places, I guess, Commissioner Holt, where I have been, where the joint opportunity identifies, I have been in places where we have put together industrial parks and complexes. Now, you've got St. Joe with a big one here already. But, not everybody is going in there. I don't know what the per square foot cost is, but how are you doing that.

You've got an airport. We are struggling to make that a value over in Tallahassee with our airport. You've got the same asset we have. Clear airspace. You would be amazed at how

many places in Florida can't do anything with their airport to move it forward because there is so much restrictive airspace. There are some opportunities along that line for you.

A lot of communities, I have been a part of economic development in communities who say, "If only we had an airport here, we could do something." You've got one. Maybe a vision for that. I am not sure how it is organized and that sort of thing, but again -

I don't know what the issue of incentives is here, too. You go first and I will take the other side on incentives. It can be really important, depending on who the client is or if they are really unimportant. I happen to think that is the cost of getting into the game sometimes. It will never be enough. Business would be happy for you to pay all of their costs. But, I think that sometimes you have to say that we have these incentives just to show that you understand that it is part of how the business work. It is a very difficult issue. I am not trying to minimize it. But, I just have to tell you that it is part of the outreach. You can't sell from an empty truck. You've got to have a little something to put on the table.

Dixon:

Our truck is empty.

Dr. Law:

It's not empty. That is my point.

Lamb:

I want to thank you guys for taking time to meet with us. One thing that I see is the training. It is something that we really need to look at and start to create some type of training here in Gadsden County. That is one way to get companies to look at us and want to be a part of us. I think that is a good idea.

Dr. Law:

I guess I just want to be sure that I don't underestimate - Mr. Dixon, the outreach part is the hardest part of this. Who do you call? It can get very costly very quickly. Again, I have been a part of it. You have to travel to places, you have to get to the shows, you've got to do everything. It can work, but I need to say, it is not the easiest part of the puzzle. It is a pretty complicated and sophisticated part.

Dixon:

The questions is: Do we have a choice?

If we are going to look at our future, do we look at it as an expenditure or do we look at it as an investment. Up until this date, we have waited and it didn't come. I have a good feeling, based on experience, that if we just wait, it won't come. It will go someplace else, Jackson County, Leon County. Those other counties have gotten their acts together. Madison County has even gotten their act together and they understand that you have to invest in your community. While you are investing, show folks what it is that you are doing.

Dr. Law:

I think some of it is to make sure that you absolutely agree on that. That is the easy part. As both the Economic Development Council and as TCC, I write a check to Florida's Great Northwest every year. Every year I say, "Am I really getting everything that I need out of this?" To date my answer has been - when I am busy doing something else, they are, in fact, attracting. They are easy folks to work with but they've got a lot of folks to keep happy. Bring them in and sit down and say, "Here is what we are marketing. Are you clear on what we are doing?" You may have already done this. You need to nurture that relationship. They get calls everyday and they are farming them out. You are members of that and it is one piece. But, you've got to make sure that they know what kind of businesses you want and who are we trying to recruit. And, be realistic about it.

We are not in the area that is going to do the support for some of the auto manufacturing in Alabama. There is a 100 mile radius. They will tell you where the line is. Leon County is not in there, so, we are never going to get a call from them because the business has no reason to look at us.

God love you, you are in the right discussion. If there was an easy answer, we would tell you exactly what it is. I don't have it, but you are in the right place. This is how to do it.

Dixon:

My question to you, gentlemen, becomes number one, do you have the ability to help us with our plan and our vision - what we want to look like when we grow up?. What kind of face are we going to put out to the public? Two - That package - what do we look like, what is in it? Three - do you have the ability to help us with the development of our infrastructure? Where

do we need to put pipe in the ground? How can these two match? Can that vision match now with our installation of infrastructure to help that plan go? Do you guys have the ability to help us with that?

Day:

It is inextricably linked to what you want to be - where you put your infrastructure. Your infrastructure, wherever water goes, wherever sewer goes is going to be where the changes are. That is it with little or no variation. So, where do you want it to be? Where do you feel it ought to go? Those are community decisions.

Now, yeah, there are some expert stuff - what is best, what kind of prospect do we want to bring in. So, there might be some tweaking to that. Nobody is making money running sewer, so government is running sewer, right? And just a few folks are making money on water. So, that is the life blood of your infrastructure. Where you put it is where the growth will be. It is up to you. You have the power to decide where that infrastructure goes and how it is developed. That is the real power that a county commission has.

Holt:

Mr. Chairman, May I?

Dr. Law:

Let me simply say, we would be delighted to roll up our sleeves and try. I think we have something to add. The good news is that it won't cost you anything and you won't be any worse off if it is not - I don't know anything about water and sewer. I am pretty good at marketing. I am pretty good at planning. I am pretty good at packaging. That part, I think I could help you pull something together, certainly in my dual role.

As far as infrastructure, I might have to say, here is what you want to do, get somebody else. I wouldn't pretend to know anything.

When I got into economic development, I promised myself that I wouldn't learn anything about storm water. And, I am becoming an expert in storm water, o.k. Where we are, that is a big issue for economic development.

Holt:

I want to say right quick, we do have infrastructure study grant money.

Dixon:

The problem with that is that they don't have the vision. That is the problem. Having the money and have somebody doing a study of what? That is my question.

Holt:

That is what I was about to say. On the infrastructure study, when we went before the Association and asked for that money last year, I told them, that as a county commission, we do not have the ability and the funding to get out there and do that study. Thank God, the urban counties supported us in going after that money.

We have to have an idea of what is out there in order to gear toward where to put the infrastructure. So, we are stuck at - They are out there, we are here, where do we go? We know the arterial roads, the railroad, I-10, US 27, US 90. We know what is there. We need to pair it up. We are stuck in that path right now.

We also have the enterprise zones that we have now and we need to add that to the marketing plan. How do we get that out there and go after those things? We are looking forward, but we need your help definitely. I was hoping to get this situation where we would have someone that was looking out for Gadsden County now. If we need to start putting funds into that, do that, but we have to do this early. I feel that there is a need to do this early, not later.

To show you one interesting little tid bit, I was down in Stewart at a workshop. Someone asked me about recreation. Every time you think about Florida recreation, we have no water, we don't have this, we don't have that. One of the first things that one of the people at the workshop (it was an economic development workshop and we were on break) and they said, "You guys ought to think about a waterworks park." I said that almost every week, I ask someone about a waterworks park. And I asked, "How do we get it?" Peter Patel and I have talked about. He has called people, I have called people.

We have two universities in Tallahassee, we have a junior college. Everyone is going to Valdosta, going to the beach and I want them to come to Gadsden County on I-10, I want them to spend their money and I want them to go back home.

There are ideas out there and people are doing things, but how

do we pair up the two? We know it is going to develop at every I-10 exit. That is something we know. It is going to develop down I-10. It is going to develop on US 27 and US 90. That is a given. Infrastructure has to run to those areas. Those are things that we really need help with. Especially with the enterprise zones and those roads.

Dr. Law:

Why don't we do some work with you and take it as far as we are capable and then if there is more that needs to be done, I would look forward to the challenge. I could learn a lot more about Gadsden County than I already know and I think we certainly have some expertise and experience to bring. Each one is different, but you have us at your disposal, I think. I would look forward to it, to be perfectly honest.

Dixon:

Commissioner Lamb, you have something?

Anybody else?

Mr. Manager.

Brown:

Mr. Chairman and members, I know the President is saying that he will look at some of these things for free. But, again, I know Brad, as the staff, I am sure there is going to be some staff work involved in that. From what I am hearing from the Board, I am hearing that you would like to get Gadsden County marketed. I know Commissioner Holt mentioned Enterprise Zones. And in moving ahead in terms of how do we market our enterprise zones, I know that the EDC does some of that for Tallahassee and Leon County. I don't know if, in terms of questions from the Board,... can we partner with EDC and what do we need to do to get EDC to provide some of these services to Gadsden County.

Dixon:

You said that really well.

Dr. Law:

Brad, the enterprise zones, the technical part of that literally are managed by our Economic Development Council. So, that is something that Brad supervises every day. But, again, Marlon, that is part of the resource package. Having an enterprise zone needs to be part of the big picture. When a buyer sees it he will say, "Oh, let's find out what that is all about." Again, bringing it all together first and foremost.

Going in for this and not that. A year ago, we were very happy, a call center sounded pretty good to me. I don't think I would bring our county commission an incentive package for a call center now. It just doesn't have good enough foot print. I would love to have the jobs, and they are great college kids jobs with 80 - 90 hours a month. That kind of thing. But, it is not now the kind of thing that I would now bring to my county commission because I have moved them a little further along. We kind of have to save up for something beyond that.

But again, if somebody called us tomorrow, we would work hard. You've got buildings and places.

Dixon:

That is my thing. I want you guys to help us decide who we are and where we fit in the big scheme of things.

Dr. Law:

Brad, maybe you can call the county manager and I will follow up with a meeting.

Dixon:

Can we so move?

Holt:

So moved.

Price:

Second.

Dixon:

All if favor, sign of "Aye."

All:

Aye.

Dixon:

Let's go forward with this and have this discussion and find us a way to fund things. That is the best conversation I have had on economic development in fourteen years. Thank you.

3. **Tallahassee Memorial Healthcare, Inc. Urgent Care Agreement and Services**

Paul Sexton, deputy county attorney addressed the Board.

He reported that the County has the approval from the Bankruptcy Court to move forward with the agreement with Ashford Healthcare to open up a nursing care facility at the hospital. He referenced a draft copy of the proposed agreement. He said that it is a management and billing services agreement under which Tallahassee Memorial Hospital will provide on site management of all urgent care operations including scheduling and supervision of medical staff personnel. He highlighted the following:

- The fee under the agreement is \$7,000 per month.
- The county will be able to take billing and collections services out of the contract from TMH (TMH fee would be 12% of the actual collections received.)
- TMH will assist in the screening and professional qualifying process for all personnel.
- All personnel except for the urgent care manager will be county employees. They will be under the county's control.
- Under the billing and collections services, the remittances for billing will go to a financial institution of the county's selection. That institution will report to TMH on receipts. TMH will report that to the County. They will then do their bill to the county for their 12% share.
- The term of the agreement is for one year with automatic renewals every year for two years in the absence of a notice of termination. There is a 90 day cancellation clause which will allow the County to transition the facility on over to the hospital management when Gadsden Hospital Incorporated gets a management company in place to operate the hospital as a whole. This should allow a smooth transition from the urgent care to a normal hospital operations.
- The day to day supervision would be done by the TMH manager on site to operate the facility.
- In terms of employment, discipline, pay scales, discharge - that would be the decision of the county manager subject to recommendations of the TMH manager on site.

Discussion followed.

Joe Sharp explained the Proforma for the urgent care center. It was proposed that initially, the center would be open from 2:00 p.m. until 10:00 p.m. Eight hours a day, seven days a week. These hours can be adjusted as needs arise.

Mr. Corey Fleming explained how they came to suggest the hours of operations.

OMB Director Davin Suggs addressed the revenue projections and billing analysis. He summarized that the clinic can only expect to collect about half of the amount that is billed.

Mr. Brown reiterated that the clinic is not intended to be a "money maker" and it will require funds from the county.

There was some discussion regarding how to market the clinic to entice patients to visit it rather than go to the emergency room at a Tallahassee hospital. It was suggested that the commissioners themselves to begin to use the facility.

Mr. Brown reported that they are taking applications for employees and they are currently looking for doctors to staff the clinic. As soon as doctors are secured, the facility will begin to operate.

Mr. Williams recalled that there were two changes to be made to the draft agreement. One with the independent contractor language and the other dealing with indemnification

UPON MOTION BY COMMISISONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE CONTRACT AS AMENDED AND AUTHORIZE THE CHAIRMAN TO SIGN THE AMENDED AGREEMENT.

Mr. Suggs stated that he would prepare a budget amendment to be presented at a public hearing to use the trust money to provide the funds necessary.

Commissioner Holt asked how a patient would go about getting their records from the hospital.

Mr. Sexton stated that they have had consistent problems with Ashford in that record. However, he said that he expects the Bankruptcy Court to appoint an ombudsman who would take responsibility under the supervision of the Court to provide access to patient records. There would be administrative costs involved in that.

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, CHAIR DIXON
DECLARED THE MEETING ADJOURNED AT 9:45 P.M.

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A REGULAR MEETING OF THE BOARD
OF COUNTY COMMISSIONERS HELD IN
AND FOR GADSDEN COUNTY, FLORIDA ON
OCTOBER 17, 2006, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

PRESENT: EDWARD J. DIXON, CHAIR
EUGENE LAMB
STERLING L. WATSON
DERRICK PRICE
BRENDA HOLT
RICK DAVISON, ASSISTANT COUNTY ATTORNEY
MARLON BROWN, COUNTY MANAGER
MURIEL STRAUGHN, DEPUTY CLERK

INVOCATION AND PLEDGE OF ALLEGIANCE

Chair Dixon called the meeting to order. Commissioner Holt led in the invocation and Commissioner Price led in pledging allegiance to the US flag.

AMENDMENTS AND APPROVAL TO THE AGENDA

The agenda was amended as follows:

Add to Awards, Presentations, and Appearances:

A-1 - Update on Healthcare Initiative by Maximo Martinez, Gadsden County Health Council

Add to General Business:

9a. Authorization to Proceed with Bond Financing for the Construction of the Chattahoochee Library and the Re-financing of the Quincy Library - Davin Suggs, OMB Director

Add to the County Manager's Agenda:

Appointments to Non-Profit Funding Committee

Add to Discussion Items by Commissioners:

Add: Commissioner Price - Resolution for Recognition of Bishop Nathaniel Pollock

Delete: Discussion of the County Attorney's contract from
Chairman Dixon's Agenda

Add: County Manager Salary Discussion to Chairman Dixon's
Agenda

Add: Chairman Dixon - Report on Gadsden County/City of
Quincy Joint Meeting

Add: Chairman Dixon - My View - Re: Recent Youth Tragedies
in Gadsden County

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

AWARDS, PRESENTATIONS AND APPEARANCES

**Update on Healthcare Initiative - Maximo Martinez and
Sherry VanLandingham**

Mr. Maximo Martinez and Sherry VanLandingham addressed the Board
and gave an update on the activities of the Gadsden County
Health Council.

CONSENT AGENDA

Commissioner Holt requested that Item No. 3 be pulled for
discussion. (Planning and Zoning Fees and the Building
Inspection Fees.)

Mr. Brown requested that a Satisfaction of Lien for **Ms. Bertha
Robinson be removed from Item No. 7.**

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER
PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE
CONSENT AGENDA AS AMENDED ABOVE TO WIT:

1. Approval of Minutes - September 5, 2006 Public Hearing
September 6, 2006 Regular Meeting
2. Ratification of Approval to Pay County Bills
Accounts Payables Dated: October 6 and 13, 2006
Payroll Dated: October 12, 2006
3. Approval to Amend FY 2007 Planning and Zoning Fees and
Building Inspection Fees (*This item was pulled for*

discussion and approved by separate motion.)

4. Approval to Amend FY 2007 Budget for Emergency Management
Resolution 2006-060; OMB-BA# 070004
5. Approval to Amend FY 2007 Budget for State Housing
Initiative Partnership (SHIP) **Resolution 2006-061; OMB-BA#
070005**
6. Authorization to Provide Funding in the Amount of \$5,000 to
WORKFORCE *Plus* for the Purchase of "Win/Workkeys" Business
Support System
7. Approval of signatures for Lien Satisfactions (Bertha
Robinson removed the agenda)
Linda Clemons
Jimmie Wester
Erie D. Jenkins
Annie Footman
Carrie Burke
Carl Robinson
Edith Bell-Fain

**Discussion of Item #3 - Resolution 2006-059 Adopting
Building Inspection Fees and Planning and Zoning Fees**

There was a brief discussion of the fees for re-inspection fees (page 3 of the attached schedule) but no changes were made. Commissioner Holt stated that she wanted to make sure that there would be no charge to the customer when the staff does not show up for an inspection.

There was a consensus of the Board that when permits are issued, the staff should place a customer satisfaction type evaluation form in the permit packets and solicit feed back from the public regarding the service they have received.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE RESOLUTION AND FEES AS PRESENTED.

8. PUBLIC HEARING

**SECOND READING OF ORDINANCE 2006-025 - J-11 INVESTMENTS
(PETRANDIS) COMPREHENSIVE PLAN AMENDMENT - CPA 2006-06-
SMALL SCALE AMENDMENT CHANGING 3.08 ACRES IN FROM AG 2 TO
RURAL RESIDENTIAL LAND USE.**

Growth Management Director Bill McCord briefed the Board explaining that this ordinance had been discussed previously and approved by the Board at the first reading.

Chair Dixon called for public comments. There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE STATED ORDINANCE.

9. PROPOSED ORDINANCE AND DISCUSSION ITEM - IMMEDIATE FAMILY EXEMPT SUBDIVISION AMENDMENTS

Following lengthy discussion, there was a consensus to conduct a workshop on this item.

9a. AUTHORIZATION TO PROCEED WITH BOND FINANCING FOR THE CONSTRUCTION OF THE CHATTAHOOCHEE LIBRARY AND THE RE-FINANCING OF THE QUINCY LIBRARY - FLORIDA MUNICIPAL LOAN COUNCIL REVENUE BOND PROGRAM ADMINISTERED BY FLORIDA LEAGUE OF CITIES, INC. RESOLUTION 2006-063

OMB Director Davin Suggs presented the bond financing agreements. He explained that the money will be paid back to Bank of America, a partner of the Florida League of Cities, Inc. He then explained that as the bond issuance process nears its completion date of mid-November, it will be necessary for the staff to complete and the Chairman to execute additional paperwork in conjunction with the County's participation in the bond program. The first of which include the bond resolution named above and an engagement letter from Bryant, Miller, Olive P.A. acting as Bond Council in representation of the issuer.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO

1. ADOPT RESOLUTION 2006-063
2. AUTHORIZE THE CHAIRMAN TO EXECUTE THE ENGAGEMENT LETTER FROM BRYANT, MILLER, OLIVE, P.A.
3. AUTHORIZE STAFF TO COMPLETE ALL NECESSARY REMAINING PAPERWORK ASSOCIATED WITH THE BOND FINANCE PROGRAM
4. AUTHORIZE THE CHAIRMAN TO EXECUTE ALL NECESSARY REMAINING PAPERWORK ASSOCIATED WITH THE BOND FINANCING PROGRAM.

10. COUNTY MANAGER - MISCELLANEOUS ITEMS

10a. APPOINTMENTS TO NON-PROFIT FUNDING COMMITTEE

Mr. Brown urged the Board to submit names to him to serve on the committee.

11. County Attorney - Miscellaneous Items

CITIZENS REQUESTING TO BE HEARD

Ms. Emma Gunn addressed the Board, then relinquished her three minutes to Ms. Francis.

Ms. Francis Harrell addressed the Board telling them of an accident that occurred at her school during football practice on October 6. When they called for Emergency Medical Services, all ambulances were already out on calls, but a fire truck did respond in about 20 minutes. But, one hour elapsed before an ambulance arrived to transport the child to Tallahassee to a hospital.

She then directed her remarks the need for the hospital to reopen quickly.

Chair Dixon assured that the Board is doing everything possible to reopen the hospital.

Ms. Newsome also addressed the Board regarding the hospital.

Ms. Lillie Smith Jackson urged the Board to be creative and progressive in all their efforts.

Ms. Emily Rowan spoke to the audience. She told them that she attends all of the commission meetings and she assured them that the Board had been diligent in their efforts to reopen the hospital.

DISCUSSION BY COMMISSIONERS

12. Commissioner Lamb

Commissioner Lamb had no report.

Commissioner Watson

Commissioner Watson had no report.

Commissioner Price -

**Resolution 2006-062 In Recognition of Bishop Nathaniel
Pollock Resolution**

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY
COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO
APPROVE THE RESOLUTION DESCRIBED ABOVE.

Commissioner Holt

Commissioner Holt had nothing to report.

Chairman Dixon

County Manager's Evaluation

The commissioners reviewed the evaluation forms of the
county manager, however, they did not discuss the new
contract or his compensation.

Report of Meeting with City of Quincy

Chair Dixon called attention to material in the agenda
packet relating to the meeting held with the City of
Quincy.

Fire Service Agreement - There was discussion about
continuing the contract for one more year while the County
studies a regional fire plan.

Hospital - \$107,000 debt owed to the City for utilities -
City decided to back off from pursuing payment in court.
They have agreed to be a partner in establishing the
hospital.

Solid Waste Agreement - City was informed that the County
is looking at options. Other discussions will follow.

CRA - County asked the City to be more focused in terms of
accomplishing its goals. The City countered that they
would love to have the County as ex-officio members of the
CRA.

Parks and Recreation - The City had asked the County to

commit monies to their recreation programs for those participants who reside in the county. Discussions centered around looking at ways where the city and county can work cooperatively - such as writing grants, providing other non-recurring items, providing property, etc. No funds were committed for county participants.

Police Department and land needs - there is an attempt to relocate their police department.

IT services

Fuel Management - County is moving toward a new and better system. City desires to be a partner in that.

Legislative Agenda - City will participate in the legislative agenda and in lobbying efforts for the entire county. They will be looking at things on the federal level as well in the coming year.

Meetings will continue on a bi-weekly basis until the two entities can iron out the roles of each.

He concluded by saying, "It is important in the spirit that we do not see ourselves as adversarial. That we see ourselves as representing the same body of people. I, like you, represent the people in the city as well. It is very important that we meet on that accord."

Youth Tragedies - My View

Chair Dixon spoke to the tragedy two weeks ago, with the death of Crystal Riley, who was killed on the campus of East Gadsden High School while walking with her mother to their car after a football game. He also spoke of the accident that killed Camelia Byrd. In addition, there was an incident with youths in the Chattahoochee/Juniper area which resulted in a death.

He said, "These are tragedies that are beginning to hurt innocent people. They were shooting in a housing complex last night with people just standing around. I haven't heard the details of it yet. I see Mr. Simmons here and I am sure he has some of the details. You haven't gotten any either? It is senseless. Absolutely senseless.

Minors who are dead drunk. How? How? How does a minor

get drunk? How do four or five minors in a car get drunk? And what are we doing about it?

My real concern is that if you look around, there are folks standing on every corner in the county. They are not going anywhere, they are not doing anything, and my great concern is that we are creating an underclass of people who have nothing to do but commit violent crimes. By creating, I mean we are allowing it to happen because we haven't put into place enough stop gap measures. It is not a School Board problem, Mr. Simmons. It's not a Quincy problem. It's not a Gadsden County problem. It is all of our problems. It is all of our problems. I don't know what we are doing about truancy. I don't know what - I pass kids every day when I am going to work. I wonder where they are going. They are not going to school. Why aren't we picking the up? Policemen are riding by them.

We have to change our culture. We have to change the way we are thinking about it. It is not all right for "Jo-Jo, for lack anybody's name, to just miss two weeks of school and then walk up and down our streets, waiting for his next victim. It is not all right. It absolutely ain't all right. What are we doing?

We have to sit down to the table and figure out some things here. This is bad and I don't see it getting any better..."

Isaac Simmons addressed the Board. He wanted to address the issue of safety. He stated, "It is also our concern also. I want to assure the citizens that we have all the measures in place in our schools to make sure that all our kids are safe. But, that was just an act of senseless violence. Those senseless acts of violence cannot be controlled and they can't be managed. But, you can definitely do things to prevent those things.

What we need to do as a School Board and government agencies is to sit down in a roundtable discussion and talk about what we can do to make Gadsden County better and a safer place...."

Mr. Simmons then asked the chairman to spearhead a community wide forum to address those issues.

Commissioner Holt reported that she had talked with other cities and counties about how they address similar

problems. She said that they told here that they had to replace a lot of officials, then put into place some programs for juveniles.

She said that meeting together is the first step.

Further discussion followed.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO MOVE FORWARD WITH DISCUSSIONS DESCRIBED ABOVE.

13. Receipt and File

- Letter from City of Quincy to City of Midway re: Fire Services
- Letter from City of Midway to City of Quincy - re: Fire Services
- Letter to City of Midway from Gadsden County - re: Fire Services
- Letter from DCA - Clearance of FY 2005 Audit Findings TA#07.07

November Meetings

November 7, 2006 - Regular Meeting

November 14, 2006 - Workshop/Special Meeting

November 21, 2006 - Regular Meeting

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR
DECLARED THE MEETING ADJOURNED.

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON NOVEMBER 7,
2006, THE FOLLOWING PROCEEDINGS WERE
HAD, VIZ.

PRESENT: Edward J. Dixon, Chair
Brenda Holt, Vice-Chair
Eugene Lamb
Sterling L. Watson
Derrick Price
Thornton Williams, County Attorney
Marlon Brown, County Manager
Jean Chessier, Deputy Clerk

INVOCATION AND PLEDGE OF ALLEGIANCE

Chairman Dixon called the meeting to order. Commissioner Holt led in the invocation and Attorney Williams led in pledging allegiance to the US flag.

AMENDMENTS AND APPROVAL OF THE AGENDA

The following amendments were made to the agenda:

ADD TO THE AWARDS, PRESENTATIONS AND APPEARANCES:

Item 1. Recognition of Ms. Alfreda Gunn/Twelve-Year-Old Community Hero - Resolution 2006-068

Item 2 Resolution 3 2006-067 Recognizing Prematurity Awareness Month for November 2006 and Setting aside November 13, 2006 as Prematurity Awareness Day in Gadsden County

Item 3 Update on the Urgent Care Center

REMOVE FROM THE CONSENT AGENDA AND ADD TO GENERAL BUSINESS AGENDA:

Item 9 Authorization to Negotiate Contract for Information Technology Network Services

DELETE FROM THE PUBLIC HEARING AGENDA:

Item 16 Approval of FY 2006 Close-Out Budget Amendments
(Re-agendaed for November 21, 2006)

ADD TO GENERAL BUSINESS AGENDA:

Item 20A - Authorization to Accept Justice Assistance Grant
(Sheriff)

Item 20B - Justice Assistance Grant Acceptance Agreement

Item 20C - Emergency Management Base Operating Grant
2006/07

Item 20E - State Homeland Security Grant \$16,388.00.

Item 20F - Approval to adopt a Resolution and Execute
Documents - United States Department of Agriculture (USDA),
Rural Development Rural business Enterprise Grant (RBEG)
Piggly Wiggly - \$266,877

ADD TO THE COMMISSIONERS DISCUSSION ITEMS:

Item 23 - County Mangers' Salary Comparison

County Attorney's Contract

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

AWARDS, PRESENTATIONS AND APPEARANCES

1. **Recognition of Ms. Alfreda Gunn, Twelve-Year Old Hero
Resolution 2006-068**

Ms.Gunn was not present at this juncture. See the minute
entry following the Public Hearing for Chapman-Donofrio &
Cantrall Land Use Amendment.

2. **Prematurity Awareness Month and Day in Gadsden County on
November 13, 2006 - Resolution 2006-067**

Jon Brown introduced the director of Program Services for
the March of Dimes. She made a brief presentation

concerning premature births. She said that Gadsden County has had 20 infant deaths in 2006 - some of which were due to prematurity.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE NAMED RESOLUTION.

Update on the Urgent Care Center

Cory Flemming, Tallahassee Memorial Health Care, addressed the Board. He made a report as to the status of the facility opening. He told the Board that the projected opening date was December 18th, 2006.

See the attached report.

Joe Sharp also addressed the Board commending the attorneys and staff for a job well done.

CONSENT AGENDA:

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT:

3. **Approval of Minutes**

September 12, 2006 - Special Meeting
September 19, 2006 - Regular Meeting
October 3, 2006 - Regular Meeting
October 17, 2006 - Regular Meeting

4. **Ratification of Approval to Pay County Bills**

Account Payables Dated: October 20, 2006
 October 27, 2006
 November 3, 2006

Payroll Dated: October 26, 2006

5. **Approval of Extension of the Fire Services Agreement with City of Quincy**

The above named agreement extends the agreement with the City of Quincy in the amount of \$435,000 to provide fire coverage within the five mile radius. The amount of the

contract for 2005/2006 was \$297,000. The 2006/2007 budget reflects the new contract amount. The contract is retroactive to October 1, 2006 through September 30, 2007.

6. Approval of Bid Award - Bid #06-04 Petroleum Bid - To Mansfield Oil Company of Gainesville, GA as the Low Bidder
7. Approval to Piggy Back on RFP No. 47-0-2005/BLM that was bid by City of Palm Bay, FL and Permission to Negotiate for Federal Lobbying Services Contract with the Ferguson Group
8. Resolution # 2006-072 Authorizing Approval of Lease/Purchase Financing for County's Information Technology Equipment with Hancock Bank of Tallahassee, FL (and authorizing Chairman and other officials to negotiate and execute all other remaining documents related to the lease/purchase agreement)

During the development period of the FY 2007 Budget, the Board approved the strategic plan for restructuring of IT services with the County. During the budget process, funding was approved to facilitate the leasing of the major IT equipment needs.

9. ~~Authorization to Negotiate and Execute Contract for Information Technology Network Services with NetQuincy for Network Services and Internet Services. Authorization for Chairman to execute all Documents Related to the Contracted Services. (If acceptable terms cannot be reached with NetQuincy, then authorize the staff to negotiate with TDS for same services and for the Chairman to execute same.)~~

This item was removed from the consent agenda and placed on the General Business Agenda for discussion.

10. Authorization to Negotiate Contract for Website Development Services with Vision Internet Providers, Inc. (This contract will piggy-back or receive services provided within the parameters of other current Florida county contracts - Collier County, specifically.)
11. Approval of the Gadsden Non-Profit Partnership for FY 2006/2007 Process
12. Approval of Amendment to the Property Appraiser's FY 2007 Budget to Allow for Salary Increases to Equal the Raise Awarded to Board Employees - \$15,151 To Be Taken From The

Reserve for Contingency

PUBLIC HEARINGS

13. **Public Hearing and Transmittal Hearing - Chapman-Donofrio & Cantrall Comprehensive Plan Amendment (CPA-2006-02) Major Land Use Amendment Changing 52.14 Acres from AG-3 Land Use to AG-1.**

Owner: Brian Chapman, Phyllis Donofrio and Monica Cantrall

Applicant: Elva L. Peppers, FL Environmental & Land Services, Inc.

Location: Two adjacent parcels totaling 52.14 acres located northwest of Quincy (3.7 miles), northeast of Gretna (2.5 miles), west of SR 267 and southwest of the St. John's Community, on the south side of Shade Farm Road, accessing Pete Smith Road

TAX ID: 2-22-3N-4W-0000-00114-0000 AND 2-23-3N-4W-0000-00230-0000

Planning Commissioner Recommendation: Based on a number of findings listed in the agenda report, the Commission voted 6 - 0 on October 10, 2006 to recommend denial of the Land Use Amendment. They found it to was inconsistent with the Comprehensive Plan and Land Development Regulations and indicated by the findings. The primary reason for recommending denial was because if this LUA is approved, it would leave a pocket of AG3 land isolated from other larger AG 3 lands. It would tend to indicate that there would be a leap frog scattered pattern of land use.

Staff Recommendation: Denial based on the findings identified in the attached agenda report.

Type of Review: Legislative Type IV Review procedure under Subsection 7204.

Growth Management Director Bill McCord gave a lengthy description of the land use application as described in the attached agenda report. He stated that the Department of Community Affairs (DCA) has expressed concerns about the disconnected land uses developing in the County. He said they would prefer that the County would step down incrementally from one land use to the next rather than leaping over land uses and leaving pockets of isolated lower density land uses between higher density areas.

Testimony was offered by:

Elva Peppers - in support of the amendment
Brian Chapman - in favor of the amendment
Phyllis Donofrio - in favor of the amendment

Discussion followed among the Board.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO AMEND THE LAND USE MAP TO CHANGE THE 27 ACRES OWNED BY CHAPMAN AND DONOFRIO TO AG 1. HOWEVER, THE CANTRELL AMENDMENT WAS NOT INCLUDED IN THE MOTION.

1. **Recognition of Alfreda Gunn, Twelve-Year Old Hero**

Mr. Jon Brown introduced Ms. Alfreda Gunn, her mother and grandmother to the Board.

Chair Dixon read Resolution 2006-068 recognizing Alfreda Gunn for evacuating some members of her family from their burning home. After she realized that there was one brother still in the home, she went back into the burning house and removed him from danger, then performed CPR on him, thus saving his life.

Chair Dixon then presented her with the resolution and a plaque for her bravery. The audience stood and applauded her.

Chris Floyd also recognized Ms. Gunn as a local hero on behalf of the Red Cross.

When questioned by the Chairman, Ms. Gunn said that she learned the life saving skills in school. She then thanked the Board for the recognitions.

Commissioner Lamb stated that this situation is a good example of how important it is to teach first aid and life saving skills in the classroom.

Chair Dixon thanked Ms. Gunn once again and encouraged her to continue doing great things. He reiterated that it is a pleasure to realize that there are young people committed to doing the right things for the right reasons in light of the recent juvenile tragedies in the County.

14. **Public Hearing Ordinance 2006-026 Noise Disturbance**

Attorney Williams told the Board that the proposed ordinance was first brought to the Board on September 20, 2005 after conducting a workshop. Upon making changes to the first proposed ordinance, it was not brought back to the Board timely. He stated that it has now been advertised properly and is ready for adoption.

Chair Dixon called for public comments.

Ron Tyler, Midway resident, addressed the Board. He thanked the staff and the Board for bringing the noise ordinance to fruition. He commended the Board also for their sincerity and "big heart" that was so evident in the proceedings of this meeting. He said that he was truly impressed.

There was no response to the Chairman's second attempt to get public comments.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ORDINANCE DESCRIBED AS THE NOISE ORDINANCE.

15. **Public Hearing - Resolution 2006-064; OMB-BA# 070006**
Approval to Process Payments to Organizations Awarded
Grants from the Gadsden County Tourist Development Council
(GCTDC) and Suspend Further Operations Pending BOCC Review
of a Revised Tourist Development Plan and Local Ordinance
2002-003 to Comply with chapter 125.0104, Florida Statutes.

Community Development Director Farnita Saunders addressed the Board. She told them that the staff is asking that the Tourist Development Council be suspended temporarily because several concerns have arisen.

She asked that the Board approve paying the grantees listed in the attached agenda report as opposed to paying a vendor on their behalf. The total amounts to \$18,000.

Contrary to the recommended option listed in the agenda report, she then asked the Board not to suspend the bid which has already been published for marketing and advertising plan. However, she said that the bid should not be awarded until all operations of the council are in order.

Ms. Saunders then stated that she would like for the Board to take a look at the TDC spending plan and revise it. She also asked the Board to look at the contracts that are now in place and possibly revise them. Additionally, she asked that the By-laws be revisited so as to make sure that the members have an ombudsman relationship to grantees.

Chair Dixon called for public comments.

Jim Kellllum and Laurie Ryan addressed the Board.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO AUTHORIZE STAFF TO PROCEED WITH PROCESSING PAYMENTS OF \$18,000 DIRECTLY TO ORGANIZATIONS AWARDED GRANTS FROM THE GCTDC, THEN IMMEDIATELY SUSPEND ALL GCTDC OPERATIONS AND SPENDING ACTIVITY, CONTINUE WITH THE BID FOR DEVELOPING A MARKETING PLAN BUT NOT TO AWARD THE BID UNTIL THE BOARD APPROVES A TOURIST DEVELOPMENT PLAN THAT SETS FORTH SPENDING ALLOCATIONS OF THE TOURIST DEVELOPMENT TAX.

16. Public Hearing - Approval of FY 2006 Close Out Budget Amendments (This item was removed from the agenda at the beginning of the meeting.)
17. Public Hearing - Approval of Funding for the Construction of the County Extension Instructor Greenhouse
Resolution 2006- 069 OMB-BA# 070010

After Mr. Brown described this agenda item to the public, Chair Dixon called for public comments. There was no response.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE RESOLUTION AND BUDGET AMENDMENT NAMED ABOVE.

18. Public Hearing - Approval of Funding for Gadsden County Urgent Care Center Resolution 2006-070 OMB-BA# 070007

OMB Director Davin Suggs explained the budget amendment and resolution.

Chair Dixon called for public comments. There was no response.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE RESOLUTION AND BUDGET AMENDMENT.

19. Public Hearing - Approval of Carry-Forward of Funding for the Purchase of Public Works Heavy Equipment
Resolution 2006- 071 OMB-BA# 070008

OMB Director Davin Suggs explained the budget amendment and resolution.

Chair Dixon called for public comments. There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE BUDGET AMENDMENT AND RESOLUTION.

GENERAL BUSINESS AGENDA

20. Discussion Item - Day Care use in the AG-2 Land Use Category

Growth Management Director Bill McCord asked the Board to consider whether they would like to allow a day care center (Class II Institutional use) to be constructed and permitted in the AG 2 land use classification. He told them that at the present, only Class I uses are permitted in AG 2 lands. He asked for direction from the Board.

Chair Dixon called for public comments.

Charles E. Berney, pastor, addressed the Board with questions and comments.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO DIRECT THE STAFF TO AMEND THE LAND DEVELOPMENT REGULATIONS TO PERMIT DAYCARE CENTERS OR REQUIRE A SPECIAL EXCEPTION USE PERMIT AND RECLASSIFY THIS USE AS A CLASS 1 INSTITUTIONAL USE WITH A PLANNING COMMISSION REVIEW AS A TYPE II REVIEW.

20A. Authorization to Accept Justice Assistance Grant 2007-JAGC-GADS-1-P3-200 IN THE AMOUNT OF \$53,926.00 Resolution 2006-073 and OMB BA# 070011

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO ACCEPT THE JUSTICE ASSISTANCE GRANT DESCRIBED ABOVE AND BUDGET AMENDMENT AND RESOLUTION.

20B. Justice Assistance Grant Acceptance Agreement

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE THE JUSTICE ASSISTANCE GRANT AGREEMENT.

20C. Emergency Management Base Operating Grant 2006/2007 07BGBG-04-02-30-01-

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE EMERGENCY MANAGEMENT BASE OPERATING GRANT.

20D. State Homeland Security Grant \$33,649.00 Resolution 2006-075; OMB-BA# 070012

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE GRANT DESCRIBED ABOVE and RESOLUTION AND BUDGET AMENDMENT.

20E. State Homeland Security Grant \$16,388.00 Contract No. 07-DS-5N-02-30-01; Resolution # 2006-074; OMB-BA# 070013

UPON MOTION BY COMMISSIONER HOLT LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE STATED GRANT AND BUDGET AMENDMENT AND RESOLUTION.

20F. Approval to Adopt a Resolution and Execute Documents - USDA Rural Development Rural business Enterprise Grant (RBEG) Piggly Wiggly - \$266,877; Resolution 2006-066; Certificate of Compliance

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE DESCRIBED DOCUMENTS.

*9. Authorization to Negotiate and Execute Contract for Information Technology Network Services with NetQuincy for

Network Services and Internet Services. Authorization for Chairman to execute all Documents Related to the Contracted Services. (If acceptable terms cannot be reached with NetQuincy, then authorize the staff to negotiate with TDS for same services and for the Chairman to execute same.)

This item was removed from the consent agenda and placed on the General Business Agenda for discussion. However, it was not addressed during the meeting. No action was taken.

COUNTY MANAGER'S AGENDA

21. Miscellaneous Items

There were no items brought forward by the manager.

COUNTY ATTORNEY'S AGENDA

Mr. Williams had nothing to report.

CITIZENS REQUESTING TO BE HEARD

Sam Hawkins addressed the Board regarding what he described as "the addictive power" he believed was developing among the Board members and senior management of the County.

Cassandra Alexander addressed the Board regarding the deteriorating condition of her drive way and property. It was determined that her property is within the City of Midway. She was directed to approach the City Council.

22. Miscellaneous Items

DISCUSSION ITEMS BY THE COMMISSIONERS

Commissioner Lamb

Commissioner Watson

Commissioner Price

Commissioner Holt

Chairman Dixon

Chair Dixon said that this meeting was the last meeting at

which Commissioner Watson would attend since he chose to not seek re-election. He recalled many encounters they had shared over the last 12 years. He expressed thanks and appreciation to Commissioner Watson. He also noted that Commissioner Watson has enthusiastically resisted any effort the Board has made to recognize his contributions as a county commissioner.

There was applause by the audience.

Commissioner Holt stated that Commissioner Watson had raised issues before the public that had contributed to her becoming a better commissioner. She wished in well in his future endeavors.

Commissioner Price extended best wishes to Commissioner Watson.

Commissioner Lamb stated that he was very glad to get to know him and serve with him.

Commissioner Watson declined to make any farewell remarks.

**Appointment of Roger Milton to Quincy/Gadsden Airport
Authority to Serve the Unexpired Term of Michael Jordon
(October 2, 2006 through June 7, 2009)**

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPOINT ROGER MILTON TO THE AIRPORT AUTHORITY.

Approval of Revision to the County Manager's Employment Agreement

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE MANAGER'S CONTRACT AT \$110,000 PER YEAR AND BENEFITS THAT ARE LISTED IN THE CONTRACT ITSELF.

County Attorney's Contract

This item was deferred to the next meeting for approval.

24. **Receipt and File**

Return Immediate Public Health Violation/Concern - Notice to Correct Violation

Letter from Lake Talquin Resident/Homeowners- RV's on Lake Talquin

Letter from Gadsden Community Health Council - Comprehensive Health Plan

Letter from DOT District Secretary - SR 267

Letter from Florida Department of Health/Florida Bureau of EMS and EMSTARS Project Team Appreciation of Participation on the Advisory Council Data Committee

Letter to Larry L. Fountain from the Growth Management Director - Illegal Billboard on Tax Parcel #3-24-2N-2W-0000-00422-0100

Letter from Comcast - The Launch of New Channels

Letter from the Sheriff of Gadsden County - Courthouse Security Exercise

Letter from the Gadsden County Property Appraiser FY 2006 Year End Report - Returning Monies to the County's General Fund

County Manager's Travel to FAC 2007 Legislative Conference November 29-December 1, 2006

Tax Deed -Parcel ID 3142N4W0000001123200 - First Placed on the List of Lands Available for Taxes on May 23, 2002 - was never redeemed; Offered for Sale to Public on October 2, 2005, but no bid received; Deeded to the County by Clerk of Court on September 13, 2006.

UPDATE - NOVEMBER 2006 AND DECEMBER 2006 MEETINGS

November Meetings:

November 14, 2006 - 6:00 p.m. - Workshop/Special Meeting

November 21, 2006 - 6:00 p.m. - Regular Meeting

December Meetings:

December 5, 2006 - 6:00 p.m. - Regular Meeting

December 12, 2006 - 6:00 p.m. - Workshop/Special Meeting
December 19, 2006 - 6:00 p.m. - Regular Meeting

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR
DECLARED THE MEETING ADJOURNED.

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A SPECIAL MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY FLORIDA ON NOVEMBER 14,
2006, THE FOLLOWING PROCEEDINGS WERE
HELD, VIZ.

PRESENT: Edward J. Dixon, Chair
Brenda A. Holt, Vice-chair
Eugene Lamb
Derrick Price
Thornton Williams, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

ABSENT: Sterling L. Watson

Call to Order

Chair Dixon called the meeting to order, then turned it over to the County Manager, Marlon Brown.

Amendment to the Agenda

The following amendments were made to the agenda:

Add:

- 2a. Approval to Enter into and Independent Contractor Agreement with Day & Company to Develop a Gadsden County Economic Development Plan and Create Strategies for Business Attraction
- 2b. Approval of Revisions to County Attorney's Contract

Contract with Day and Company

Community Development Director Farnita Saunders addressed the Board and gave a brief synopsis of the proposed contract. She called attention to Mr. Day's Resume'.

It was stated for the record that the meeting was advertised as a special meeting. (The notice appeared only in the Twin City News, but it is a newspaper of general circulation within the County.) The advertised agenda included the phrase "Other Items as Necessary." The attorney said that the advertisement was phrased in a manner that would authorize the County Manager to amend the agenda to include this matter.

Commissioner Lamb raised a question as to whether this contract is an advertised employee position or something that should go through the bid process.

Assistant County Manager Arthur Lawson addressed the Board. He explained that the independent contractor in this particular case will be contracted to provide a specific service as a set of deliverables. The contract is on a monthly basis and Mr. Day will determine how he will deliver the end product.

Mr. Brad Day addressed the Board to answer their questions.

Discussion followed.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE CONTRACT WITH DAY AND COMPANY (CONTINGENT ON FINAL APPROVAL BY THE ATTORNEY) AND APPROVE BUDGET AMENDMENT OMB-BA# 070014.

Revisions to County Attorney's Contract

There was discussion regarding the attached contract and the attorney's insurance policy. Mr. Williams agreed to provide the county with a copy of his insurance policy.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE ATTACHED CONTRACT WITH WILLIAMS, WILSON & SEXTON, P.A.

IMMEDIATE FAMILY EXEMPTIONS

Mr. McCord stated that he wanted to discuss the issue of immediate family subdivision process which is now permitted in the Code and authorized by State Statute. He said that over the last year and a half, a lot of issues pertaining to this type of subdivision have arisen. See the attached agenda report for details and for the recommendations of the Planning Commission.

Following Mr. McCord's presentation, the following people were recognized for comments and questions:

Stormy Doyle - 552 Merritt Lane -

Tammy Wiles - 384 East Lake Road - opposed to time restrictions that qualifies a parcel to be subdivided under the family exemption process. (She purchased property after the cut off date, but desires to move her aging parents onto her property to

give oversight for their well being.) The county attorney asked to speak to her after the meeting.

Tonya Limeaux - 3209 Sycamore Road - (She owns 8.2 acres which she purchased after the cut off date. She would like to allow her son to put a mobile home on her property. She was told by P & Z staff that she could not.)

Annie McMillan - 10674 Hardaway Highway - She has owned a piece of property for 20 + years and desires to allow her mother to place a mobile home on it. Her mother has spent money to have the property cleared and put a down payment on the mobile home.

Mr. McCord said that the property is 6.5 acres in AG2 land use category which allows only 1 dwelling per 10 acres. There is already one dwelling on the 6.5 acres which is already non-conforming. To place another unit on the land would create an even more inconsistency with the adopted land use pattern.

I.D. McMillan - 10542 Hardaway Road - He purchased 5 acres in 1997 and put a mobile home on it. He said he was told that he could survey an acre out of that property and give it to his brother. He asked if things have changed since that time.

Chair Dixon explained that things have changed and the process has become too complicated. He reassured Mr. McMillan that the Board is working diligently to remedy the situation.

Elaine Hall - 1360 Merritt Lane, Havana, FL. She has owned 2.5 acres for 34 years. Her husband died recently and she desires to deed her daughter 1 acre so that she can move closer to her to assist her in her old age. She said those restrictions were not relevant when they purchased the land. She was opposed to any restrictions that would prohibit her daughter from disposing of the property when she dies.

Mr. McCord stated that the area in which Ms. Hall lives was once zoned rural residential. For some reason in 1999 it was changed to AG 1. Some of the lots which are non-conforming lots in an AG1 land use were created when it was a RR category and it was allowed. Now that the property is AG1, the ability to create 1 acre parcels was removed when the land use changed.

Wauchula Odom - Merritt Lane

Joyce Sims - 97 Kings Road, Havana, FL

Stormy Doyle (again) - Merritt Lane

After a long discussion of many scenarios, the board reached the following consensus:

- They would not rescind the immediate family exemption process.
- They would amend the Code to place more definitive restrictions on the immediate family process.
- The exemption would only apply to people who owned property prior to the cut off date of July 2000.
- A person must have at least 3 acres to qualify for an immediate family exemption.
- Immediate Family Exemptions would only apply to agriculture land uses. (Ag 1, 2, 3) (It would not be applicable in RR - Excluding minor, major and non-recorded subdivisions which might be in agriculture land use.)
- The minimum acreage to be allowed would be 1 acre. (A parcel that is deeded to a family member cannot be less than 1 acre in size.)
- Prohibit the grantor from assigning oneself immediate family status and clearly state so in the Code;
- There can be no more than 3 lots created from the original parcel - including the parent parcel.
- Deed restrictions and covenants must be recorded with the new deeds which states that the parcel can only be subdivided one time.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER PRICE THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO DIRECT THE COUNTY ATTORNEY AND GROWTH MANAGEMENT DIRECTOR TO CRAFT AN ORDINANCE AS DESCRIBED ABOVE.

There was some discussion about the issues being addressed by Florida Association of Counties meetings relative to ad valorem taxes. No action was taken nor directions given to the staff.

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR
DECLARED THE MEETING ADJOURNED.**

Edward J. Dixon, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON NOVEMBER 21,
2006, THE FOLLOWING PROCEEDINGS WERE
HAD, VIZ.

PRESENT: EDWARD J. DIXON, CHAIR
BRENDA HOLT, VICE-CHAIR
EUGENE LAMB
DOUG CROLEY
DERRICK PRICE
THORNTON WILLIAMS, COUNTY ATTORNEY
MARLON BROWN, COUNTY MANAGER
MURIEL STRAUGHN, DEPUTY CLERK

Invocation and Pledge of Allegiance

Chair Dixon called the meeting to order. Commissioner Price led in a prayer. Commissioner Lamb led in the pledge of allegiance to the US flag.

Amendments and Approval of the Agenda

Added to the Awards, Presentations and Appearances agenda:

Item A - Swearing in of newly elected commissioners and election of new officers

Item B - State of the County Address by Chairman Dixon

Added to Public Hearings Agenda:

Item # 8 FY 2006 Close Out Budget Amendments

Added to General Business Agenda:

Item # 9 - Approval of Public Works Portable Toilets, Bid Number 06-015

Add to the Discussion Items by Commissioners:

Commissioner Lamb - Discussion of Florida Association of Counties Property Tax - Homestead and Save Our Homes Portability Workgroup

Commissioner Dixon - Discussion of the Healthcare Sales Tax

Initiative

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

Awards, Presentations and Appearances

Swearing in of Doug Croley as Commissioner - District 2

Judge Stewart Parsons administered the oath of Office to newly elected Doug Croley.

Swearing in of Re-elected Brenda Holt as District 4 Commissioner

Judge Parsons then administered the oath of office to re-elected Commissioner Holt.

State of the County Address

Chair Dixon gave the State of the County address (attached).

Consent

Item 5- Approval of the 2007 Holiday Schedule was pulled by Commissioner Croley for discussion.

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA AS AMENDED.

2. Ratification of Approval to Pay County Bills
Accounts Payables for October 20, 2006
 October 27, 2006
 November 3, 2006

Payroll October 26, 2006
3. Bid Award - 06-014 for Material Long Hauling - Award to DuPont Trucking for \$53.50 per hour
4. Approval and Execution of Community Libraries in Caring (CLIC) Grant \$8,950 - No local match required 07-CLIC-02 Computer Instruction
5. ~~2007 Holiday Schedule~~ -- (Pulled for discussion.

**6. EMS Write-off of Bad Debts - \$338,259.91 Resolution #
2006-076**

Consent Items Pulled for Discussion

2007 Holiday Schedule

This agenda item seeks Board approval of the 2007 Holiday Schedule and approval to grant an additional holiday for 2006 to county employees.

Commissioner Croley called attention to the fact that the proposed holiday schedule includes twelve paid holidays per year. He said that it appears to be excessive. He reported that he had compared the schedule with other governments. He found that the State of Florida gives nine holidays; Leon County gives ten; Talquin Electric gives eight scheduled holidays and one floating holiday; the Town of Havana gives eight; Brevard County gives ten; City of Tallahassee gives nine; the City of Quincy gives ten.

He concluded, "It just seems like to me that going to twelve holidays is a little much for the work force. Given the fact that so many of our citizens are faced with property taxes that are at the maximum millage as well as the fact that property insurance has gone up, I think that it may send the wrong message and I think that the work force can appreciate that."

Mr. Brown replied, "In previous years, we actually gave a holiday party for the employees. At the advice of the county attorney's office, because we actually accepted donations from different businesses throughout the county to help put on that holiday party, - on the advice of the county attorney, we decided not to go that route. In talking to the employees about what their preference would be in lieu of having that holiday party, they requested an additional day...We carried it to the Board last year, the Board approved it and we decided to carry that forward this year for the 2007 calendar year. We have again actually polled most of our employees and they have requested a floating holiday that they can use for their birthdays, etc., etc. That is what you see before you."

**A MOTION WAS MADE BY COMMISSIONER CROLEY THAT GOOD FRIDAY BE
SUBSTITUTED AS A FLOATING HOLIDAY FOR THE 2007 SCHEDULE.
COMMISSIONER LAMB SECONDED THE MOTION.**

Commissioner Dixon stated, "In past years, we have used holidays because we were not the best payers...in the workforce. We weren't able to pay or weren't willing (one or the other) given our limited tax base, to increase the employees pay. We weren't able to increase the employees pay so we have used holidays, if you will, as a bad substitute for giving folk money. It is endearing to the employees.

I was here when we gave them Martin Luther King Day and nobody else gave Martin Luther King Day, so, while it is sometimes important what other counties are doing, in this instance, I am not very impressed that other counties don't do what we do. Maybe they ought to. But, I would like to believe that we take very good care of our employees when we have the option to. Therefore, I believe it is a good idea - that floating holiday. I think the employees enjoy it. I think the employees work hard for Gadsden County. And, I think that we ought to leave it in."

Commissioner Croley then argued, "I can appreciate your point about using holidays as a means to reward employees. But, without a cost analysis, how do you really know what the cost benefit is? That is the point that I wish to have considered before a commitment about adding twelve holidays."

Commissioner Dixon answered, "I have seen a cost analysis. I don't remember what they were, but I am sure, if you wish, that staff will get you an analysis. I understand your math, but I still believe that it is a good thing to do."

After a few remarks of her own, Chair Holt called for a vote on the motion.

THE BOARD VOTED 2 - 3 FOR THE MOTION. THE MOTION FAILED WITH COMMISSIONERS LAMB AND CROLEY VOTING "AYE" AND COMMISSIONERS DIXON, PRICE AND HOLT VOTING "NO."

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE 2007 HOLIDAY SCHEDULE AND TO APPROVE DECEMBER 22, 2006 AS AN ADDITIONAL PAID HOLIDAY FOR COUNTY EMPLOYEES.

Public Hearings - 6:00 p.m.

7. Public Hearing - Ordinance 2006-027 All Terrain Vehicle (ATV)

Parks and Recreation Coordinator Charles Chapman addressed

the Board. He told them that the FL Statutes 316.2123 allows for the operations of ATVs during the daytime on an unpaved roadway where the posted speed limit is less than 35 mph by a licensed driver or by a minor under the supervision of a licensed driver. However, a county may become exempt from this section if an ordinance is passed to exempt it from the provisions of the Statutes.

He advised that the operation of ATVs on public unpaved roadways would pose a danger to the health, safety and welfare of the Gadsden County citizens and would cause damage to the roadways. He then advised the Board to pass the attached ordinance.

Chair Holt called for public comments. There was no response.

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, TO APPROVE ORDINANCE 2006-027 KNOWN AS THE ATV ORDINANCE.

8. Approval of FY 2006 Close-Out Budget Amendments OMB-BA# 060037-1A - 060037-20

OMB Director Davin Suggs addressed the Board with the attached budget amendments. He stated that the amendments balanced the 2005/2006 budget without using any fund balances.

He reported that there would be a surplus in the general fund at the close of the year of between \$500,000 and \$750,000. He cautioned that the figure is unofficial until the annual audit is complete. He explained that one reason for the surplus was because the county had received \$250,000 (the first three months of funding) appropriated by the Legislature in the last session to fiscally constrained counties. Another reason for the surplus was because the tax revenues came in higher than expected for the year.

Mr. Suggs then referenced an exchange of memos between the Board and the Clerk regarding over expenditures in a number of departments.

There was some discussion regarding where the funds would be taken from to cover the over expenditures referenced in the Clerk's memo. Mr. Suggs went through each budget

amendment explaining how he balanced out each department in the general fund. He said that the manager and the OMB director can make intra-departmental transfers, but the Board must approve the inter-departmental transfers.

He assured the Board that everything in the general fund was balanced or closed out with general fund monies. Everything not in the general fund was closed out with specific respective fund monies or general fund subsidy.

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ATTACHED RESOLUTION AND BUDGET AMENDMENTS AND TO AUTHORIZE THE COUNTY MANAGER AND THE FINANCE DIRECTOR TO MAKE ADMINISTRATIVE CORRECTIONS AS NECESSARY BEFORE NOVEMBER 30, 2006.

General Business

9. Approval of Public Works Portable Toilets, Bid Number 06-015

Currently, the Public Works Department utilizes eight portable toilets. These toilets are used with the inmate program and one at the pit on Post Plant Road. These toilets provide bathroom facilities for the inmates and employees during their workday in remote sites throughout the County. The toilets are cleaned twice a week and routine maintenance on the unit is also provided by the contractor.

The rental of portable toilets through a vendor has worked well in the past and the low bid received this year in line with what Public Works budgeted for the services. However, a cost analysis for owning the units indicates that significant savings could be realized if these units were purchased and maintained by the inmate crews at Public Works.

The lowest bid amount received was the same as the County's current cost and is within the budget. The low bid was submitted by Talquin Portable Restrooms for \$832.00 per month.

There was some discussion about the need for inoculations for the inmates and employees who might work with the

restrooms. Mr. Presnell indicated that they would work through the County Health Department regarding such matters.

Commissioner Croley stated that people who work in sewer operations or in collecting human waste do have to maintain a series of shots. He asked him to be mindful of that and take precautions to avoid a possible liability.

Commissioner Dixon said that he was not inclined to purchase the toilets nor was he was not sure that the lowest bid would be best bid.

Chair Holt voiced concern about "getting into the portalet business."

Commissioner Croley was in favor of the savings to the county barring any regulatory issues.

Mr. Brown reiterated that the matter was being presented merely as an option to the Board for consideration.

Commissioner Price questioned Mr. Presnell regarding the collection and disposal of the waste material. He was referred to the analysis in the agenda report.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 4 - 1, BY VOICE VOTE, TO PURCHASE EIGHT PORTABLE TOILETS AND INSTALL A COLLECTION TANK. COMMISSIONER DIXON CAST THE LONE DISSENTING VOTE.

County Manager's Agenda

10.

County Attorney

Citizens Requesting To Be Heard

Mr. Sam Hawkins, President of the Gadsden County Branch of the NAACP, addressed the Board. He asked the commissioners if they had received a copy of the report filed in response to the complaint filed by the NAACP against the Gadsden County Road and Bridge Department.

Mr. Brown stated that a copy was distributed to each commissioner last week.

Mr. Hawkins requested to be placed on the next agenda because the NAACP is not satisfied with content of the report. He said, "We were very impressed with the packaging, but the content leaves something to be desired. So, we are asking to be put on the agenda for the next scheduled meeting so that these items in this report can be discussed."

Commissioner Dixon stated, "If those items relate to day to day, then why would they come before this body?"

Mr. Hawkins replied, "It is a policy issue. It is not day to day."

Mr. Williams stated, "Madam Chair, what I would like to do is sit down with Mr. Hawkins afterwards, then we could make a legal opinion. I'm not sure about the gist of his concerns as it relates to the report. If it fits the protocol for coming before the Board, then we will obviously follow that direction. We will come back with a legal opinion."

Mr. Hawkins called attention to the fact that it took four months to receive the report and that the county had paid the attorney \$24,000 to prepare it.

Mr. Williams contested the accuracy of that figure, but stated he would look into the amount of the bill. He recalled that he told the county manager that he would do the work at a reduced cost. If, in fact, the bill at that amount, it was an error on the part of his billing staff.

Mr. Hawkins stated that he felt it was unfair to the employee for the Board to put the matter off for another month.

Chair Holt asked Mr. Hawkins to work with the attorney to agenda the item at a future meeting because of the advertising requirements.

Commissioner Croley also asked Mr. Hawkins to allow him time to study the report.

Mr. Hawkins was adamant that he wanted to be placed on the first available meeting agenda.

Commissioner Lamb

There was discussion regarding a memo exchange between the clerk and the board regarding over expenditures of some department budgets. No action was necessary as the board was already aware of the over expenditures. It was stated that the Board had pre-approved the over spending in anticipation of making appropriate amendments at the end of the year.

There was also discussion as to whether there was a need for a new policy that would formally allow the chairman to respond to correspondence addressed to the Board without first seeking input from the entire board. No vote was taken regarding a written policy, but there was a consensus that it would be in the best interest of the board to allow the chair some latitude to make responses when there is a risk of incomplete factual information reaching the public untimely.

Florida Association of Counties Meeting - Property Tax Issues -

Commissioner Lamb reported that he and OMB Director Davin Suggs had attended a couple of FAC meetings together. He then asked Mr. Suggs to summarize the issues discussed at the most recent meeting. There were as follows:

Ad Valorem Tax Portability

At the present time, when a person sells the home which has been their homestead, the protection provided by "Save our Home" act goes away. The new homestead is taxed at the fair market value, thus the homeowner loses the differential that has built up over time on the old homestead. In response to the public outcry about the loss of that differential, the FAC is attempting to offer a solution. The proposed "portability" would allow a person to transfer up to \$100,000 differential to the new homestead. This would only apply within the county.

There was also discussion about allowing homesteaders 65 or older to move to a new homestead within the same county on a one time basis and transfer their current assessment.

Increase of Exemption Amount

There is an attempt to increase the homestead exemption amount throughout the state. If that measure is passed by the Legislature, it would impact Gadsden County tremendously because it would eat into the tax base. FAC is also attempting to offer a solution to that issue as well.

Annual Assessment Limitation of Non-homesteaded Property

Establishment of an annual assessment limitation for non-homesteaded property of 10% revaluation upon change of ownership or use of the property.

First Time Home Buyers Homestead Exemption

There is a proposal to offer first time homebuyers an additional \$25,000 in homestead exemption. This would be a local option and the individual counties can decide whether they want it. (They expect some equity issues to arise that would have to be resolved.)

Affordable Housing

It has been proposed that the property appraiser change the way they assess rental property that is designated "affordable" from the value of the structure to the rental income derived from the property.

Changing the TRIM Process

FAC would like to require all constitutional officers to post their budgets individually on the TRIM notices that go to the property owners.

Commissioner Croley

Commissioner Croley thanked the staff and the attorney for their efforts in getting him up to speed as a new commissioner. He then thanked former Commissioner Watson for his years of service on the Board of County Commissioners. He then introduced his wife, Dian, who was present in the audience.

He went on to say that his decisions as a commissioner would be guided by what makes sensible economic development sense, protection of the environment, and support for transportation and infrastructure improvements. He emphasized that he would also focus on fiscal restraint.

He then told the Board that a public hearing was taking place on the evening of this meeting in Grady County regarding plans for creating a fishing lake on Tired Creek. He said that Tired Creek is a watershed for the Ochlocknee River and could impact Gadsden County. He then said that Leon County and Tall Timbers Research Station have already raised concerns that the

impoundment of water by Grady County could affect the water flow.

On behalf of the Gadsden County citizens, he asked that the county manager see to it that the Gadsden County's interest is registered in this process. By doing so, the Board can be kept abreast of what is going on with the US Army Corps of Engineers. He asked for the Board's support in that effort.

Commissioner Price

Commissioner Price thanked the Board for selecting him as Vice-chair.

He then told the Board that he had attempted to arrange for a room for his pastor at the Hampton Inn on two occasions only to find that there was no vacancy. He was delighted that the hotel was doing so well.

He then reported that the new Chattahoochee Library is beginning to look beautiful.

Commissioner Dixon

Commissioner Dixon thanked the Board for the opportunity of being the chair for the last two years.

Healthcare Sales Tax Initiative

He then reported that the health care sales tax initiative failed in the general election process. He could not be certain why it had failed. However, the delivery of healthcare services continues to be a paramount concern and there must now be a change in strategy as to how to get those services to the people that need it. He suggested that the Board go to the federal level for assistance.

Commissioner Holt

Commissioners Retreat

Commissioner Holt told the commissioners there would be a retreat for the commissioners with Dr. Gross during the week of December 18-22. She asked them to make their preferences (as to which date) known to the county manager.

Receipt and File Agenda

1. Letter from Ochlocknee Estates Resident/Homeowner - worn drive way.
2. Letter from DOR Executive Director - Truth in Millage (TRIM) Certification
3. Letter from Beaver Creek Drive, Reston Resident/Homeowner - Driveway/drainage issues
4. Letter from City of Quincy, Interlocal Agreement - Economic Development Project
5. Letter from Tallahassee Memorial Hospital Management Services Agreement for Urgent Care Services
6. Letter to Transportation Disadvantaged - Quality Assurance and Program Evaluation
7. Letter from Hampton Inn - Hotel Opening
8. Clerk's Yearend Report - Statement of Revenue, Expenditures & Changes in Fund Balance - Budget & Actual
9. Letter from the Tax Collector- Excess Fees FY 2005-2006

ADJOURNMENT

UPON MOTION BY COMMISSIONER CROLEY AND THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED.

Brenda A. Holt, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

AT AN EMERGENCY/SPECIAL MEETING OF
THE BOARD OF COUNTY COMMISSIONERS
HELD IN AND FOR GADSDEN COUNTY,
FLORIDA ON DECEMBER 4, 2006, THE
FOLLOWING PROCEEDINGS WERE HAD,
VIZ.

PRESENT: Brenda Holt, Chair
Derrick Price, Vice-chair
Eugene Lamb
Doug Croley
Edward J. Dixon (via telephone conference)
Thornton Williams, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

CALL TO ORDER

Chair Holt called the meeting to order stating that it was an emergency meeting to approve a resolution to extend the maturity date of the loans for the construction of the Quincy Library. She then turned the meeting over to County Manager Brown.

Mr. Brown announced for the record that Commissioner Dixon was appearing by telephone.

OMB Director Davin Suggs addressed the Board.

Suggs:

The matter of this issue is dealing with extending the payment on the Quincy Library. The matter does not deal with which loan program or optional loan program to go with to continue to finance the Chattahoochee Library. That decision has been made previously by the Board. However, if the Board wants to, because I have had questions from more than one commissioner, if you want to revisit that issue, that decision heavily affects the decision regarding this item.

Holt:

O.K. I tell you what, go ahead and explain this item to us, then we will look at the history of that.

Suggs:

What this item is doing, I'm going to go through the history, I will walk you through it.

Background:

In previous meetings, first, I believe, in 2004, the Board approved a capital project to build a Quincy Library, the new one on Pat Thomas Parkway. AT that time, the Board approved the financing for construction of that Library through a combination of - the major funding came from - the State Library Grant for construction was just \$500,000 and then financing to the tune of about \$1.6 Million. That financing came from the Florida Association of Counties Commercial Paper Program. It is a group of pooled loan program.

Next, the Board approved a capital project to construct the new Chattahoochee Library which is under construction now in Chattahoochee.

After that, we went through several steps. The Board approved the purchase of land for the site, for the capital project. The Board approved, if you remember back in December of last year, the Board approved internal financing because once we purchased the land, we wanted to start building right away. So, at that time, we came to you and we said to you in an agenda item that number one we were going to participate in the Florida League of Cities - it was called the Florida Municipal Loan Council Revenue Bond Program and that bond program at that time was not believed to be initiated until the Spring. So, we needed interim financing so that we could begin construction right away. That interim financing was approved by the Board from Bank of America. That was in December of 2005.

This past October, we were ready, the revenue bond program was ready to move toward closing and we came to you to approve a resolution to close on the revenue bond program financing for the Chattahoochee Library which also included (as we stated back in December) the refinancing of the Quincy Library.

I have attached Attachment # 1 which shows -

When we came to you in December, we said we wanted to do three things. We wanted to get a loan from Florida Municipal Loan Council Revenue Bond Program to finance the Chattahoochee Library. We were going to get an interim loan from Bank of America so that we could begin construction immediately. And when we did get the new long term loan, we would re-finance the old loan on the Quincy Library. So, in the end, we would have one debt service payment, we would have both libraries constructed and we would be making just one payment.

That brings us to current date. We have the Quincy Library and the old financing for the Quincy Library which we are making payments on. And now, we are building the Chattahoochee Library and we have been participating as an applicant in the Florida League of Cities in their revenue bond program.

(There was a break in the phone connection with Commissioner Dixon and there was a pause until the connection could be re-established.)

Present day situation - let me recap once again before we start off here.

We have the Quincy Library. We financed it through the Florida Association of Counties Commercial Paper Program. You approved to do the Chattahoochee Library. You approved staff to go ahead and participate in the FL League of Cities Revenue Bond Program. We came to the Board last year and said we want to participate in this program and at the same time we want to refinance the original funding for the Quincy Library so that we would just have one debt payment, one note for the construction of both libraries.

So, we were moving along as planned. Now, what has happened to bring you current - Last week while we were away with the Florida Association of Counties at the Legislative Conference, we were notified by bond counsel for the League of Cities Program that the closing date had been pushed back until January. I believe around January 9 or 10th of 2007.

Now, what has happened, because of our original plan, we developed our budget for 2007 in accordance with that plan previously approved by the Board. Which means that our originally anticipated closing date was before the principle payment of the old loan was due, which is December 5, which is tomorrow.

Because of the news that we received last week, the closing was pushed behind the payment date of that original principle amount. Now, we are in the position of we would have to make a principle payment on the old loan and then in three weeks we will be re-financing the loan.

What occurred after we were notified, we talked with bond counsel from Bryant Miller Olive, which is the bond counsel for the FL League of Cities. We have talked with bond counsel of

Nabors, Giblin and Nickerson which is bond counsel for FL Association of Counties. And we have also talked with bond counsel for Bank of America which has provided the interim financing. And we have talked with our attorneys also. We have talked with administrators of both the League of Cities and the Florida Association of Counties. They have provided a solution to us as an opportunity to the Board to simply - this payment date that has come due on the old loan, they have offered to extend it or push it back until March to give us time to implement our original plan as approved by the Board. When they close on the loan that will provide funding for the Chattahoochee and re-finance the loan on the Quincy Library.

In order to do that tonight, the Board needs to adopt or approve a resolution and you have a copy of the resolution in your agenda item.

The original paper work is being FedExed and will be here in the morning and be executed by the Chairman and the Clerk, then it will be delivered to the FL Association of Counties.

Williams:

Madam Chairman, also, if you will look in the packet, there is an attachment # 2. It is a letter sent to me by Steve Miller who works for FAC from Nabors Giblin and in with talking with the county manager, I requested in writing from him something outlining what the concerns were and the problem.

If you look at that letter, basically what he is saying is with the short notice that they had, the County was going to have to expend \$130,000 of unanticipated funds. What they were doing was in essence was working with us because it was no fault of the county's, and extending the time period. The reason that this meeting had to be done today, I specifically asked him in the telephone conference, could we not just do this tomorrow, because we could have amended the agenda to include it, and he stated to me over the phone that it had to be done tonight so that they could provide the paper work. Otherwise the process would have required the payment to be made. So, I attempted to get it delayed until tomorrow so we wouldn't have to have the emergency meeting, but we basically did not have a choice other than to do it tonight.

Holt:

O.K. IS that it?

Questions from the Commission?

Croley:

You explained to me that you had budgeted in the current budget approximately \$60,000. Is that right?

Suggs:

Roughly \$53,000 for interest and \$7,000 for fees etc.

Croley:

And that was to cover the interest payment throughout the year for throughout the 2006/07 budget, is that correct?

Suggs:

What is currently in this budget for this debt service payment was anticipated interest payment on the new loan. Where that number came from was the most current schedule of payments to issue a bond. That came from the most current schedule of payments during the budget season of anticipation of the new loan.

Croley:

On the new loan, not the current variable loan with the Association?

Suggs:

Right. Because what we had was number 1 was the closing. You've got to remember the anticipated closing was scheduled before December originally when we were doing the budget. And, so, the number that we put in the schedules for the new loan where we would only be required to make the interest payment during the fiscal year 2007. The first principle payment would have come due on October 1 or scheduled to come due October 1, 2007 which is fiscal year 2008. That is how the budget was set up. Part of this is that it will keep us from having to spend \$130,000 which was unbudgeted - which was our original intent. We never intended to do this. The resolution provides us an opportunity to stick with our original plan.

Croley:

Let me make sure that I understand. So, that was my first question. You put some money in the budget to service a debt on a loan that you were expecting to close, not service the existing debt that you had on the books.

Suggs:

Correct, because we anticipated closing on it.-

Croley:

Now, the interest rate on that variable account for this current, this present loan is now what? What is the variable interest rate today?

Suggs:

The current, today, the last one I have is - hold on, I have it with me. Commissioner, as when I spoke to you before, I have the one through October, and through October, it is 4.16, the variable interest rate.

Let me explain something about the interest rate. That is the interest rate on the tax exempt series bonds. The interest rate - the way the FAC program works - their interest rate includes interest rate and fees - the way they charge their fees are monthly basis points. So, what we have to evaluate is called total (inaudible) interest rate or what we pay monthly. Right now, or as of October, 2006, it was 4.16.

Brown:

How much were we paying, how much does that translate to in interest.

Suggs:

In terms of dollar amounts?

Brown:

Yes.

Suggs:

In terms of dollar amounts, I would have to check what was posted. Those bills go directly to the clerk and they pay them. It is public information and I can find it and return it to the board.

Croley:

O.K. We know that you have stated that you have a variable interest rate of 4.16, correct?

Suggs:

Through October.

Croley:

And we have a bond indebtedness under that program that the principle had to be paid. So, you have a five year note, and you are paying interest on the note monthly and you have an annual installment due on the principle, then it balloons on the end of the fifth year, correct?

Suggs

Correct. Let me explain a little bit further. What he is talking about, the current loan that we have, we have one loan from the FAC, but the way this works is - the county built a library, in order to save money, or save on interest, you draw down a certain amount that you need at a certain time. So, on paper, it looks like you have three loans with FAC, but it is just one. It is all combined into one payment.

The way the association program works is they do it for five years at a time. What they call or extend to you is a .letter of credit. What the commissioner is talking about is correct. You will have four regular principle payments and you would have a balloon payment in the fifth year. For those of you who were here previously, you will remember that we talked about this last year when we talked about the budget. We talked about that if we wanted to stay in this, we needed to prepare and save up ahead of time to make that balloon payment. That is what Commissioner Croley is referring to. That is how our current situation is set up with the old loan. At the end of five years, you can either pay it off, pay off the balloon payment or you can have re-issued to you another letter of credit and re-extend it for another five years. So, you would have another four small principle payments and another balloon payment in the second fifth year which would be the tenth year.

Croley:

So, then, the Clerk in fulfilling his responsibility, paid the principle payment as required under the existing loan.

Suggs:

Here is an issue also. The principle payment is due tomorrow. The interest is always due on the first of the month and the first was Friday. And, we get the bill. When we were working through this on Wednesday, Thursday and Friday of last week, normally, on paper, the principle would have been due tomorrow. What we have received and we received in writing on Friday via e-mail correspondence and we had confirmed this verbally before then, but on Friday at 9:30 a.m., we received from bond counsel for FAC, this is the attorneys representing the people we have the current loan with, they expressed to us that we had until Tuesday to either present payment or to present a resolution which is before you, which they drafted for us, in order to extend the payment. So, in this case, - in normal situations what you are saying would be true, but in this specific case, the principle was not due on Tuesday. The lawyers and the

attorneys representing the FAC had communicated to us last week that they had extended us this opportunity - to either make the payment or extend the payment out until March. They communicated that on Friday about 9:30 a.m.

Brown:

When you say to us, you mean also to the Clerk's office?

Suggs:

Right. They communicated to myself, the budget director, and to the finance director and I know attempts were made to communicate directly with the Clerk.

Croley:

But, again, the Clerk's office paid the principle payment before Friday of last week.

Suggs:

No. I believe, unless we were misled, they, what exactly happened was - I believe what was communicated to us -

Brown:

When was it paid? Was it paid on Friday?

Suggs:

I believe it was paid on Friday.

Holt:

That is all you need.

Suggs:

We were told that it was paid on Friday.

Croley:

All I am trying to get at is - the Clerk's office fulfilled what they understood to be their obligation to pay the principle the way the loan documents were at the time.

Suggs:

That is not correct. That is not correct, commissioner. In these conversations, the finance director and the clerk's office participated in the conference call with me when the bond attorneys for the new loan and the old loan and the program administrator contacted and spoke with and communicated with the finance director in the clerk's office. I know at least one of the attorneys attempted to communicate with the clerk directly.

I am sure, I am positive that they were aware of the circumstances.

Croley:

O.K. But, that is not really where I am going with this. For whatever reason, it got paid. Now, this resolution is an attempt to get the principle payment back. Is that correct?

Brown:

Davin, hold on a second.

The clerk went ahead and paid the \$130,000. This money was not budgeted in the budget or approved in the budget to be paid. Is that correct?

Suggs:

Correct.

Brown:

So, basically, again, I am not trying to throw anyone under the bus here, a payment was made without authorization from this board.

Suggs:

This is correct.

Williams:

Again, this is why I asked for a letter to document what happened.

If you look at the letter that we received from Steve Miller, he basically outlines that he had a discussion with the budget director for the county and a representative from the clerk's office. This is in the second paragraph. He outlines in here that the discussions occurred before the payment happened. Then he states that after they had all agreed to follow a process that would allow the payment to be withheld to keep the budget in tact that this commission had approved, the payment was made by the clerk's office after the fact.

Now, it could have been inadvertent. You don't have to make any accusations about the clerk. But, it was done after the agreement had been reached. I was contacted and they asked me what options that they had.

What I specifically told them was this - Legally, if an agreement had been reached between a party before a financial transaction occurred, the agreement is binding on the parties.

I contacted Steve Miller and he agreed with that. So, the payment was made in error because a verbal agreement had occurred that would have allowed the payment to be withheld. So, without addressing whether the clerk's office paid it intentionally or unintentionally or it was an oversight, I didn't have to get into that legal analysis. The only concern was whether or not the parties agreed that there had been a meeting of the minds. And, there had been a meeting of the minds. And since there was a meeting of the minds, the parties could then take the payment back to honor the agreement that had been reached and allow this meeting to occur.

Croley:

In follow up, though, Mr. Williams, the Clerk's office simply honored the indebtedness that existed under the current agreement with the FAC as far as paying it. We, the Board, in this budget, just didn't set aside the money in the current budget to pay that. But, to rectify the situation, they are willing to return the money.

Holt:

There was an agreement that they were not going to honor this because of the other loan that was being applied for. Now, once it got to the group and they all met and they decided that this is what was what was going to be done, the payment was sent out afterward. Which is fine, because we are looking to rectify that now. But, the bottom line of it is - to go ahead and do this - whatever we need to do - and take care of this and not look to blame.

Croley:

I don't want to get into blaming. I just want to make sure that everybody understands how we got here.

Holt:

Right. And it is pretty much laid out here. You want to make sure that it is laid out - what happened and what that process was. We don't want to waste time with pointing fingers and that type of thing. But, I want to take a break right quick and take other commissioners comments if that is o.k.

Croley:

Sure.

Price:

So, if we decide to go on with this resolution, will they send the money back? We need the money.

Suggs:

Correct.

Holt:

Any other comments, commissioners?

Commissioner Lamb?

Lamb:

No comments.

Holt:

Commissioner Croley?

Croley:

No.

Suggs:

May I ask just one question. This goes back, and Mr. Williams is correct. This resolution, according to what the county attorney stated, this meeting, this resolution would have happened anyway regardless of whether the payment had been paid or not. This is the meeting and the resolution that was part of the agreement - the meeting of the minds as the county attorney referred to. It just so happened, as the county attorney said, that the payment was made in error. And, in honoring the agreement, they will return it. But, this resolution had to be passed. We had to meet tonight.

Croley:

All I am trying to say is just get it all out. We just need to make sure that everybody understands exactly what happened. It is not finger pointing at anybody. It is just that we all need to make sure that we are all on the same page with what happened.

The second part of this, which ties in with whether or not you want to go and get this principle back. What is that fixed rate that you mentioned earlier that would have bearings on this decision. You said you had gotten the fixed rate quotes on 10, 15 and 20 year. I know we are not going to take action on that.

Suggs:

The latest schedules were received today. We have a conference call planned for tomorrow and we will move toward closing. The target date is January 9. I received schedules for 10, 15, 20 years. I will start at 10 and move my way up. I will give you the pertinent information with each.

For 10 years, the total principle is \$2,248,000. That includes the remaining principle on the old loan plus \$900,000 for the new library. AT 10 years, that interest rate will be 4.25% The fees for each of these years average around \$50,000. They go from 49 to a little bit above 50,000.

Croley:

For each year?

Suggs:

No, no. Total for the loan. The fees on top of the loan. But, the interest rate is 4.25%.

The total pay back for 10 years would be \$2.99 Million. Almost \$3 million. Remember that you are borrowing 2.4 million. That is 10 years.

The key here, and I will get into this and explain. The total payback will be about \$2.99 million. The debt service, as when I say debt service, this will be the required payment each year. The maximum payment each year would be about \$310,000. So, that is at 10 years.

Brown:

Will you tell us what the interest rate for each year.

Suggs:

For 10 years, the interest rate is 4.25%. The interest rate for 15 years is 4.37 and the interest rate at 20 years is 4.46.

Croley:

O.K. So, that is fixed?

Suggs:

These are fixed.

Croley:

So, if you let the \$129,500 stay, it is just \$129,500 less that you will have to pay interest on. If you subtract the

\$53,000 from that that you had in the budget, you are really only taking about the difference, right?

Holt:

Excuse me, right quick. If you do that, that loan, that principle would be paid off anyway with the new loan. So, you are going after principle where these payments right here are principle and interest.

Croley:

I understand that. But, the point is that you are still reducing the amount of the principle that you are borrowing by \$129,500 if you leave it in there. These are just points that informed citizens are going to be looking at. So, you are really just talking about the difference between the \$129,5000 and \$53,000 giving the net difference here that you are talking about being over in your budget.

Holt:

Let me say Commissioner Croley, also now, of the \$129,000, you are not talking about straight principle. You are not talking about straight principle out of the \$129,000. You are talking about the principle and the interest. You can't say that part of that in principle because if you pay out the principle, the interest will reduce anyway.

Croley:

I am aware of that. But, what I am trying to say is that he is reducing the amount that he is going to have to borrow later by \$129,500 anyway. It sounds like you didn't budget for it. If you can get it back, that is probably the best thing to do.

However, I must say that we shouldn't be having this meeting. This shouldn't have happened. But, whatever.

Holt:

Thank you commissioners. Do we need to read the resolution?

Brown:

You need to approve the options 1 & 2 which is to approve the resolution and the extension of the principle payment to March 2007 and authorize the chairman and the clerk to sign and execute all of the official paper work immediately upon receipt.

Price:

So moved.

Croley:

I will second it.

Holt:

We have a motion by Commissioner Price and a second by Commissioner Croley to approve options 1 & 2. All in favor?

Lamb, Price, Croley, Holt, Dixon (by phone): Aye.

Holt:

Opposed?

No response.

Croley:

Before we adjourn. This is a good example of what we were talking about at the last regular meeting about trying - and I know you and I talked about this - it is in your financial policies to try to give us an update every three months or quarterly about where we are in the budget. I appreciate that target and your efforts to provide that information.

Holt:

Good job in as far as teaching us and going over it to make sure that we are where we need to be. We don't need a vote to adjourned. We are adjourned.

THERE BEING NO OTHER MATTERS BEFORE THE BOARD THE CHAIR DECLARED
THE MEETING ADJOURNED.

Brenda A. Holt, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

2006- 081

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA, AUTHORIZING THE MODIFICATION OF THE REPAYMENT SCHEDULES RELATING TO THREE OUTSTANDING LOANS ISSUED UNDER THE POOLED COMMERCIAL PAPER LOAN PROGRAM OF THE FLORIDA LOCAL FINANCE COMMISSION PURSUANT TO THE TERMS OF THE LOAN AGREEMENT (SPECIAL REVENUE) BETWEEN THE COMMISSION AND THE COUNTY; AUTHORIZING THE EXECUTION OF THREE LOAN NOTES TO EVIDENCE SUCH MODIFICATION AND AGREEING TO SECURE SUCH NOTES AS PROVIDED IN THE LOAN AGREEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH OTHER DOCUMENTS AS MAY BE NECESSARY TO EFFECT SUCH MODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA:

SECTION 1. DEFINITIONS. Unless the context of use indicates another meaning or intent, the following words and terms as used in this Resolution shall have the following meanings. Capitalized terms not defined herein shall have the meanings ascribed thereto in the hereinafter defined Loan Agreement.

"**Act**" means, collectively, Part I, Chapter 125, Florida Statutes, Part I, Chapter 163, Florida Statutes, Chapter 218, Part VI, Florida Statutes, and all other applicable provisions of law.

"**Additional Payments**" means the payments required to be made by the County pursuant to Sections 5.02(b), 5.02(c), 5.02(d), 5.05 and 6.06(e) of the Loan Agreement.

"**Board**" means the Board of County Commissioners of the Public Agency.

"**Chairman**" means the Chairman or Vice-Chairman of the Board and such other person as may be duly authorized to act on his or her behalf.

"**Clerk**" means the Clerk of the Circuit Court for the Public Agency, and ex-officio Clerk of the Board, and such other person as may be duly authorized to act on his or her behalf.

"Commission" means the Florida Local Government Finance Commission, and any assigns or successors thereto.

"County Manager" means the County Manager of the Public Agency and such other person as may be duly authorized to act on his or her behalf.

"Designated Revenues" shall mean (1) the first net proceeds received by the Public Agency from the United States Department of Agriculture Rural Development Loan Program with respect to capital improvements financed or refinanced with proceeds of Loans, (2) the Half-Cent Sales Tax Proceeds, (3) the proceeds of the Loans pending the application thereof, and (4) the Pledged Revenues, if any, which shall secure the Loan Repayments as provided in Section 6.03 of the Loan Agreement.

"Half-Cent Sales Tax Proceeds" means the proceeds of the local government half-cent sales tax distributed to the Public Agency from the Local Government Half-Cent Sales Tax Clearing Trust Fund, pursuant to Chapter 218, Florida Statutes, as amended.

"Loan" means the loan to be made by the Commission to the Public Agency from proceeds of the Series A Notes in accordance with the terms of this Resolution and of the Loan Agreement.

"Loan Agreement" means the Loan Agreement (Special Revenue), dated as of July 14, 2004, between the Public Agency and the Commission, as the same may be amended and supplemented.

"Loan No. A-1-1" means the Loan designated as "Loan No. A-1-1" the proceeds of which were used to finance a portion of the costs of Project A-1 and the repayment of which is modified pursuant to the terms of this Resolution.

"Loan No. A-1-1A" means the Loan designated as "Loan No. A-1-1A" which shall reflect the modification of the repayment schedule of Loan No. A-1-1.

"Loan No. A-1-2" means the Loan designated as "Loan No. A-1-2" the proceeds of which were used to finance a portion of the costs of Project A-1 and the repayment of which is modified pursuant to the terms of this Resolution.

"Loan No. A-1-2A" means the Loan designated as "Loan No. A-1-2A" which shall reflect the modification of the repayment schedule of Loan No. A-1-2.

"Loan No. A-1-3" means the Loan designated as "Loan No. A-1-3" the proceeds of which were used to finance a portion of the costs of Project A-1 and the repayment of which is modified pursuant to the terms of this Resolution.

"Loan No. A-1-3A" means the Loan designated as "Loan No. A-1-3A" which shall reflect the modification of the repayment schedule of Loan No. A-1-3.

"Loan Rate" has the meaning set forth in the Loan Agreement.

"Loan Repayments" or **"Repayments"** means the payments of principal and interest at the Loan Rate on the Loan amounts payable by the Public Agency pursuant to the provisions of the Loan Agreement and all other payments, including Additional Payments, payable by the Public Agency pursuant to the provisions of the Loan Agreement.

"Program" means the Pooled Commercial Paper Loan Program established by the Commission.

"Project A-1" means the acquisition of certain real property within the Public Agency and the acquisition, construction and equipping of a new library on said real property, all as more particularly described in the plans and specifications on file with the Public Agency, as the same may be approved, amended or modified from time to time.

"Public Agency" means Gadsden County, Florida, a political subdivision of the State of Florida.

"Resolution" means this Resolution, as the same may from time to time be amended, modified or supplemented.

"Series A Notes" means the Commission's Pooled Commercial Paper Notes, Series A (Governmental Issue), to be issued from time to time by the Commission.

The terms "herein," "hereunder," "hereby," "hereto," "hereof," and any similar terms, shall refer to this Resolution; the term "heretofore" shall mean before the date of adoption of this Resolution; and the term "hereafter" shall mean after the date of adoption of this Resolution.

Words importing the masculine gender include every other gender.

Words importing the singular number include the plural number, and vice versa.

SECTION 2. AUTHORITY FOR RESOLUTION. This Resolution is adopted pursuant to the provisions of the Act.

SECTION 3. FINDINGS. It is hereby ascertained, determined and declared that:

(A) The Commission has been established for the principal purpose of issuing commercial paper notes in order to provide funds to loan to public agencies, such as the

Public Agency, desiring to finance and refinance the cost of acquiring, constructing and equipping capital improvements and to finance and refinance other governmental needs.

(B) In furtherance of the foregoing, the Commission shall issue, from time to time, commercial paper notes to be known as "Florida Local Government Finance Commission Pooled Commercial Paper Notes, Series A (Governmental Issue)" and shall loan the proceeds of such Series A Notes to public agencies, including the Public Agency.

(C) Pursuant to the authority of the Act, the Commission has agreed to loan, from time to time, to the Public Agency such amounts as shall be authorized herein and in the Loan Agreement in order to enable the Public Agency to finance, reimburse or refinance the cost of acquisition, construction and equipping of capital improvements, including Project A-1.

(D) The Public Agency has hereto received Loan No. A-1-1, Loan No. A-1-2 and Loan No. A-1-3 pursuant to the Program. A portion of Loan No. A-1-1 in the amount of \$21,500 will come due on December 5, 2006; a portion of Loan No. A-1-2 in the amount of \$54,000 will come due on December 5, 2006; and a portion of Loan No. A-1-3 in the amount of \$54,000 will come due on December 5, 2006.

(E) The proceeds of Loan No. A-1-1, Loan No. A-1-2 and Loan No. A-1-3 were used to finance the costs of Project A-1.

(F) The Public Agency is in the process of obtain long-term permanent financing for Project A-1 and anticipates repaying all of the outstanding principal amounts due on Loan No. A-1-1, Loan No. A-1-2 and Loan No. A-1-3 prior to March 5, 2007.

(G) The Public Agency desires to extend the payment due on December 5, 2006 with respect to Loan No. A-1-1, Loan No. A-1-2 and Loan No. A-1-3 to March 5, 2006 in accordance with the terms hereof. The remaining portion of repayment schedule for the Loans will remain the same.

(H) In accordance with Section 3.04(c) of the Loan Agreement, the written consent of the Commission and Wachovia Bank to the modification of Loan No. A-1-1, Loan No. A-1-2 and Loan No. A-1-3 has been obtained.

(I) Loan No. A-1-1A, Loan No. A-1-2A and Loan No. A-1-3A, which shall represent the modified repayment schedule for Loan No. A-1-1, Loan No. A-1-2 and Loan No. A-1-3, respectively, shall be repaid solely from the Designated Revenues. The ad valorem taxing power of the Public Agency will never be necessary or authorized to make the Loan Repayments.

SECTION 4. AUTHORIZATION OF MODIFICATION OF THE REPAYMENT SCHEDULE FOR LOAN NO. A-1-1, LOAN NO. A-1-2 AND LOAN NO. A-1-3. The Public Agency hereby authorizes and approves the modification of the repayment schedule for Loan No. A-1-1, Loan No. A-1-2 and Loan No. A-1-3 as set forth on Schedule 1 hereto. The Chairman and the Clerk are hereby authorized to execute, seal and deliver on behalf of the Public Agency the Loan Notes evidencing such modification, which Notes shall serve as a substitute to the Notes originally issued in connection with Loan No. A-1-1, Loan No. A-1-2 and Loan No. A-1-3. The Chairman and the Clerk are hereby authorized to execute, seal and deliver any other documents, instruments, agreements and certificates necessary or desirable to effectuate the Loans as provided in the Loan Agreement. The new Notes with respect to Loan No. A-1-1A, Loan No. A-1-2A and Loan No. A-1-3A shall reflect the terms of such Loans and shall be substantially in the form attached to the Loan Agreement as Exhibit G. The new Notes shall be dated as of their respective original issue dates and shall mature in accordance with the original repayment schedule as modified per Schedule I hereto. Loan No. A-1-1A, Loan No. A-1-2A and Loan No. A-1-3A shall bear interest at the Loan Rate in accordance with the terms of the Loan Agreement. The Public Agency further agrees to make all Loan Repayments required of it pursuant to the terms of the Loan Agreement. The Letter of Credit fees for the Loan shall be 44 basis points or such other amount as may be agreed between the Public Agency and Wachovia Bank.

SECTION 5. SECURITY FOR THE LOAN. The Public Agency's obligation to repay Loan No. A-1-1A, Loan No. A-1-2A and Loan No. A-1-3A will be secured by a pledge of and lien upon the Designated Revenues in accordance with the terms of the Loan Agreement. The obligation of the Public Agency to repay the Loans shall not be deemed a pledge of the faith and credit or taxing power of the Public Agency and such obligation shall not create a lien on any property whatsoever of or in the Public Agency other than the Designated Revenues.

SECTION 6. RESOLUTION TO CONSTITUTE CONTRACT. In consideration of the making of the Loan by the Commission, this Resolution shall be deemed to be and shall constitute a contract between (i) the Public Agency and (ii) the Commission and its successors and assigns (the Commission and its successors and assigns hereinafter referred to as the "Lender"). The pledge and agreements of the Public Agency herein set forth shall be for the benefit, protection and security of the Lender.

SECTION 7. GENERAL AUTHORITY. The members of the Board and the officers, attorneys and other agents or employees of the Public Agency are hereby authorized to do all acts and things required of them by this Resolution and the Loan Agreement, or desirable or consistent with the requirements of this Resolution and the Loan Agreement, for the full punctual and complete performance of all the terms, covenants and agreements contained in this Resolution and the Loan Agreement, and each member, employee, attorney and officer of the Public Agency or its Board is hereby

authorized and directed to execute and deliver any and all papers and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this Resolution and the Loan Agreement.

SECTION 8. SEVERABILITY. If any one or more of the covenants, agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements or provisions and shall in no way affect the validity of any of the other provisions hereof.

SECTION 9. REPEAL OF INCONSISTENT RESOLUTIONS. All resolutions or parts thereof in conflict herewith are hereby superseded and repealed to the extent of such conflict.

SECTION 10. OPEN MEETINGS. It is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were taken in an open meeting of the members of the Board and that all deliberations of the members of the Board and of its committees, if any, which resulted in such formal action were taken in meetings open to the public, in full compliance with all legal requirements.

SECTION 11. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

The presiding officer declared said Resolution adopted and approved in open meeting.

ADOPTED this 4th day of December, 2006.

**BOARD OF COUNTY COMMISSIONERS
OF GADSDEN COUNTY, FLORIDA**

(SEAL)



ATTEST:

By: Brenda A. Velt
Chairman

Muriel Strang Lee, Deputy Clerk
Clerk

SCHEDULE I

REPAYMENT SCHEDULES

Original Repayment Schedule Loan No. A-1-1

December 7, 2004	\$ 21,500
December 6, 2005	21,500
December 5, 2006	21,500
December 4, 2007	21,500
December 2, 2008	129,000

New Repayment Schedule Loan No. A-1-1A

December 7, 2004	\$ 21,500
December 6, 2005	21,500
March 6, 2007	21,500
December 4, 2007	21,500
December 2, 2008	129,000

Original Repayment Schedule Loan No. A-1-2

December 6, 2005	\$54,000
December 5, 2006	54,000
December 4, 2007	54,000
December 2, 2008	54,000
December 1, 2009	584,000

New Repayment Schedule Loan No. A-1-2A

December 6, 2005	\$54,000
March 6, 2007	54,000
December 4, 2007	54,000
December 2, 2008	54,000
December 1, 2009	584,000

Original Repayment Schedule Loan No. A-1-3

December 5, 2006	\$ 54,000
December 4, 2007	54,000
December 2, 2008	54,000
December 1, 2009	54,000
December 7, 2010	394,000

New Repayment Schedule Loan No. A-1-3A

March 6, 2007	\$ 54,000
December 4, 2007	54,000
December 2, 2008	54,000
December 1, 2009	54,000
December 7, 2010	394,000

**UNITED STATES OF AMERICA
STATE OF FLORIDA
GADSDEN COUNTY, FLORIDA
REVENUE NOTE, DRAW NO. A-1-2A
(SPECIAL REVENUE)**

<u>Principal Sum</u>	<u>Date of Issuance</u>	<u>Final Maturity Date</u>
\$800,000.00	May 12, 2005	December 1, 2009

KNOW ALL MEN BY THESE PRESENTS, that Gadsden County, Florida (the "Public Agency"), for value received, hereby promises to pay, solely from the Designated Revenues described in the within-mentioned Loan Agreement, to the order of the Florida Local Government Finance Commission, Tallahassee, Florida, or its successors or assigns (the "Noteholder"), the Principal Sum stated above advanced pursuant to that certain Loan Agreement (Special Revenue) by and between the Florida Local Government Finance Commission and the Public Agency, dated as of July 14, 2004 (the "Loan Agreement"), and to pay interest on such Principal Sum from the Date of Issuance identified above or from the most recent date to which interest has been paid at the interest rate per annum identified in the Loan Agreement commencing on the Date of Issuance until such Principal Sum shall have been paid. The Principal Sum hereof shall be payable upon the Final Maturity Date or earlier prepayment in accordance with the terms of the Loan Agreement and this Note. The Public Agency agrees to make all Loan Repayments in accordance with the terms of the Loan Agreement. Such Principal Sum and interest is payable in any coin or currency of the United States of America which, at the time of payment, is legal tender for the payment of public and private debts.

The Principal Sum shall be paid on the following dates and in the following amounts:

<u>Date</u>	<u>Amount</u>
December 6, 2005	\$ 54,000
March 6, 2007	54,000
December 4, 2007	54,000
December 2, 2008	54,000
December 1, 2009	584,000

This Note is issued under the authority of and in full compliance with the Constitution and statutes of the State of Florida, including, particularly, Chapter 125, Florida Statutes, Chapter 218, Part VI, Florida Statutes, and other applicable provisions of law, a resolution duly adopted by the Public Agency on July 6, 2004 (the "Resolution"), as such resolution may be amended and supplemented from time to time, and is subject to all terms and conditions of the Resolution and the Loan Agreement. Any term used in this Note and not otherwise defined shall have the meaning ascribed to such term in the Loan Agreement.

This Note is being issued to finance the costs of the acquisition of certain real property within the Public Agency to be used for a new library. This Note is secured by and shall be payable from the Designated Revenues as described in the Resolution and the Loan Agreement; provided, however, the Note shall not be secured by any proceeds received by the Public Agency from the United States Department of Agriculture Rural Development Loan Program. The Noteholder shall have a pledge of and lien on the remaining Designated Revenues.

Notwithstanding any provision in this Note to the contrary, in no event shall the interest contracted for, charged or received in connection with this Note (including any other costs or considerations that constitute interest under the laws of the State of Florida which are contracted for, charged or received) exceed the maximum rate of interest allowed under the State of Florida as presently in effect.

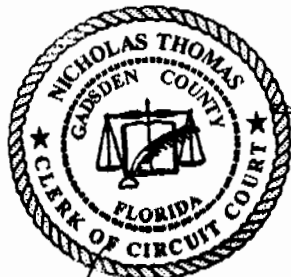
This Note, when delivered by the Public Agency pursuant to the terms of the Loan Agreement and the Resolution, shall not be or constitute an indebtedness of the Public Agency or of the State of Florida, within the meaning of any constitutional, statutory or charter limitations of indebtedness, but shall be payable solely from the Designated Revenues, as provided in the Loan Agreement and the Resolution. No Noteholder shall ever have the right to compel the exercise of the ad valorem taxing power of the Public Agency or the State, or taxation in any form of any property therein to pay the Note or the interest thereon, except to the extent otherwise specifically provided in the Loan Agreement.

All terms and provisions of the Loan Agreement are hereby incorporated by reference herein.

IN WITNESS WHEREOF, the Public Agency caused this Note to be signed by the manual signature of the Chairman of the Board of County Commissioners of the Public Agency and the seal of the Public Agency to be affixed hereto, and attested by the manual signature of the Clerk to the Public Agency, and this Note to be dated the Date of Issuance set forth above.

GADSDEN COUNTY, FLORIDA

(SEAL)



ATTEST:


Chairman, Board of County Commissioners


Clerk

**UNITED STATES OF AMERICA
STATE OF FLORIDA
GADSDEN COUNTY, FLORIDA
REVENUE NOTE, DRAW NO. A-1-A
(SPECIAL REVENUE)**

<u>Principal Sum</u>	<u>Date of Issuance</u>	<u>Final Maturity Date</u>
\$215,000.00	July 14, 2004	December 2, 2008

KNOW ALL MEN BY THESE PRESENTS, that Gadsden County, Florida (the "Public Agency"), for value received, hereby promises to pay, solely from the Designated Revenues described in the within-mentioned Loan Agreement, to the order of the Florida Local Government Finance Commission, Tallahassee, Florida, or its successors or assigns (the "Noteholder"), the Principal Sum stated above advanced pursuant to that certain Loan Agreement (Special Revenue) by and between the Florida Local Government Finance Commission and the Public Agency, dated as of July 14, 2004 (the "Loan Agreement"), and to pay interest on such Principal Sum from the Date of Issuance identified above or from the most recent date to which interest has been paid at the interest rate per annum identified in the Loan Agreement commencing on the Date of Issuance until such Principal Sum shall have been paid. The Principal Sum hereof shall be payable upon the Final Maturity Date or earlier prepayment in accordance with the terms of the Loan Agreement and this Note. The Public Agency agrees to make all Loan Repayments in accordance with the terms of the Loan Agreement. Such Principal Sum and interest is payable in any coin or currency of the United States of America which, at the time of payment, is legal tender for the payment of public and private debts.

The Principal Sum shall be paid on the following dates and in the following amounts:

<u>Date</u>	<u>Amount</u>
December 7, 2004	\$ 21,500
December 6, 2005	21,500
March 6, 2007	21,500
December 4, 2007	21,500
December 2, 2008	129,000

This Note is issued under the authority of and in full compliance with the Constitution and statutes of the State of Florida, including, particularly, Chapter 125, Florida Statutes, Chapter 218, Part VI, Florida Statutes, and other applicable provisions of law, a resolution duly adopted by the Public Agency on July 6, 2004 (the "Resolution"), as such resolution may be amended and supplemented from time to time, and is subject to all terms and conditions of the Resolution and the Loan Agreement.

Any term used in this Note and not otherwise defined shall have the meaning ascribed to such term in the Loan Agreement.

This Note is being issued to finance the costs of the acquisition of certain real property within the Public Agency to be used for a new library. This Note is secured by and shall be payable from the Designated Revenues as described in the Resolution and the Loan Agreement; provided, however, the Note shall not be secured by any proceeds received by the Public Agency from the United States Department of Agriculture Rural Development Loan Program. The Noteholder shall have a pledge of and lien on the remaining Designated Revenues.

Notwithstanding any provision in this Note to the contrary, in no event shall the interest contracted for, charged or received in connection with this Note (including any other costs or considerations that constitute interest under the laws of the State of Florida which are contracted for, charged or received) exceed the maximum rate of interest allowed under the State of Florida as presently in effect.

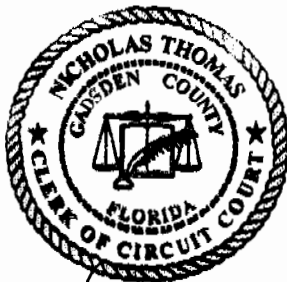
This Note, when delivered by the Public Agency pursuant to the terms of the Loan Agreement and the Resolution, shall not be or constitute an indebtedness of the Public Agency or of the State of Florida, within the meaning of any constitutional, statutory or charter limitations of indebtedness, but shall be payable solely from the Designated Revenues, as provided in the Loan Agreement and the Resolution. No Noteholder shall ever have the right to compel the exercise of the ad valorem taxing power of the Public Agency or the State, or taxation in any form of any property therein to pay the Note or the interest thereon, except to the extent otherwise specifically provided in the Loan Agreement.

All terms and provisions of the Loan Agreement are hereby incorporated by reference herein.

IN WITNESS WHEREOF, the Public Agency caused this Note to be signed by the manual signature of the Chairman of the Board of County Commissioners of the Public Agency and the seal of the Public Agency to be affixed hereto, and attested by the manual signature of the Clerk to the Public Agency, and this Note to be dated the Date of Issuance set forth above.

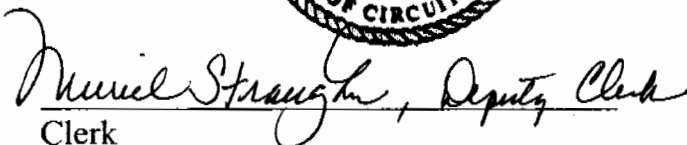
GADSDEN COUNTY, FLORIDA

(SEAL)



ATTEST:


Chairman, Board of County Commissioners


Clerk

**UNITED STATES OF AMERICA
STATE OF FLORIDA
GADSDEN COUNTY, FLORIDA
REVENUE NOTE, DRAW NO. A-1-3A
(SPECIAL REVENUE)**

<u>Principal Sum</u>	<u>Date of Issuance</u>	<u>Final Maturity Date</u>
\$610,000.00	October 11, 2005	December 7, 2010

KNOW ALL MEN BY THESE PRESENTS, that Gadsden County, Florida (the "Public Agency"), for value received, hereby promises to pay, solely from the Designated Revenues described in the within-mentioned Loan Agreement, to the order of the Florida Local Government Finance Commission, Tallahassee, Florida, or its successors or assigns (the "Noteholder"), the Principal Sum stated above advanced pursuant to that certain Loan Agreement (Special Revenue) by and between the Florida Local Government Finance Commission and the Public Agency, dated as of July 14, 2004 (the "Loan Agreement"), and to pay interest on such Principal Sum from the Date of Issuance identified above or from the most recent date to which interest has been paid at the interest rate per annum identified in the Loan Agreement commencing on the Date of Issuance until such Principal Sum shall have been paid. The Principal Sum hereof shall be payable upon the Final Maturity Date or earlier prepayment in accordance with the terms of the Loan Agreement and this Note. The Public Agency agrees to make all Loan Repayments in accordance with the terms of the Loan Agreement. Such Principal Sum and interest is payable in any coin or currency of the United States of America which, at the time of payment, is legal tender for the payment of public and private debts.

The Principal Sum shall be paid on the following dates and in the following amounts:

<u>Date</u>	<u>Amount</u>
March 6, 2007	\$ 54,000
December 4, 2007	54,000
December 2, 2008	54,000
December 1, 2009	54,000
December 7, 2010	394,000

This Note is issued under the authority of and in full compliance with the Constitution and statutes of the State of Florida, including, particularly, Chapter 125, Florida Statutes, Chapter 218, Part VI, Florida Statutes, and other applicable provisions of law, a resolution duly adopted by the Public Agency on July 6, 2004 (the "Resolution"), as such resolution may be amended and supplemented from time to time, and is subject to all terms and conditions of the Resolution and the Loan Agreement. Any term used in this Note and not otherwise defined shall have the meaning ascribed to such term in the Loan Agreement.

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All terms and provisions of the Loan Agreement are hereby incorporated by reference herein.

IN WITNESS WHEREOF, the Public Agency caused this Note to be signed by the manual signature of the Chairman of the Board of County Commissioners of the Public Agency and the seal of the Public Agency to be affixed hereto, and attested by the manual signature of the Clerk to the Public Agency, and this Note to be dated the Date of Issuance set forth above.

GADSDEN COUNTY, FLORIDA

(SEAL)



ATTEST:


Chairman, Board of County Commissioners


Clerk

AT A REGULAR MEETING HELD IN AND
FOR GADSDEN COUNTY, FLORIDA ON
DECMEBER 5, 2006, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

PRESENT: Brenda Holt, Chair
Derrick Price, Vice-chair
Eugene Lamb
Doug Croley
Edward J. Dixon
Thornton Williams, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

Invocation and Pledge of Allegiance

Chair Holt called the meeting to order. Commissioner Croley led in the invocation and Commissioner Price led in pledging allegiance to the U.S. flag.

Amendments and Approval of Agenda

County Manager Marlon Brown made the following amendments to the agenda:

ADD:

- Item #1
Resolution 2006-078 Recognizing Havana Centennial
- Item #1A:
TMH Urgent Care Update - Cory Flemming
- Item #1B:
Florida Association of Counties 2007 Legislative Update
- Item #1C:
Gadsden County 2007 State Legislative Update
- Item #5
Material for the Water Sewer Infrastructure Grant LP6721
- Items #14
Budget Amendment and Material for FY 2007 Carry Forward

Item #17A
Staff Updates on On-Going Projects

Item #17B
Review of 2007 Board of County Commissioners Meeting
Calendar.

Item #17C
First Annual Senior Citizens United Service Organization
(USO) - Holiday Dance on December 16, 2007

Approval and Direction to the Staff as which direction to pursue
with the bond refinancing for the Library Loan Program

DELETE:

Item 15
Capital Medical Funding

UPON MOTION BY COMMISSIONER PRICE 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. Recognition of Centennial Celebration for the Town of Havana
- December 9, 2006 County Resolution 2006-078**

Public/Intergovernmental Relations Officer Jon Brown
recognized Havana Mayor T. J. Davis and asked him to come
forward.

Chair Holt then read Resolution 2006-078 into the record and
presented it to Mr. Davis along with a plaque commemorating
the 100th anniversary of the Town of Havana.

Mr. Davis received the plaque on behalf of the Town and
thanked the board for the formal recognition. He then
invited everyone present to the festivities and celebrations
taking placing in Havana on December 9 - 10, 2006.

1A. Urgent Care Facility Update

Mr. Cory Fleming from Tallahassee Memorial Hospital reported
that the Gadsden County Urgent Care facility located at the
hospital will open on December 18 at 2:00 p.m. He also said

there would be a grand opening on that same day at 1:00 p.m. He then reported that all staff members have been hired and that 11 of the 12 are Gadsden County residents. The one who does not reside in the county is looking for property in the county.

He described how the information will be disseminated to the public about the services that would be provided.

1B. Florida Association of Counties (FAC) 2007 Legislative Update (See the attached brochure for details of this report.)

OMB Director Davin Suggs reported that the FAC is proposing the following measures as a compromise to what some of the counties want to do in the upcoming legislative session. The following summaries were noted for the record:

Department of Juvenile Justice (DJJ)

Gadsden County has received information from the DJJ regarding a shortfall in funding. He explained that because Gadsden County is a fiscally constrained county, the county's portion has traditionally been paid for by the State. However, the State is predicting a shortfall in the money this year. They did not set aside adequate funding to cover small counties. He said that DJJ anticipates sending the County a bill for \$100,000 to cover the shortfall.

He then explained that Gadsden County did not budget for this expense. He said that when the bills arrive, FAC will collectively take those bills (from the 30 affected counties) to the Legislature in the hope that the State will disperse the funds to cover those costs.

He reiterated that FAC has given instructions to all the counties affected to **NOT PAY** the bill when it arrives. There will be a special session in January at which time this matter is to be addressed.

He explained, "The reason we do not want to pay this bill is because there have been some troubles with DJJ in terms of their accountability and their thoroughness in preparing information for previous budgets. The reason we want to follow FAC's advice (and not pay this bill) is because once you pay it, you can't stop paying it. Once we pay it and say that it is o.k. for the State to budget a shortfall in

this area, it becomes o.k. for them to budget a shortfall again.

We are doing this not just by ourselves, but we are following FAC's advice. FAC is representing us in the Legislature and this is their legal advice.

We believe we are doing the right thing. I believe it is the right thing for the Board to do and follow the Association's advice and see it through. I believe first that we should take the shot and see if the State will budget to cover the shortfall. If the State does not, the worst that can happen is that we will pay it later. But, I believe we need to take that option and try to get the State to pay for its own mistake before we cover it."

Property Tax Issue

Mr. Suggs then explained that there is a proposal throughout the State to raise the homestead exemption from \$25,000 to \$50,000. FAC will lobby to get small counties exempt from the increase. If this proposal passes, it would cost Gadsden County between \$180,000 to \$200,000 in revenue. (It would remove \$18 million from the tax base.)

Affordable Housing

Mr. Suggs then went on to say that there is a statewide push to propose a local option to first time homebuyers that would allow individual counties the ability to increase their homestead exemption to \$50,000. This is in addition to the other measure to increase homestead exemption across the board. He also said there is a proposal to change the manner in which affordable housing is appraised by the property appraiser.

Valuation Cap

There is an effort to offer businesses relief by capping their taxable values to 10% per year for non-homesteaded property. (Business, investment, rental, etc)

Tax Portability

Because the growth in tax value is capped at no more than 3% per year on homesteaded property, a person's property builds up a savings on property tax over time. When a person moves

from that homesteaded property, they lose the savings that has built up over time and they are then faced with paying property taxes at the new market value on a new home. With portability, a homeowner will be able to transfer that property tax savings from house to house.

TRIM Notice Changes

There are a number of proposals to change the appearance of the TRIM Notices in that there will be a lot more information appearing on the notice itself. If this measure is successful, the budgets for every constitutional officer will be itemized on the tax bill.

Mr. Suggs summarized by saying, "This is what our association is proposing as a compromise to what other people want to do. This is not what is coming down from the governor. The losses that we are talking about, we are saying "This is the least we want to take. This is not what everybody else wants to do to counties." The losses are significant, but we are proposing this as a compromise to whatever else is out there. The association, made up of all the commissioners, felt that they had to offer something that was significant to get a seat at the table to be included in the discussion. So, the losses we have talked about tonight are what we are proposing for that compromise."

Chair Holt stated, "Basically, what the association is saying is "If we cut ourselves and put that package out there, it is better than a cut that the State is offering...Other associations are going for the cuts, too. When they are all going in for the cuts, we are hoping to come out not bleeding so badly. You know you are not going to get what you have been getting. So, that is what we are saying. We are going to be over at the House and Senate trying to save what we can save for rural counties."

1C. Gadsden County 2007 State Legislative Update

Jon Brown reported that a survey form has been sent out to all municipalities and constitutional officers throughout the County asking them to make their legislative needs known to the county's lobbyist, Chris Doolin. He said that Mr. Doolin will present a draft proposal of legislative priorities on December 19 for the Board's approval and

direction.

Consent Agenda

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT:

2. Approval of Minutes - October 10, 2006 Special Meeting
 November 7, 2006 Regular Meeting
3. Ratification of Approval for Payment of County Bills
 Accounts Payables Dated: November 9, 2006
 November 17, 2006
 November 22, 2006
 Payroll Dated: November 22, 2006
4. Approval of Proposal for Fire Services Study with Government Service Group (Cost will be \$25,000. It is not in the original FY 2007 budget. The funds for this study will be provided from existing fund balance within the Fire Services fund. Resolution and Budget Amendment to follow execution of the contract.
5. Approval to Execute the \$350,000 Legislative Appropriations Grant LP6721

PUBLIC HEARINGS:

- 6. Public Hearing - Ocklawaha Ventures, LLC Comprehensive Plan Amendment CPA-2006-09 Major Land Use Amendment - For Transmittal to Department of Community Affairs (DCA) changing 68.88 Acres from AG-3 to AG-1 to create 12 large lots subdivision .**

Owner: Ocklawaha Ventures, LLC and Jason Boone

Applicant/Representative: Creech Engineers

Location: north and south of Cook Landing Road and adjacent to SR 267.

TAX ID: 4-33-1N-4W-0000-0020-0000 (33.35 ACRES)

 4-33-1N-4W-0000-0230-0000 (35.53 ACRES)

Type of Action: Quasi-legislative per Subsection 7401 of the Land Development Code.

Planning Commission Recommendation: Table the decision until a Lake Talquin area planning study has been conducted.

Growth Management Director Recommendation: Prior to the Board making a decision on this development, conduct a sector study and develop a plan for development at Lake Talquin. This study could be considered Phase II of the visioning process.

Growth Management Director Bill McCord presented the application and gave a description of the property and pertinent details of the property

The following people gave public testimony:

Shawn Marston of Creech Engineers addressed the Board. He stated that when he initially met with Mr. McCord, he was not told of a Lake Talquin study and they moved forward with their efforts to develop the property. He told of an environmental study and evaluation which has already been done. He then spoke to other pertinent details. He requested that the Board transmit the amendment to Department of Community Affairs (DCA)

Jason Boone, managing partner of the proposed development, also stated that when he met with the Planning Department, he was not told of the staff's desire to conduct a sector study. He said he had already had an outlay of money to get the LUA through the process. He requested that Board transmit the request to DCA.

Elva Peppers was in favor of the proposed sector study. She did ask that the Board specifically identify the limits of the study and the timeframes that the public could expect for it to be complete.

There was a discussion among the Board regarding the proposed sector study.

The following instructions were given to staff:

Get some kind of information out to the property owners in the affected area that it is the Board's intent to make a sector study of the Lake Talquin

area.

There was a consensus that the Board would entertain discussion about hiring a consultant to conduct the study so as not to impose such a time consuming task on the planning staff.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER DIXON, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO TABLE THIS LAND USE AMENDMENT PENDING THE OUTCOME OF THE SECTOR STUDY OF LAKE TALQUIN.

7. Public Hearing - Cohen Future Land Use Map Comprehensive Plan Amendment CPA-2006-10 - Major Land Use Amendment - For Transmittal to DCA Changing 29.15 acres from AG-3 to AG-1.

Owner: Robert M. Dutton, Sr.

Applicant/Representative: Eric Cohen/Creech Engineers

Location: north side of Cook Landing Road approximately 1.6 miles east of the intersection of SR 267.

TAX ID: 4-34-1N-4W-0000-00124-0000

Type of Action Required: Quasi-legislative per Subsection 7401 of the Land Development Code.

Planning Commission Recommendation: Table this action pending outcome of the proposed sector study. No findings were made.

Staff Recommendation: Table per the recommendation of the Planning Commission.

Growth Management Director Bill McCord briefed the Board as to the pertinent details of the proposed project. (The details are contained in the attached agenda report.)

Chair Holt called for public comments.

Ms. Elva Peppers, Florida Environmental Land Services, addressed the Board to answer questions from the Board.

It was determined that at the conclusion of the sector study, this project would go back to the Planning Commission for their recommendations and findings prior to coming back to the County Commission.

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO TABLE THE COHEN FUTURE LAND USE MAP AMENDMENT UNTIL THE

COMPLETION OF THE LAKE TALQUIN SECTOR STUDY IS COMPLETED.

**8. Public Hearing - Fuchs Future Land Use Map (FLUM)
Comprehensive Plan Amendment - Large Scale Land Use
Amendment CPA-2006-11 - For Transmittal to DCA changing
10.72 acres from AG-2 and AG-3 to RR creating 3 lots.**

Owner: Diana R. Fuchs

Project Manager: Brenda A. Powell, Florida Environmental & Land Services, Inc.

Location: north side of Kitterell Road, approximately 2/3 of a mile east of CR 268 (High Bridge Road) It is located in the Deer Trace Farm Subdivision.

TAX ID: 3-28-2N-3W-0000-00431-0100

(This property is not a subdivision, but a metes and bounds type parcelization pattern, but there are deed restrictions that would limit lot sizes to no smaller than two acres. There could be no more than four or five lots.)

Planning Commission Recommendation: Change the land use on the west 5.91 acres from AG-2 to RR; change the easterly 5 acre parcel to From AG-2 to AG-1 . See the findings as listed in the agenda report.

Staff Recommendation: Staff concurred with Planning Commission based on their findings.

Chair Holt asked for public comments.

Elva Peppers, Florida Environmental and Land Services, Inc. addressed the Board to answer questions.

Upon opening the floor again for public comment, there was no response.

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO CHANGE THE LAND USE ON THE WESTERLY 5.91 ACRES FROM AG-2 TO RRR; CHANGE THE EASTERLY 5 ACRE PARCEL FROM AG-2 TO AG-1 AND TRANSMIT TO DCA FOR THEIR REVIEW.

**9. Public Hearing - Volsch Large Scale Comprehensive Plan
Amendment - CPA-2006-12 - Changing 29.49 Acres from AG-2 to
AG-1 ; (5 Potential Lots) For Transmittal to DCA**

Owner: Jill Volsch and Ken O'Brian

Applicant: Eric Gooch, P.E. of W. E. Engineering

Location: one mile south east of the City of Havana, adjacent to the north side of County Road 153 (Iron Bridge Road) and at the end of Tall Timber Road

TAX ID: 3-01-2N-2W-0000-00122-0100 AND 3-01-2N-2W-0000-00210-0300

Type of Action Required: Quasi-legislative in conjunction with the advertised public hearing as a large scale amendment to the FLUM

Planning Commission Recommendation: After public input on November 16, 2006, the Planning Commission made a number of findings as outlined in the agenda report. They voted unanimously to approve the change with the understanding that the staff will be forthcoming with an administrative land use amendment to change the land use designation of the property east and west of subject properties to AG-1.

Mr. McCord gave an overview of the proposed land use change as described above. See the attached agenda report for further details.

Mr. McCord then explained that the parcels that surround the subject parcels have been developed at much higher densities than the subject parcels. (non-conforming) By changing the land use designation of the surrounding property, it would be less non-conforming.

Upon calling for public comments, Chair Holt recognized the following people:

Eric Gooch - in support of the change

Ken O'Brian - in support of the change

Discussion among the Board followed. It was mentioned that Morningside Kennels exist on the property which houses 25 - 30 dogs. There was discussion about the animal noise, training with gunfire, etc.

Chair Holt again called for public comments. She then specifically asked if there was anyone present who opposed the change or if the department had received any written notification of opposition. There was no response.

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE AND TRANSMIT TO DCA THE VOLSCH LARGE SCALE LAND USE AMENDMENT WITH THE UNDERSTANDING THAT THE STAFF WILL

MAKE AN ADMINISTRATIVE LAND USE AMENDMENT OF THE ADJACENT PROPERTIES PER THE PLANNING COMMISSION RECOMMENDATION.

10. Public Hearing - Rooster Crossing Future Land Use Map Comprehensive Plan Amendment - CPA-2006-13 - Large Scale Plan Amendment for Transmittal to DCA (Changing 53 acres from AG-3 to RR allowing for up to 53 lots.)

Owner: Rooster Crossing Plantation, LLC

Applicant: Blackhawk Engineering, Inc.

Location: South side of US 90 at the south end of South Lanier Road and north of the Hammock Creek Commerce Park, approximately two and one-half miles northwest of Midway

TAX ID: 3-31-2N-2W-0000-00310-0000; 3-31-2N-2W-0000-00320-0000; and 3-36-2N-3W-0000-00140-0000

Planning Commission Recommendation: On November 16, 2006, the Planning Commission voted to approve only the westerly 40 acre portion. They recommended denial of the southerly 13 acres until an environmental study can be done. See the amendment with the findings listed in the agenda report.

Mr. McCord gave a presentation of the project as described in the attached agenda report. He noted that this property was one of the properties which was identified during the county-wide visioning process as being conducive for residential development because of it's proximity to central water and sewer lines.

He made mention of the fact that the growth rate for Gadsden County far exceeds the projected growth rate projected in the 2001 amendment to the Comprehensive Plan. More details of this appears in the attached report. He pointed out that this proposed development is ripe for development.

The following people were recognized for comments:

Carmen Green of Blackhawk Engineering stated that in keeping with the Planning Commission, they have modified their application to only include the northwest 40 acres. She said they will table the southeast 13 acres until the drainage studies can be completed in that area. She emphasized that they will complete the studies and all wetlands and flood plains will be placed in conservation easements. She said that all the homes will be site built and they will all be on central water and central sewer.

There will be no septic tanks in the developments.

Marion Ryan, Lake Yvette Homeowner's Association, was recognized for questions and comments. She voiced concern about the watershed issues and the potential for flooding. She asked that the applicant be required to do a watershed hydrological analysis on the 13 acres. She also pointed out that there is a 40 - 50 ft. drop-off on the 40 acre parcel.

Valarie Harris, lifelong resident of South Lanier Road, addressed the Board. She asked the board to table the issue until the drainage study is completed. She asked for an opportunity to meet with the developer to resolve her concerns.

Mr. McCord interjected that he has received a letter from Ms. Harris for the record as well as one from the Lake Yvette residents.

John Lane, Homeowner's Association for north end of Lanier Road stated, "There is a lot of open property on the first mile or so on Lanier Road. The way that Gadsden County is developing, we are concerned about that. A little further down the road, most of the homes are on 5 - 10 acres. There are some non-conforming areas in there. But, we are hopeful that this will not set a precedent for increasing the density on the north end of the road. We would like for the commissioners to be aware of that."

Commissioner Dixon replied, "Madam Chair, I think the fact that Lake Yvette is there sets the precedent that you ought to be concerned about. That is the real problem."

Commissioner Lamb asked if the staff has conducted any kind of study of the 40 acre parcel.

Mr. McCord replied that he has done nothing in detail.

Commissioner Lamb requested that Mr. McCord walk the property and make observations for himself regarding the drop-off, cemetery, etc., then report back to the Board. He asked that the Board table this project until the study has been prepared.

Dennis Smith, resident of Lanier Road, voiced concern about the possibility of installation septic tanks.

Ms. Ryan was recognized for comments again.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER DIXON, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ROOSTER CROSSING FUTURE LAND USE MAP AMENDMENT ON THE 40 ACRE PARCEL ONLY BASED ON THE FINDINGS FOUND IN THE ATTACHED AGENDA REPORT. THE MOTION INCLUDED THE APPROVAL TO TRANSMIT THE AMENDMENT TO DCA.

11. Public Hearing - Morghem Future Land Use Map Comprehensive Plan Amendment - CPA-2006-014 Small Scale Land Use Amendment for Adoption Changing 1.3 Acres from AG-1 to Commercial Land use -First Reading of Ordinance 2006-028

Owner: Akram Morghem

Applicant/Representative: Brenda A. Powell, Project Manager with Florida Environmental & Land Services

Location: North side of US 90 approximately .25 miles west of the Quincy City limits and the intersection of Bostick Road, CR 274, and .25 miles east of Woodberry Road

Potential Lots: one

Type of Action Required: Quasi-legislative in conjunction with the advertised public hearing as a small scale amendment to thulium per Subsection 7401 of the Land Development Code.

Planning Commission Recommendation: November 16, 2006
Unanimous recommendation for approval based on the findings listed in the agenda report. (Attached)

Proposed Use: Office Building

Growth Management Director Bill McCord gave a brief overview of the project as described in the attached agenda report.

Elva Peppers and Brenda Powell addressed the Board for brief comments on the project.

Chair Holt called for other public comments for or against the project. There was no response.

There was brief discussion by the Board.

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE FIRST READING OF ORDINANCE 2006-028 ADOPTING THE LAND USE AMENDMENT DESCRIBED ABOVE. COMMISSIONER LAMB

WAS NOT PRESENT FOR THIS VOTE.

12. Public Hearing - Preliminary Plat for Comfort Creek, Phase II Subdivision (SD-2006-01) and Street Length Variance Request To Allow The Cul-de-sac To Be More Than 1500 Ft. in Length. 172.66 Acres - Proposed Lots - 40

Owner: Talquin Ventures, LLC

Applicant/Representative: PBS & J, Inc. Mike Scibelli

Location: North of Reynolds Road, east of McCall Bridge Road and west of Lake Talquin approximately 3.5 miles east of Wetumpka, comprising portions of lots in the Little River Survey (Lots 19, 20 and 21)

TAX ID: 5-0L-0R-0S-0000-19300-0500 and 5-0L-0R-0S-0000-19300-1000)

Type of Action Required: Quasi-judicial in conjunction with the advertised public hearing as a Type II plan per Subsection 7202 of the Gadsden County Land Development Code.

Planning Commission Recommendation: November 16, 2006 - Voted to recommend approval of the variance and the preliminary plat based on the findings listed in the agenda report.

Growth Management Director Bill McCord was administered an oath by Muriel Straughn, deputy clerk. He then presented details of the project as described in the attached report. He called attention to findings made by the Planning Commission and the options available to the Board. (attached) He specifically pointed out that there is a 200 ft. set back for the septic systems from the water line and they must be equipped with advanced waste treatment systems.

Heather Houston Meeks of PBS & J appeared on behalf of the applicant. She was administered an oath by Muriel Straughn, deputy clerk, prior to addressing the Board.

Chair Holt called for public comments. There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE TO APPROVE THE PRELIMINARY PLAT WITH THE SPECIAL CONDITIONS OUTLINED IN THE AGENDA REPORT AND THE RECOMMENDATIONS OF THE STAFF AND PLANNING COMMISSION.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER

PRICE, THE BOARD VOTE 5 - 0, BY VOICE VOTE, TO APPROVE THE VARIANCE TO ALLOW A STREET LENGTH OF MORE THAN 1500 FT.

13. Public Hearing - Joyce Dykes Appeal Request - AP-2006-01B-RV Units for Residential Use

County Manager Marlon Brown reported that he had received correspondence from Ms. Dykes that she was too ill to be in attendance and asked to postpone this hearing. He also said that Ms. Dykes had removed the RV units from the property. Technically, she is not in violation at the time.

It was established for the record that the purpose of this hearing was for Ms. Dykes to appeal the previous decision of the Board to require her to remove the RVs. Since she has complied with the Board's directives, there is no longer a violation.

Ms. McCord stated that Ms. Dykes still intends to appeal the Board's decision. She made it very clear that she wants to re-establish the RVs on the property. While she is technically in compliance, she still wants to argue her position that she is entitled to them on the property.

Attorney Williams advised that the Board should re-notice the hearing for the next meeting.

There was brief discussion among the Board.

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO POSTPONE THIS MATTER FOR TWO WEEKS.

14. Public Hearing - Approval of FY 2007 Carry-Forward Budget Amendments

OMB Director Davin Suggs presented the Resolution 2006-082 and OMB-BA# 070015A, B, C, D, E, F, G, H, I, J, K, L-1, L-2, M-1, M-2.

Chair Holt called for public comments and questions. There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTE 5 - 0, BY VOICE VOTE, TO APPROVE THE

ABOVE NAMED BUDGET AMENDMENTS AND RESOLUTION 2006-082.

15. Approval of Funding for the Capital Medical Society

(This item was withdrawn from the agenda at the beginning of the meeting by way of an amendment to the agenda.)

16. Approval of Funding for the Healthy Start Coalition of Gadsden County

Mr. Brown stated that this item seeks the Board's approval to provide funding to the Gadsden County Healthy Start Coalition in the amount of \$5,000.00. The money would be used to conduct an extensive media campaign for Gadsden County.

He went on to say, "Because healthcare has been identified as one of the county's priorities, the staff has recommended that the Board move forward with providing funding to the Healthy Start Coalition for this media campaign."

Commissioner Dixon disclosed a conflict of interest on this matter because he works for the Healthy Start Coalition. (see the voting conflict form attached.)

Commissioner Croley said that he supports the mission of the Healthy Start Coalition. However, he understood that there is an approved formal process through which all not-for-profit organizations go through when they are seeking funding from the County. He also said that it appears that the process is the right way to go. He rationalized that in order to be fair to all of the other not-for-profit organizations, perhaps this request should be handled in like manner.

Chair Holt said that this issue is very sensitive to her because it deals with babies and prevention of infant deaths.

Commissioner Lamb stated that he could support the issue if they would agree to go through the usual process in the years that follow if they should apply for funds again.

Commissioner Croley stated, "Here is my concern about it. Just being fair and square. Every group thinks that their penny is the shiniest and their mission is the most

important and I respect that. But, I also have to raise the issue that this group has -and I just want to bring this out and perhaps there is someone from the group that can clarify this for us - I look at everything as ya'll have already found out about me. And, when I am going to spend somebody's money, particularly if it is not my money, the taxpayers money, I am going to look at who is getting it. And, the only Gadsden Community Healthy Start Coalition listed as a Florida not-for-profit is filed as inactive. That was checked today.

Now I don't doubt that the group may be reconstituting itself and they plan to file. I also have the resources and I check with the different groups that we deal with, and I checked with the Internal Revenue Service. Again, the group is not listed. The Gadsden Community Health Council is listed, but not the Gadsden Community Healthy Start Coalition.

Now, all I am suggesting is that by giving it a little time, perhaps the paper work is in the pipeline and will be approved and properly done. Then, it could go through the not-for-profit award process. It will be good for the Healthy Start folks. They would be on the right footing, not that they aren't now, but, all I can go by is the record. That's all. Then it would be fair for all interests concerned. It is not our money, it is the public's money. I want to know that we are giving it to a proper legitimate organization. Not that they aren't. They may have their paperwork in process."

Commissioner Dixon responded, "I wasn't going to say anything, and I hope this won't become a referendum on whether you like Ed Dixon or not. The program, of its own, was created by the Health Council. All of that paperwork is in place. Mrs. Parker, out there, has the status and the non profit numbers and all of that stuff.

The reality is, as she will tell you, that 23 babies have died this year alone. We lead the state in babies dying. It is nice to say, "Wait" and it is nice to find stuff that really, you know, if you had asked anybody at the Healthy Start Coalition, they could have given you proper information and proper direction.

But, this is a good thing. It is a campaign to inform mothers not to do things like douche. That does something

to the internal parts of the body so that babies won't stay there. To take prenatal medicine. People show up at the clinic eight months pregnant and have never seen a doctor. We sound like and look like a third world country...

Health in Gadsden County is important. Too long we have played with it and played with it. We die from things that people stopped dying from years ago. Up until last year, this Board did not invest one dime in healthcare. This Board created the Health Council which created this spin off non-profit to do some good things in this county.

Don't let health come down to whether you like me or like somebody else or not. This is good. This is a campaign to make mothers more aware. People put their babies in the bed and roll over and sleep on them and the babies die. You know, it is real. This is up close real.

Ms. Parker has to go and collect money so that we can bury dead babies who have been in the morgue for months. This is real. This ain't play. This is real. So, you know, it is an on-going effort about health. That is it. It doesn't give Ed Dixon a dime. It is about health and the health of folks who are here. Simply that."

Commissioner Croley responded, "No, it is not a referendum this evening about whether anyone likes or dislikes any commissioner. It is a serious subject. That is why we need the community together and pulling together to address the needs of this particular group and this particular issue. And, again, I am going to state that you certainly have my support as a group, as a Board and as a staff for the Healthy Start Program. But, I am asking simply that we do it in the right way so that the entire community is on board and together. To that end, if it is the will of this commission, at least let us move on by saying if this is such a compelling issue for this board, a majority, let us have a motion to support this financial award, but let us qualify it by saying that if the proper paperwork is in place, file it before the actual money is given. That way, everybody is on board and no one is uncertain."

Commissioner Lamb then stated, "I would like to offer a motion for us to approve this tonight. As I have said before, I would like in the following years, if they have the desire to apply that they go through the procedure that we have in place."

Holt:

Commissioner Lamb, if you will do me a favor, in that motion, make the motion without the attachment since it's a statement. Just make the motion and then we can make comments on the record without the attachment of what they are going to do next year. Remake the motion. You can still make a comment after we either it passes or fails.

Dixon:

No, that is a fine statement.

Holt:

It is fine? O.K. I wasn't sure about that. Thank you, Commissioner Lamb.

Price:

Second.

Holt:

We have a motion and a second, all in favor?

Lamb, Price, Holt:

Aye.

Croley:

I will support the vote by voting yes, but, could I get a clarification? Will there be paper work filed before the money is distributed?

Holt:

Right now, no, we have a vote right now. We have to take a vote yes or no.

Croley:

I understand that and you have already voted. What I am trying to say is what was - I am not real clear on what - you called for the vote before we had discussion.

Holt:

No, we had discussion, sir.

Croley:

You said that we would discuss the motion once it was made, but you called for an immediate vote before we had discussion, Madam Chair, so I'm unclear on the motion. So, I am raising a point of order.

You are the parliamentarian.

Williams:

After you have the motion and the second, you can call the question and then you can have discussion.

Holt:

We have already voted. No one called the question.

Williams:

I'll tell you, we are going to have a bifurcated proceeding. If you would like to, Madam Chairman, I think the Executive Director for the Healthy Start Coalition is out there. It is in the middle of the motion, I understand, but what I am saying is that it may be helpful just to have her come up and explain what is going on right now. If that doesn't satisfy you, then you can do a motion to rescind the motion, open it back up and have discussion. But, for purposes of giving some clarification, I would just suggest that we have her come up and talk.

Holt:

O.K. Commissioners, On the paper work, Ms. Parks.

Parks:

Thank you for considering this request. The paper work has been filed. Our Articles of Incorporation have been filed. We are registered with the IRS. Probably why you did not find that information is because five years ago when the Coalition was up and running and active, the name was misspelled. It is Gadsen and that is how you would need to type it under Sunbiz.org to find that information. But, under Florida Administrative Code 383.216, you can find that we are allowed to continue to proceed with operations. That Code is authorized by the Department of Health and we are in fact, as of this date, in compliance with our standards and IRS, our Articles of Incorporation and our 501c3 status.

Croley:

Then, on that basis, I don't have any problem. I appreciate you coming forward and clarifying that so that you can have community wide support rather than feeling like that it was not there.

Holt:

So, it will pass 5 - 0. 4 - 0.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE REQUEST FOR \$5,000, BUT WITH THE UNDERSTANDING THAT IF THEY SEEK FUNDING IN SUBSEQUENT YEARS, THEY WOULD GO THROUGH THE PROPER PROCEDURE FOR NON PROFIT AGENCIES SEEKING FUNDS. COMMISSIONER DIXON ABSTAINED FROM VOTING.

17. COUNTY MANAGER'S AGENDA

Approval and Direction to the Staff as to Which Direction to Pursue With the Bond Refinancing for the Library Loan Program

OMB Director Davin Suggs told the Board that by the action taken at the special meeting on December 4, 2006, the staff has been able to move forward with the refinancing of the new libraries. He stated that the Board must get certified by the bank and the lender in terms of the county's revenue and the ability to meet the terms of the loan. He explained that that process must begin immediately in order for the Board to meet the closing date of January 9th and to lock in the interest rate. .

He explained the difference between each of the terms - 10 years, 15 years, and 20 years. He said that the revenue that will be pledged to pay back the loan is the county's share of the half-cent sales tax. The current historical average of this revenue source yields between 1.1 million and 1.3 million dollars annually.

He recommended that the Board go with the 15 year financing. The interest rate was 4.372184%.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO ACCEPT THE RECOMMENDATION OF THE STAFF FOR 15 YEARS FINANCING OPTION.

17A. Staff Updates on On-Going Projects

Parks and Recreation

Park Coordinator Charles Chapman gave a brief update on the

status of the Robertsville Park and St. John Park as reflected in the attached agenda report.

Fire Services

EMS Director Brian Beasley gave a presentation on the progress of the construction of the new fire stations.

Public Works Department

Public Works Director Robert Presnell appeared before the Board to report on the progress of the road paving program and answered questions from the commissioners.

Commissioner Croley called attention to the congestion that occurs at the intersection of US 27 and Coastal Lumber Co. He asked what the Board needs to do to get a safety study done for that intersection.

It was determined that the Board could make a request to DOT for such a study.

17B. Review of 2007 Board of County Commissioners Meeting Calendar

County Manager Brown asked the commissioners to look over the proposed calendar to determine if there are conflicts with their personal calendars. He said that it will be presented again at the next meeting for approval.

17C: First Annual Senior Citizens United Service Organization (USO) Holiday Dance on December 16, 2006

Mr. Brown invited everyone to attend the Holiday dance at the Senior Citizens Center.

18. COUNTY ATTORNEY'S AGENDA

Attorney Thornton Williams provided a copy of his liability insurance and certificate for the record. It will be retained in the office of the county manager.

CITIZENS REQUESTING TO BE HEARD

Pastor Simms, Executive Director for the Substance Abuse Coalition, appeared before the Board to report on their activities. He played a public service announcement that

was being aired on the local channels and Comcast channels.

Francis Cook appeared before the Board. She told them that she and her husband can no longer stay in their home without the aid of their family to help maintain the home and care for her ailing husband. She asked for permission to allow her son to place a mobile home on their property to facilitate meeting the short term needs of their family. She said that at their death the mobile home would be moved off the property.

Mr. McCord said that Ms. Cooks property contains less than 3 acres in an AG2 land use. The home is already a pre-existing non conforming parcel. He said, "Right now, they don't qualify for an additional house on the property because they don't have but 2.78 acres...They would not qualify for the immediate family status under what has been kicked around....The only other option is if we went to a rental home designated for a low income person. That is a possibility if you want to adopt that under a statute in the Florida Statutes - that we allow for an additional accessory home, but it can't be sold to another person, it can only be rented to a person qualified with low income. There are restrictions on that and we have not been authorized to pursue an ordinance in that vein. They are in a situation that doesn't permit it because of the land use under the existing policies"

Ms. Shelia Cook, daughter-in-law of Ms. Cook, appealed to the board to be sensitive to the plight of her in-laws in an extremely timely manner. She said that she and her husband have sold their home so that they can come help take care of Mr. Cook.

Steve Cook, Ms. Cook's son, also appealed to the Board.

Discussion followed.

Staff was directed to look into the matter.

19. DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Lamb had no comments.

Commissioner Croley presented a noise complaint from residents on Del Rio Road.

Commissioner Dixon thanked the commissioners for their participation in the FAC legislative agenda process. He announced that on December 14, at 5:30 at the Library, there will be a round table discussion regarding truancy. It will be led by the Sheriff. The School Board and all municipalities will participate.

Chair Holt thanked the staff for all the extra hours they put in. She then asked the commissioners to give her a list of five things which they deem very important for the Board to accomplish in the near future.

Commissioner Price had no comments.

20. RECEIPT AND FILE

- Letter from Gadsden County to the Early Learning Coalition, Big Bend Region regarding funding request
- Letter from the Second Judicial Circuit Office of Court Administration and the Gadsden County Public Safety Coordinating Council to thank Escambia County for their presentation.

UPON MOTION BY COMMISSIONER CROLEY AND THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR DECLARED THE MEETING ADJOURNED.

Brenda A. Holt, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

DRAFT

AT A REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON DECEMBER
19, 2006, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

PRESENT: Brenda A. Holt, Chair
Derrick Price, Vice-chair
Eugene Lamb
Doug Croley
Edward J. Dixon
Thornton Williams, County Attorney
Marlon Brown, County Manager
Muriel Straughn, Deputy Clerk

CALL TO ORDER

Chair Holt called the meeting to order.

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Price led in the invocation and Commissioner Lamb
led in pledging allegiance to the U.S. flag.

AMENDMENTS AND APPROVAL OF AGENDA U

The following amendments were made to the agenda:

Additions to the Awards, Presentations and Appearance:

- A-1. Discussion of 2007 Legislative Program
- A-2. Presentation/Update Gadsden County's Economic Development
Program.

Additions to the General Business Agenda

- 9-A. Discussion of Proposed Locations and costs for Additional
Rural Waste Sites

Additions to the County' Manager's Agenda

- 10-A. Information Only - Extension of Time Period to Consider
Special Assessment Revenue Options
- 10-B. Approval of Confirmation Appointment of Anthony Powell as
the new Assistant to County Manager.

Addition to Citizens Requesting to be Heard on Non-Agenda Items

ACF Environmental Impact Statements Comments for Considerations

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

AWARDS, PRESENTATIONS AND APPEARANCES

A-1. Discussion of 2007 Legislative Program

County Lobbyist Chris Doolin of Chris B. Doolin & Associates, LLC addressed the Board. He acknowledged the presence of Sara Bleakly and Bob Jones, his partners.

He presented a draft list of issues and items presented for the Board's consideration for inclusion into the 2007 Legislative Program. (See attachment) He recommended that the Board approve six items to be submitted as a community budget request (CBR) for the next legislative session. He said that the total amount of the request is \$54 million and it reflects real needs in the community. However, given the economic picture in the State, it would be unreasonable to expect that all of it will be funded.

Chair Holt stated that she would like to see the same agenda put forth at the federal level with federal lobbyists.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ATTACHED LIST OF COMMUNITY BUDGET REQUEST TO BE SUBMITTED TO THE LEGISLATIVE DELEGATION FOR FUNDING IN THE UPCOMING SESSION.

A-2. Presentation/Update Gadsden County's Economic Development Program.

Mr. Brad Day of Day and Company addressed the Board. He began his report by saying, "I am so excited about what went on in our community yesterday out at the hospital. One of the key barometers of economic health and quality of life is access to healthcare and you all have made a courageous decision and an enlightened decision in economic development by getting that thing going again. I want to congratulate you. That may have

been the most important decision in economic development that you have made in 2006. That speaks volumes to those people who are looking at our community and determining whether or not we have what it takes to be competitive."

He then called attention to the December Report.

He continued by saying:

It is real easy to want to just get our name out there for economic development. We just want to shout it from the roof tops. We want to put it on the T.V. We want to put it on the national radio and we want it in the New York Times. Mass marketing is not effective for local economic development organizations. So, we don't have to have a budget that is going to put us on CNN. We don't have to have a budget that is going to put us in national newspapers. What we have to do is we have to have a competitive product and we have to know who we market to. The people we market to are about 350 people in this country that actively handle the locations of projects. That is the folks we're marketing to.

So, yes, you want to do a big billboard on I-10 - "Come on to Gadsden County." But, in order to bring the projects in, we have to look at that core 350 - 400 folks who do economic development projects across this country. That is how we will re-organize the marketing effort for Gadsden County.

Part of that is knowing the competitive aspects of Gadsden County. We have the finest industrial park in north Florida. Not enough key people know that we have a superior product. There is nothing in any neighboring county that compares to the product we have in Gadsden County and that is a fact.

As decision makers, your leadership will continue to be key in economic development. One of the most difficult things for a business to deal with is indecision. So, I am not so concerned about the decisions that you make being pro-business or anti-business. I am not so concerned with that so long as they are decisive decisions. That they are declarative, that they clearly communicate where you all stand.

I was talking to our River Keeper here a moment ago. Sometimes economic development and environmental protection are seen at odds. I believe that the environmental sensitivity and beauty of our area is one of our selling points to attracting people

here. So, when some people ask the question of whether or we can be green and competitive, the real question is - Can we be green so that we can be competitive? Today's companies want to be in a place that is a pleasant place to live and is environmentally responsible. We don't want companies that are going to pollute our beautiful water table and our natural parts of our community.

As I am looking at this strategy that we are developing for the community, tourism is emerging more and more as an economic development tool. It is wonderful for people to come and visit and leave their money and then go. That is really a great source of revenue for our governments and it is a great source of revenue for our businesses.

Also, we are beginning to look at how we market ourselves. In an analysis of our new website, there's some work in the manager's office in how we market ourselves to our citizens. We are joining on as an appendage to that on how we market ourselves to the economic development community.

Ninety percent of economic development projects are done via the internet before you even get a call. So, if you don't have a competitive website, you could have been looked and people would have gone on and you would never have received that call. So, we are looking at that and making sure that we have a competitive communication tool to those people who are looking for new places for business.

In February, we are going to share with you a practical plan. That is 100 days of improvement in economic development that we can do right now. So many times, economic developers will get up and say "Well, we've got to have infrastructure and we've got to build a road, and darn it, the road we're getting, we got to wait 10 years for federal funding and then we got to bring in the road." No, I don't think we need to be satisfied with that long term vision. We need to have that long term vision, but, there are things we can do in the next 100 days to improve our competitiveness and to bring companies here to Gadsden County. In February, you will get the first look at what we recommend for that tactical plan, that tactical improvement that we can do - not by the end of the decade, but by the end of spring.

Also, we do need to look a little long term and make sure that we've got it together. I have worked a little bit with local governments and it was so nice to hear our lobbyist talk about

the cooperation on the local level with our cities and our county and how that cooperative effort is going into government relations.

Similarly, we have to be sure that kind of cooperation is going on in economic development. I think there are organizations dedicated to that cooperation, but we have to focus and make sure that those values are going in line with elected officials will and, ultimately, the will of the people.

Also, it looks like there is room for us to establish some greater partnerships. We need to reach out and use the expertise and knowledge of other community partners and other external partners in our economic development areas. We can reach out a little bit more effectively.

This is the most exciting part. Everybody always wants to focus on this, don't they? That is the prospect activity. "Well, how many businesses have you got coming to Gadsden County, Brad?" I think we are saying, "Lots." Right now, I think the prospect activity - the quality referrals from our marketing activities is very low. There are a lot of suspects out there, but there are not a lot of prospects. There are a lot of people out there who want you to put them into business, but there are not a lot of businesses out there who want to help your community. And so, part of my role, I feel, is to be that filter to make sure that we don't get, we have that dichotomy clear and make sure that we are only entertaining prospects that are going to improve the quality of life in the community.

Yes, we want jobs. Yes, we need jobs as an investment for our people and our tax base, but do we have to compromise our quality of life? No, we do not. We can follow your leadership and plan for a bright future.

As a part of this, we have been working on some grants research. Those have been primarily limited to USDA programs at this point. We have a history in Gadsden County of effectively working with the USDA. That relationship needs to be magnified and we can do that through some grant activities and recruiting companies that take advantage of USDA programs.

Croley:

I want you, and this is for my sake, I want to understand. How do you view your efforts organizationally? I understand you are acting as an independent contractor. I read your agreement, but

I am not real clear. Are you a contractor for this Board or are you a contractor working for the county manager.

Day:

I would have to defer to the county manager. My understanding is that - well, I have been reporting to the county manager. If that needs to be different, just let me know.

Brown:

He does report to the county manager.

Croley:

O.K. So, you are a contracted employee under the county manager. O.K.

The second thing that I want to understand is your relationship with the other organizations in the county that are involved in economic development. I am going to be specific so that everybody understands exactly what I am talking about because it seems confusing to me. If it confusing to me, then I can only imagine how confusing to business prospects that might be looking to locate in Gadsden County.

First of all, there is an organization that is set up that is called the Gadsden County Development Council, Inc. Then there is the local Gadsden County Economic Development Council, which I believe the Gadsden County Development Council appoints the members to the EDC. That is made up of businesses like St. Joe, Capital City, Tri-Eagle, Talquin Electric, Tallahassee Memorial Healthcare, TMH, TDS, Wal-Mart and Talcort. The office park that you referenced is owned by and was developed by St. Joe and it's subsidiaries.

How do you work with all of those interests in your role?

Day:

Well, I see my role as -the contracted agreement as being two fold. One is the business recruitment function. When companies are looking at Gadsden County, I am assuming that I am taking the role of business recruiter on behalf of county government and to make recommendations to the manager and subsequently to you all as the policies and procedures on how to deal with those companies.

As far as these other community development or economic development organizations, I must say that part of my work is

also to present a tactical analysis in February. And, one of the things that is bubbling up - I mentioned tourism as an economic development tool. It is one of the things that seems to be bubbling up. Another thing is that we've got a lot of organizations claiming some role in economic development in this community - either at a city level or county level or in an informal association, by confederation, or a non-profit corporation. So, part of that tactical analysis will recommend that some of those entities play different roles or specify which role they would like to play in the economic development process. But, yes, - Who is Enterprise Florida going to call if there is a referral? I believe that they will call me because of my work with them and it is their understanding that I am representing our county government.

Brown:

One of the reasons that this Board elected to hire Brad Day is because of the perception that there is a vacuum in this county with regard to business recruitment. And, the Board thought number one that they needed to be more involved in business recruitment. That ability to get prospects with quality pay jobs and will respect quality of life in Gadsden County. Again, this Board was sort of being led blind in terms of economic activities in Gadsden County. The reason for bringing Brad Day on was to bring this Board on board in terms where we move in economic development. I think that in terms of what you have heard this evening, we are moving in that direction. This Board will be kept abreast in terms of economic development activity on a monthly basis. That was not happening prior to bringing on Mr. Day.

Croley:

With all due respect to everyone, I want to go just a little bit further here in my understanding. Some of these things that you are referencing - and Mr. Manager, you made the statement of the "blind being led by the blind," I am sure you didn't mean that derogatorily toward anyone, but, at the same time, I am also looking as a county Enterprise Zone Development Agency, there is a Tourism Council, and I am looking also at the Economic Development Council - they reference in their website a very elaborate listing of infrastructure grants, tax credits and refunds, rural tax job credits, rural enterprise zone job tax credits, sales tax exemptions for manufacturers, machinery and equipment sales, electric and steam sales tax exemptions, Work Force training assistance. They also list all the enterprise

zones, all the business parks as well as all the demographics. They also mention the Enterprise Florida.

All I am saying is - and I am the only one up here that I know of that has any extensive business experience, and I don't mean that disrespectfully, but in the private sector, I just know that your, - that is on the elected side - that the business community is going to be looking at a organization that is going to be able to deliver them a lot of information and that they can deal with in a confidential manner. As an employee, I notice that you use the county's e-mail system. That is all public record. Anything you do is going to be in the public record. It is very surprising that there would be personal involvement by any elected officials in the process of the recruitment and things of that nature.

I am just asking and expressing an observation here, or making an observation and asking these questions because it does seem like a lot of what you are talking about is a duplication of effort that already exists. That is why I am wanting to know to what degree the public - and again, this is no criticism of your personally - but, we are paying money out under your contract when a lot of this already exists. And, also, I forgot the Tourism Council.

Holt:

Commissioner Croley, just a moment, right quick. Thank you. I'll comment in just a minute, but I am going to pass on to Commissioner Dixon and then I will comment. Thank you.

Croley:

I am sure that I am going to get a lecture, but, go ahead.

Dixon:

Well, if you don't mind giving one, why should you mind getting one.

Croley:

I ask questions.

Dixon:

You made comments, you didn't ask questions because Mr. Day would be answering. You clearly didn't give him anything he needed to answer.

Let me explain for those folk who maybe just seeing this part of the program. We have a lot of economic development entities out there. As Mr. Day said, part of his job is to reign all those agencies in, create a single source, if you will, a single go to, for business who are looking toward coming to Gadsden County. Mr. Day was very clear about that.

We are more than aware of all the agencies that are out there, Mr. Croley and, their function or dysfunction, if you will. You weren't elected then, but we have had many folk come before this body such as people who were instrumental in the Dollar General Distribution Center being sent to Jackson County who said they called us for six months. They called Gadsden County for six months and nobody returned their call. Who do you go see? Who do you pick the phone up and call? If it was the Chamber, the Chamber said, "Well, our job isn't economic development. My main job," as David Gardner told me and I am referencing one of those agencies of which you speak, but you didn't call by name for some odd reason. The Chamber said, "My job is to look out for the members of the Chamber."

I said, "What? So, why do we give you all this money?" "Well, my job is to look out for the members of the chamber." And if it is a lie, ask a member of the Chamber who was sitting with me and Mr. Brown. They were apparent. What we found out was that no single body was actually looking out for the County. Nobody. Everybody had nice stats that said wonderful things when they came before the Board, but nobody's job was actual economic development.

That council that you mentioned, for the most part, they come and go as needed. We don't need folk coming and going as needed. We need a plan. I remember Commissioner Holt sitting here night after night for the last two years asking the Chamber for a plan. What is our outlook? What is our plan? How do we make sure that we have the infrastructure in place to match the policy so that business can come in? Because what we were hearing from businesses was, "Well, we would have come, but you don't have the infrastructure in place."

Well, what do we need to do to put in the infrastructure? For the Chamber, it's not their job. Well, whose job is it? We don't know.

So, we created a person whose job it is. As Mr. Day so clearly elucidated to us, a plan that we will get in February to hash

over. The plan that creates a single economic engine for Gadsden County, period, without all the gamesmanship, without all the politics, without all the wasted money of folks who may have meant well, but the jobs weren't coming to Gadsden County. The jobs weren't coming to Gadsden County. We couldn't get a devilish report on activity without threatening to cut off folks checks. We weren't getting all that wonderful service that you know now that you as a commissioner think we were getting. Maybe you ought to check your sources, you know, when you come around the Board. Ask somebody. It would really be enlightening to you. This stuff is not the first time it has ever come up.

And, for your comment about you being the only businessman around this table, it's very derogatory to the other commissioners. They got elected just like you did. If you don't have any respect for them, respect the fact that they got elected just like you did.

Croley:
Madam Chair, point of order.

Holt:
Hold on. Just a minute. Hold on, just a minute.

Croley:
The comment should be

Holt:
Are you finished?

Dixon:
Yes.

Holt:
Quickly, because I have a comment myself.

Croley:
As a statement of record, I believe that if you will go back and check, I said "I had the most extensive business experience, not anything derogatorily intended toward anybody."

Dixon:
You don't know anything about Mr. Price or Mr. Lamb. You don't know anything about Mr. Price.

Croley:
I just wanted

Holt:
Commissioners, Commissioners, listen, we are not going to have this back and forth. O.K?

Croley:
Madam chair, may I at least finish my questions of Mr. Day?

Holt:
I have a few comments first, then we will address that.

Right quick, I asked for a full time person on staff for economic development. We have people pitting their pet projects on county dollars and that was the whole point of getting someone. We need a point person. We need someone that we can call and say, "What is going on in this development or here and there?" The councils that you talked about - the development councils, I speak to two of those members everyday. There is not a cohesiveness there that will deliver what we need delivered. None of those groups report to the Board, so we don't know. Going after those companies and going after those businesses is where we have a problem. If they call, we don't know. We received a list, Commissioner Croley, but the Clerk got the list. The commission didn't get the list of businesses trying to come here. It was not even given to us for months. So, if there was someone trying to come, we had no interaction with that. We have to have that interaction.

When I go to the Association meetings, some of those commissioners have a staff because the counties are so large - almost as large as the audience here, that they take with them when they go to an association meetings. So, they know who is out there, they know who the businesses are. We never had the opportunity to lobby anyone. That has been the problem. We needed someone on board. There was so much negative stuff going on here that people had gotten contracts for years and not reinvested here in this county. They had done things that were on the verge of illegal with taxpayers dollars. I am seriously saying illegal.

One business did not come to 267/I10 because one of the elected officials (not one on this board) told them, "It's a high crime area." So, when you can have an elected official pick up a phone and say, "You don't want them here because you guys don't

have stock in that business" I get offended. When some of these guys on different boards and ladies said, "You cannot bring those companies in because I would have to raise my salaries at my business." So, that cut out everyone that wanted a better life in Gadsden County. That is why we need someone on Board full time. This is a very pet peeve with me. We need to put our money where our mouths are or we need to stop running for office. You need to either put up or shut and get out of here. We are spending other people's money. We are not just spending our money.

So, that is why this is such intensive effort. We are going to be developed from the east anyway. If we don't get in there and say, "Do you want a community that is developed with neighborhood commercial so those people can spend that money in that community so it will be nice and it will fit that community. Anyone in this room that travels, you know what it looks like. Beautiful communities and they have that neighborhood commercial right in there. It is not ugly. It fits the community and it is nice stuff. But, if we don't get out there compete for that, then we don't get it. We'll get a hodge-podge of nonsense in our county that we have had for years.

To prove it up front, it's so clear. Look at Havana's antique district. Someone had an idea and they have compounded upon it. They went after something. They got together and they worked at it.

Now, we have to go to work. That is the whole point. As a matter of fact, I think we need ten people. I don't think that one is nearly enough. I think that our citizens have suffered enough.

Go ahead, I am sorry, sir.

Croley:

Mr. Day, back to my original question or the second part of my question. I gave you the background by inventorying what is out there now. So, before there was getting into this discussion about your presence here, I was about to ask you - How do you intend to coordinate with all of these other interest groups in your role?

Day:

Well, feel free to call me Brad, still. Really, it is not unusual in any size community to find a lot of organizations that have quasi-economic development or overall community development roles. It is not unusual to find housing entities. It is not unusual to find chambers of commerce, tourist development councils. Certainly, I don't seek to replace any of those vital organizations and the roles that they play in the community.

The contracted services that I have been asked to produce is to recruit companies here. And, to create a tactical analysis that will be a guide to this Board to further plan economic development. Certainly, coordination with groups that are on the periphery or see themselves as having a direct economic development mission is part of my work. I have tried to reach out and extend an olive branch to some of these organizations even in this first month of work.

However, I will be judged by your Board according to that contract that I have signed with you. That is - how effective do I bring prospects to this community and how effective do you think the tactical analysis will be, which may call for consolidation or a re-definition of some of these organizations in the community.

So, I don't see my role as being threatening or duplicative to some of these other community organizations that already exist, but perhaps help to be the cement that can bring them together.

Holt:

Thank you, Mr. Day. Commissioner Croley, if you will, will you get with Mr. Day.

Croley:

I just want to finish with the final part of this, having understood where you are coming from. The EDC, the Gadsden County EDC, happens to be made up it appears, from members who may also be members of the Chamber, but, I don't see Capital City Bank or Premier Bank, St. Joe and Southside Business Park and Talcor and these others who are members. Since there is a limited number of them, do you see them as still being the primary go to point long term for these businesses that are interested in Gadsden County?

Holt:

Mr. Day, that requires a yes or no.

Day:

Could you restate it one more time for me?

Croley:

Do you see the Gadsden County Economic Development Council as the primary "go-to point" for businesses coming into the County?

Day:

No.

Holt:

Thank you, Mr. Croley.

Consent agenda, please.

UPDATE ON URGENT CARE CENTER

Mr. Corey Flemming addressed the Board. He reported that the grand opening of the Urgent Care Center was held on December 18, 2006 at 2:00 p.m. Thirteen patients were seen at the center and all of them were complimentary of the services received.

Chair Holt asked that the manager have the staff coordinate a letter writing campaign to the federal legislative delegation to have the critical access designation restored to the hospital. She said, "We want to push for that designation. That would help us to get the designation back and we will be able to open up a little bit earlier."

CONSENT AGENDA (Commissioner Dixon was not present for this vote.)

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT:

1. Approval of Minutes of November 21, 2006 Regular Meeting
2. Ratification of Approval of Payment of County Bills:
Accounts Payables Dated: November 30, 2006
December 1 and 8, 2006
Payroll Dated: December 2, 2006

2. Approval of Bid Award for Architectural/Engineering Services for New Courtroom Design to Joel Sampson Architects, Inc. - Staff authorized to negotiate a contract
3. Approval of New Road Name - Haven Ct. located east off Newberry Road and north off Hutchinson Ferry Road
3. Approval to Accept the Annual Forestry Report and Operating Plan for 2005-2006

UPDATE ON ROBERTSVILLE FIRE STATION

EMS Director Brian Beasley gave a brief update on the new fire stations. The Gretna site is located across the street from the Police Station and the lot is being cleared in anticipation of the construction start. The Robertsville/St. John (four bay station) construction is progressing. The doors and windows are now in place and preparation is being made to install the sod. The tanker will soon be relocated to the site. The project should be complete by the end of January at which time, the construction of the Gretna station will begin.

PUBLIC HEARINGS AGENDA

4. Morghem Future Land Use Map Comprehensive Plan Amendment CPA-2006-14 and Adoption of Ordinance 2006-028 - Second Reading of Small Scale Amendment

Owner: Akram Morghem

Applicant/Representative: Brenda A. Powell, Project Manager with Florida Environmental & Land Services

Location: North side of US 90 approximately .25 miles west of the Quincy City limits and the intersection of Bostick Road, CR 274, and .25 miles east of Woodberry Road

Potential Lots: one

Type of Action Required: Quasi-legislative in conjunction with the advertised public hearing as a small scale amendment to thulium per Subsection 7401 of the Land Development Code.

Planning Commission Recommendation: November 16, 2006 - recommended approval; BCC Approved first reading on December 5, 2006 based on the findings listed in the agenda

report. (Attached)

Proposed Use: Office Building

Growth Management Director Bill McCord gave a brief overview of the project as described in the attached agenda report.

Chair Holt called for other public comments for or against the project. There was no response.

She then called for discussion by the Board. There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE SECOND READING OF ORDINANCE 2006-028 ADOPTING THE LAND USE AMENDMENT DESCRIBED ABOVE. COMMISSIONER DIXON WAS NOT PRESENT FOR THIS VOTE.

7. Public Hearing - Joyce Dykes Appeal Request - AP-2006-01B-RV units for residential use

Type of Hearing: Quasi-judicial on an appeal of an administrative action requiring the removal of recreational vehicles being used as residential units on single fee simple parcel in the Rural Residential land use category

Owner: Joyce Dykes

Location of the Property: east side of Cook's Landing Road near Lake Talquin

TAX ID: 6-03-1S-4W-0000-00314-0300 and 06-03-1S-4W-1260-000GA-0071

1. No permits for the RVs displayed on the units
(Original 1991 Comp Plan Policy 3.3.3)
2. No skirting on the units
3. No record of a septic tank permit from Health
Department septic (There was an issue with sewage
lines from 3 units going to one septic tank)
4. Land Development Code (LDC)(Adopted 1996) Section
4202(A); Subsection 5101(B)1
5. LDC 2002, Subsection 5104 (B)
6. Ordinances as cited in the attached report
7. Current Comp Plan Policy 3.3.6
8. Staff was unable to determine electrical permit
status.

This item was originally scheduled for December 5, 2006. However, Ms. Dykes was unable to attend due to illness. She requested that it be delayed and the Board concurred. The hearing was continued to this meeting.

Growth Management Director Bill McCord was administered an oath by Deputy Clerk Muriel Straughn. He gave testimony as outlined in the attached agenda report.

He did state that Ms. Dykes has removed the RVs from the property and she is no longer in violation. However, she made it very clear that, in so doing, she did not want to lose her ability to appeal the administrative decision. He said that she hopes to be successful in the appeal process and that the Board would allow her to move them back onto the property just as before.

Mr. McCord referenced a letter written by Attorney Hal Richmond representing Ms. Dykes. The letter states that Ms. Dykes believes that her property would be exempt from the Comp Plan because the property has been continually utilized in the present manner since she acquired ownership which was well before the Code was enacted by the County.

McCord:

This seems difficult to believe since the RVs are newer than the 1996 ordinance and the affidavits provided by the area property owners also indicate that that they were not always on the property...It is apparent that any RV model newer than the adoption date of the ordinance was placed on the property in violation of the Comp Plan Code. An RV that was placed prior to the enactment of the Comp Plan and Code policy should not be retained as a living unit unless it is located within an approved or grandfathered RV park. The Building Department does not permit RVs as residential units.

RVs that do not meet the design permitting standards of the earlier ordinance as included in 96-001; 90-006; 90-001; and 89-001 also should not be permitted to continue.

What these earlier ordinances require were inspections of the RVs by the building official before a permit was issued. Under the standards established at that time, RVs and mobile homes had to be at least 10 ft. in width and

other minimum development standards which I have highlighted and underlined in the attachments, the earlier ordinances. None of the RV units appear to comply with the provisions of the ordinance including Sections 3, 4, 5, and 6 of Ordinance 96-001.

Staff reviewed the site and no county issued permit copy was visible from any window from any of the RVs that were previously on this property. The appellants have not provided any evidence that any of the RVs were ever issued a permit as required by the ordinance. It is also not clear whether the RVs complied with the previous ordinance in effect before 1996. Even with the later dates, it still requires permits and design permits for RV units, again which none was ever produced by the owner of the property.

The Comp Plan and the Land Development Code, again, was adopted in 1996 and the Code established a definition for RV and RV parks which remains in the Code. This is described on page 4 of your agenda package and it clearly precludes or prevents RVs from being placed anywhere but in an approved RV park. It is clear that the 1996 Land Development Code intended to exclude allowing RV units to be used as residential uses except in RV parks which is a commercial use.

Ordinance 98-002, which was passed two years after the Land Development Code Ordinance and the previous ordinance do permit exemptions. However, the Land Development Code was adopted in 1996 well in advance of the latest exemption ordinance. The 1998 exemption provision could be considered inconsistent with the earlier Land Development Code. The problem seems to be that the 1998 ordinance was adopted without making changes to the 96 Code which I mentioned before. The 98 ordinance also contains no findings regarding consistency with the 1996 Land Development Code policy or previous practice. No evidence was presented by the applicant with their appeals that the existing RVs have been on the site since before adoption of the existing or current regulatory ordinances or that the RVs were placed on the property in compliance with those ordinances.

The assistant county attorney reminded the planning commission that the standard burden of proof is placed on

the appellant in order to support their appeal. That is the appellant's responsibility to provide evidence of compliance including providing evidence that the RVs were consistent with the Code in effect when the RVs were placed on the property.

The Policy in the Comp Plan that regulates the macro level, if you wish, pertaining to RVs, was Policy 3.3.3 which was adopted as part of the original plan in 1991. It stated "The County shall prohibit the placing of RV vehicles without first acquiring a permit, prohibit the occupancy of any mobile home or recreation vehicle unless a certain square footage, width & codes are met, and prohibit the installation of electrical services until proper permits have been issued." The current Policy 3.3.6 of the Housing Element clearly states that recreation vehicles shall not be permitted as residential units in any land use category or use.

See affidavits attached as evidence of record.
See attached photos taken upon site visit to the property also entered as evidence. (attached) All of the RVs are linked to the same septic system. The appellant did not provide proof that a septic permit was issued for the property for three different units. It was noted that a house was on the property at one time many years ago and this septic tank is likely in place for the house that has subsequently been removed.

The Appellant states that she received verbal approval by Planning Department.

Mr. McCord stated for the record that he received a letter from the appellant timely and treated it as an application for appeal.

He then instructed the Board as to the "Burden of Proof and the Nature of Proof"; Standards" to be considered by the Board. They are contained in Section 7504, Pages 8 - 9 of the agenda report.

Planning Commission Findings (attached) They determined that the applicant had not provided evidence that the units were pre-existing units established and continually used

since prior to the current ordinances. They subsequently recommended denial of the appeal.

Staff Recommendation: - Denial of the appeal.

Attorney Williams:

Before we get started, we need to get this procedurally in the correct posture.

Mr. McCord, you did prepare a report which supported your documentation and findings, correct.

McCord:

Yes, sir.

Williams:

And that is dated December 6, 2006.

McCord:

This report, the latest submittal date was December 6, 2006, the meeting date is December 19.

Williams:

The report that you have, that I am looking at right now has a date of December 6, 2006. I need to establish this for the record, so if I have the wrong date, just give me the correct date.

McCord:

Yes, sir, the submittal date is December 6.

Williams:

I need you to , you have a copy of that and you need to have it marked as your exhibit 1 for purposes of documenting your findings that you just testified to.

(Mr. McCord submitted Exhibit 1 to the Clerk .)

Williams:

While he is doing that, the next issue is - if, in fact, the RVs have been removed, this case is mute at this time. There is really no action for this board to take as it relates to this appeal. I think that if you want to take testimony about the issue itself, it would be appropriate, but there is no legal action for you to take because they have already come into compliance.

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE TO DENY THE APPEAL/DISMISS THE APPEAL BECAUSE MS. DYKES IS IN COMPLIANCE AT THE TIME; THEY FURTHER INSTRUCTED THE ATTORNEY TO WRITE AN ORDER REFLECTING THE BOARD'S ACTION. THE MOTION ALSO INCLUDED APPROVAL TO ALLOW INPUT FROM THE APPELLANT REGARDING THE ISSUE BECAUSE IN VIEW OF THE FACT THAT SHE WOULD LIKE TO RE-ESTABLISH THE UNITS ON THE PROPERTY LEGALLY.

Chair Holt called for public comments.

Ms. Joyce Hannah Dykes addressed the Board.

She said, "I would like to make this statement about the septic tank permit. Apparently, Gadsden County can't find one. We had two there. We had our home there. We began building in 1979. We lost our son in 1981 and my husband decided to sell it to Josh over there. So there is a septic tank at the camp is and one where the home was.

In 2001, the Board granted me, I had two RVs. The third one may not have been in compliance. They granted me permission to keep them down there. We didn't use them real often, but that is o.k. I have moved them out. I just want you to know because I have been harassed. They shot our satellite dish out, took one of my boat trailer and dumped it over on the other road on Lake Viewpoint Road - it was put in the ditch. That's o.k. I just wanted you to know the truth here.

About the electric down there, it is in my husband's name, since his death, I have not changed it over and that is why he could not find anything then, which I stated to him. But, I will say this, I will ask you this - If anyone should be granted an RV, I think that I should be allowed and I desire to put two back. No, I do not own them, but we are family.

No, it was not a RV Camp or anything like that. It was family. That is the request I am asking. I have also talked to Mr. McCord. He needs to do a lot of checking into the vicinity there. They may be gone now, but they will be back - motor homes. So, I am asking you to consider all this. They may not be there right now, but,

they will be back.

Williams:

I noticed that you had Hal Richmond representing you on this matter and what I was going to suggest to you, ma'am is that if there is something - I don't know what the will of the board will be - but, you need to get it in a legal posture to get it back up here before the Board. I would suggest that you re-contact him about what vehicles are available to you.

Dykes:

Let me make one other thing clear. What I said was, they are off of there now, o.k.? But, if anyone else is granted the privilege to have theirs, ...then I think that I should be granted to come back here.

Chair Holt again called for public comments.

There was no other responses.

**7. Public Hearing - Lee & Johnson Appeal Request - AP 2006-01A
- RV Units for Residential Use**

Owner: James and Una Lee and Elbert and Ann Johnson
Location: east side of Cook's Landing Road near Lake Talquin within the Rural Residential land use category
TAX ID: 6-03-1S-4W-0000-00314-0300
Type of Action: Quasi-judicial action in conjunction with the advertised public hearing as a Type III action per Subsection 7203.A.4 of the Land Development Code.

Appellants requested an appeal from the administrative action issued by the Growth Management Department to discontinue using recreational vehicles as permanent residential units in a place other than a Recreation Park.

Growth Management Director Bill McCord was administered an oath by Deputy Clerk Muriel Straughn.

The appellants own a parcel of land on which two RVs are parked permanently. One is a 1970's model, the other is a 2003 model.

The big issue is that they are RVs in a Rural Residential land use. While the older unit was in place as a non conforming use prior to the adoption of the Comp Plan, the newer one was obviously place there after the adoption of the Comp Plan which prohibits RVs in any land use areas except for commercial and recreation land uses.

The Board's policy and practice has historically been to discontinue the non-conforming uses and discourage their continued use. Once a pre-existing unit is removed, it cannot be replaced.

The Planning Commission voted to allow the older unit to stay but to proceed with having the newer unit removed.

Code Violations Cited:

1. Two units hooked up to one septic tank. No record was found in the Health Department that a septic tank permit was ever issued.
2. Units are located in a Rural Residential land use
3. No Building Inspection permits are displayed on the units.

4. No skirting on the units
5. No record of a septic tank permit from Health Department septic (There was an issue with sewage lines from 3 units going to one septic tank)
6. Land Development Code (LDC)(Adopted 1996) Section 4202(A); Subsection 5101(B)1
7. LDC 2002, Subsection 5104 (B)
8. Ordinances as cited in the attached report
9. Current Comp Plan Policy 3.3.6

Staff was unable to determine electrical permit status.

Mr. McCord filed his report with attachments with the Clerk for the record as County Exhibit 1 in the case.

Mr. Jim Lee was administered an oath by Deputy Clerk Muriel Straughn. He stated, "I think if ya'll have this packet, on page 3, all we are asking in our appeal and request is continued use of our property because our use of the property pre-existed the Land Development Code and Comprehensive policies and it complies with Section 5431 of the Gadsden County Code ordinance. All we are asking is to grandfather the use of our property as we bought it in 1990

before these codes were written. We have had over these sixteen years, both of us have RVs and we have been bringing them back and forth. As far as the septic tank on it, I went over and talked with (inaudible) and she said that in 1990, you didn't have any permits. You paid your \$5.00 and they would give you a receipt and that was your permit. I'm sure that Mr. Birch went and talked to Mr. Kelly at the electric company. He said that there was no way they would have turned the electric on without a permit. I feel sure that everything on our property is well permitted. It was there when we bought it.

We have two lots there. There is not one lot, there are two separate lots. As I say, we have both had us an RV there over the years. I think there are pictures in your packets there. You can see. We started out with a 78 model RV and we updated in 1991, then 1995, and now we have this 2003. There is no way that I would have spent that kind of money if I knew that I was breaking any kind of law. All I was trying to do keep something nice looking down there.

We are right across from Josh Ingram's place. That is where we are at. You talk about transition, all I see over there is that you have run everybody off. They were paying \$35.00 per month. Now they are charging them \$400 per month and putting them right back on the same sites just like it was. I ask you to please consider grandfathering our property and let us continue using it. We don't stay down there as a residence. Our residences are in Pensacola and we come down in the springtime a couple months and fish. Sometimes a week or so during the year.

Ya'll have a Merry Christmas.

Ann Johnson was administered an oath by Muriel Straughn, deputy clerk. (7560 Gunter Road, Pensacola, Florida)

Johnson:

I might differ with you a little bit when you say it is the prettiest, although I have to agree that the Lake is much prettier than what we have at home. But, we do have some pretty sites in Escambia.

I'll not say the same things that Mr. Lee just said other

than we do own the property and the RVs. Now the RV that is there now, we can't say that it is in our name, the Johnsons, We are the Johnson part of the Lee Johnson. It was just there and we have used it probably five times just to let someone stay on it. As we told the commission before, we never allow anyone to stay at the camp unless we are there and that includes family. And, we both have young families and they would like to come, but they don't come unless we are there at all times.

We are not permanent residents. We just come and use it for recreation purposes. I do want to make sure, but I don't want to reiterate everything that he said, but Mr. McCord's closing statement to ya'll said that there are letters in the agenda that property owners had received.

In our part of the agenda is Attachment # 4. And, the Lee Johnsons never received this letter stating May 11, 2006. That was sent to Mrs. Dykes. We never received this letter. So, it was after that May 11th letter that went out, that somehow it was turned back around and we were brought into this web as it looks like it is starting to develop right now. We never received this letter and it is in our part of the agenda as Attachment #4. So, I want to refer to that.

Chair Holt called for other public comments.

Mr. Ed Allen, 268 Chickapen Way, was administered an oath by Deputy Clerk Muriel Straughn.

Allen:

I don't know what to say. Everything that Mr. McCord says is that they are illegal. The only thing that I would like to put out, to mention, is the tax rolls. There is not an RV on the tax roll. We were talking about the trailers being mobile homes, being the same as an RV, but there are no RVs on the tax roll.

On the Lee/Johnson property, house - one unit, utility power - 1 unit; metal shed - 1 unit; shed pole - 1 unit.

If they are not permitted, they are not taxed and they've got to be illegal. That is all I've got to say, Thank you.

Lee:

I would like to rebut Mr. Allen's statement. We checked when we bought that trailer and any kind of licensed vehicle is not taxed. It can be put on the tax roll. That is the reason that it is not on there. That is reason that the old one hasn't been on there. I think that if you will check the State Law, that is the way it is written. It is not like we've been getting a free ride or nothing.

Dixon:

I have sat in one of these seats for a lot of years and a lot of years, these types of situations have come up. Not only the particular - the previous site which was in question - but many others. They came up and we enforced for a minute, then we kind of faded away. We are moving rapidly toward establish RV sites, but this, on the face of it, is simply not something that we want to continue at the lake. We are going to start having those meetings next month about the future of the lake. But, we can't allow, even if we don't - fortunately, some of those folks have sewers, but there are plenty of others who didn't have sewers and there was raw sewage pouring into the lake.

I think that if we continue to allow what is clearly a commercial establishment in a residential area, if we allow it to continue unchecked, we are basically shooting ourselves in the foot. I sympathize with these folks, but it was wrong in the beginning and it is still wrong. Because you have been doing for a while doesn't necessarily make it right.

Croley:

Question of the Johnson's. Does that RV trailer have a tag on it? Does it have a license plate?

Lee:

No, sir, it does not.

Croley:

So, it is not licensed to move back and forth on the highways for you to tow it out.

Lee:

If we were to move it on the highway, we would have to get a license. Yes, sir.

And I may ask, why can't we get rid of that piece of trash

and keep the good one?

Croley:

In this county, if a property owner wishes to bring a RV onto their property and spend the weekend in it, then remove it from their property, is that something that is in violation of the Code? Say they want to go work on their property for the weekend and they bring it over from Pensacola or somewhere and spend the weekend, but then remove it.

McCord:

Unless it is in an RV park, it would. It would violate Ordinance 98-002 in addition to violating ordinance 96-005. So, yes.

Croley:

Even if it is not hooked up to a septic tank or permanent utilities.

McCord:

Right.

Croley:

And, one follow up. Does that apply to agricultural lands as well or is this strictly for rural residential?

McCord:

It applies to all properties in the county. Unless you are in an RV park.

Croley:

So, when we have people come into this county for hunting and fishing purposes and they own acreage and they bring an RV unit in and park it for the weekend to hunt out of or go fishing out of on their river property or whatever, they are in violation of the county ordinances as they are now written if they use that on their own property.

McCord:

That is right.

Holt:

O.K. Mr. McCord, you have opened our eye, haven't you.

If there are no other questions.

Dixon:

Madam Chair, may I?

What Mr. Croley said, while it certainly won't change, these are set up as permanent residences and therein lies my concerns. His question doesn't pertain to that or doesn't change my view on that. But, at some point, I thought there was something in the law that spoke to temporary use. Is that only in an RV Park, Mr. McCord.

McCord:

I am looking at the latest, the 98 ordinance that is in your agenda package. Exemption provision that I see in there doesn't say anything about a temporary use.

Now, the board, if we had a storm or something like that, the board could rescind all our provisions and ordinances that would restrict people from living in RVs. But, I don't see it in there.

Dixon:

I don't want to complicate the issue, but that is a discussion for another day, I think.

Holt:

Right, I was just about to say that. Let's come back to that later and let's just address this issue. In that way, we may need to work on these other areas.

Croley:

Madam chair, I agree with Commissioner Dixon on that point. The question is, obviously in this case, it not being a tagged RV unit where they can move it in and out, it has become a permanent structure. While we can appreciate what went on before, it has put them at a disadvantage. The temporary matter, we may be able to take up at another time.

Holt:

Right quick, just looking down the list, it is the responsibility of the appellant to show any evidence of permits, that it is not used as a residence, that is not used as commercial, that it has to be at least 10 ft. wide, you have to produce a septic tank permits. So far, we have not seen any proof that it is zoned commercial, a formal

application has to be done within 10 days. We have to look at those issues because those are the ones before us.

This is just an outline of the concerns. I just need to remind you that the appellant has to produce the evidence that address these issues.

Lee:

We went to Mr. McCord's office to find out about the appeals, we didn't know anything about this. We just happened to get wind of it. We were told to write a letter, just like we did. We wrote it up along with our packet of proof of stuff and carried to Mr. McCord's office. I went with Kenneth to deliver one to Mr. McCord and also to Mr. Brown. When the agenda came out, it wasn't in there. Just the appeal letter was in there. That is all we knew to do. That is what we were told to do by their office.

Lamb:

I only see two things here. One, Mr. McCord, they do not comply with the rules. What they are asking us to do is grandfather them in because of the long time they have been there. So, we have to do one or the other. Do it or not do it. That is all I see in front of us here because they don't comply.

Holt:

What is the will of the Board?

Dixon:

Madam Chair, if I am in order, I will motion that we accept the Planning and Zoning recommendation for denial because it does not meet, the appellant has not met that burden of proof that is listed.

Williams:

Just for clarification, you move to accept their recommendation to move Option 1 because you had two RVs.

Dixon:

To move Option 1. Yes.

Holt:

We have a motion to move Option 1.

Price:
Second

Holt:
We have a motion and a second.

All in favor?

All:
Aye.

Holt:
That is unanimous to go with Option 1.

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO DENY THE APPEAL REQUEST AND ALLOW STAFF TO CONTINUE WITH CODE ENFORCEMENT ACTION WHICH WILL REQUIRE PERMANENT DISCONNECTION OF THE RV UNIT FROM UTILITIES AND PROHIBIT THE RV FROM BEING INHABITED AS A RESIDENCE OR TEMPORARY CAMP SITE ON THE PROPERTY.

9. Report on the Safety Circuit Rider Pilot Program for Gadsden County

Mr. Gordon Burlson from the University of Florida Technology Transfer Center addressed the Board.

Burlson:

We are a part of the civil engineering department down there and what we do is provide free training and free technical assistance to public works in certain areas. My job is basically a training aspect. I also have the title Safety Circuit Rider.

The project that we are working with Robert now is I come in and with the help of his people, we review crash reports on all Gadsden County roads over the last two years that we can garner from the Highway Patrol.

We are going to go out and review those areas to see if there is anything in the way of highway signing or pavement markings that can be improved. I will make recommendations to them and then they follow up with the recommendations. That is the good news. We provide all the information and

technical assistance for free.

The bad news is that eventually, it will cost the county a little bit of money to upgrade their highway signing program and their pavement marking program.

Basically, we have made some specific recommendations, but the more program oriented recommendations are to develop a yearly sign inspection program in which people will ride the roads at night time. It will probably take several weeks to get that done. Have some type of five-year program to re-stripe the roads within Gadsden County. Then several other programs to keep the signs up to date within the standard of the manual and traffic control devices. It is a manual produced by the federal highway administration.

You are in a county that is growing. I have heard it tonight for the last two hours about what is going on around here. Your highway system has to catch up with it and stay abreast of it.

Commissioner Holt asked Mr. Presnell to look into putting into place certification program for highway flagmen.

Commissioner Dixon asked if they would make recommendations for new road systems.

Mr. Presnell replied that they work only with improvements that are already in place.

9A. Proposed Locations and Costs for Additional Rural Waste Sites.

The county currently has five rural waste sites (one in each district of the county) at which citizens can dispose of their household garbage after purchasing a permit from the public works department. Each site is supervised by an attendant and is open only during designated hours. The program was implemented in 2002.

The sites are not convenient to many residents who must travel lengthy distances to take advantage of the service.

At a previous meeting, the Board expressed a wish to relocate the sites in order to facilitate more convenience

to the public.

See the attached agenda report for further analysis and details.

Discussion followed.

Mr. Presnell recalled that the Board increased the cost of the permits (from \$50 per year to \$100 per year) in order to off set the cost of the program. However, the number of participants decreased after implementation of the increased fee. The revenue did not increase. There were many complaints received about the increase in cost of the permit.

- Do a survey of the people using the services to see what hours of service would enhance the participation and delivery of service.
- Add another site to District 3 (Sycamore/Rockbluff area)
- Consider placement of site in District 1 - either in Midway or Rod Shaw Road
- Reconsider the permit cost.
- Relocate the sites to places where people routinely travel thereby increasing better public participation.
- Look at the possibility of purchasing land which is more convenient for Gadsden County residents as sites, but retain only one site per district. (Ideally, the site should be close to major roadways that will better serve people who do not have service from a garbage collection company.)

A motion was made by Commissioner Croley and seconded by Commissioner Lamb to open two additional sites and move the Midway site to Kemp Road. One of the additional sites should be in District 3.

Chair Holt called for discussion. She suggested that the Board look into the matter more extensively before implementing this change. She was supportive of moving one

site but opposed to creating two additional sites until the Board has a chance to look at all factors. (Location, costs, funding)

Mr. Brown asked the Board to give the staff an opportunity to reevaluate the program and look at those factors mentioned.

Commissioner Croley was adamant that there should be additional sites as well as relocating one or all of the other sites.

Chair Holt stated that she could not support the motion because she felt the staff should bring back another recommendation.

Commissioner Price stated that he would like for the staff to look at District 3 and bring a site closer to Greensboro and Sycamore.

Commissioner Dixon opposed the motion because he felt the directions to the staff should be to look at the entire system and bring information back to the Board.

Chair Holt called for a vote on the motion.

The board voted 2 - 3. The motion failed. Commissioner Lamb and Croley voted in favor of the motion. Commissioners Dixon, Price and Holt opposed the motion.

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO DIRECT THE STAFF TO GO BACK AND LOOK AT THE ENTIRE DELIVERY SYSTEM, INCLUDING ESTABLISHING ADDITIONAL SITES, RELOCATING THE CURRENT SITES AND POSSIBLE PURCHASE OF LAND SO AS TO MAXIMIZE THE EFFECT OF EACH OF THE SITES.. THE STAFF WAS INSTRUCTED TO BRING BACK OPTIONS FOR CONSIDERATION.

10. Approval to Register Gadsden County's Interest in the Corp of Engineers Joint Public Notice 200500976 for Construction of a Regional Fishing Reservoir on Tired Creek, Grady County, Georgia

Chair Holt commended Commissioner Croley for bringing this matter to the attention of the Board.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER PRICE, THE BOARD VOTED 5 - 0, TO DIRECT THE STAFF TO REGISTER GADSDEN COUNTY'S INTEREST IN THE CORP OF ENGINEERS JOINT PUBLIC NOTICE 200500976 FOR CONSTRUCTION OF A REGIONAL FISHING RESERVOIR ON TIRED CREEK, GRADY COUNTY, GEROGIA.

11. Approval of the Board of County Commissioners 2007 Meeting Calendar

There was some discussion about dates which conflicted with Commissioner Lamb in April and August.

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER DIXON, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ATTACHED MEETING CALENDAR.

12. Extension of Time Period to Consider Special Assessment Revenue Options - Information Only

Mr. Brown said that there are two issues that will be coming before the Board in early 2007. One will be the fire services study where the Board will be looking at options for raising revenue to fund fire services. Also, he called attention to the Ames-Barineau Road project. The construction price for paving that road has gone up considerably since it was first considered for paving and it will come back to the Board for consideration in January.

This agenda item is informing the Board that staff has requested an extension of time to consider funding options and render a decision to the Property Appraiser and Tax Collector by March 1, 2007.

10B. Confirmation of the Appointment of Anthony Powell as the Assistant to the County Manager

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Mr. Brown stated that the position is not a department

director's position and thus does not require confirmation of the Board. However, he asked for their confirmation because of the level of responsibilities of that position.

He stated that the position is necessary and the funds are already budgeted. He explained that he now has department heads performing tasks that are not necessarily in their areas of responsibility. This position will help in moving projects forward and bring quality delivery of service to the public.

Commissioner Croley stated that he has known Mr. Powell for a long time and would support his appointment. He then asked Mr. Brown if the Board could expect that this position will complete the expansion of county government for a while.

Mr. Brown replied, "Yes, for a while."

UPON MOTION BY COMMISSIONER PRICE AND SECOND BY COMMISSIONER DIXON, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO CONFIRM THE APPOINTMENT OF ANTHONY POWELL AS THE ASSISTANT TO THE COUNTY MANAGER.

County Attorney's Agenda

Mr. Williams had nothing to report.

Citizens Requesting to Be Heard

Apalachicola River Keeper and the Tri-state Water War Issue with the City of Atlanta

Attorney Andrew Smith, executive director and attorney for Apalachicola River Keepers addressed the Board. He asked the Board to send a letter to the Army Corps of Engineers, requesting that the County sign onto a letter (attached) that will be sent to the Army Corps of Engineers saying "here are issues that we want the Army Corps of Engineers to consider when they make their environmental statement."

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE SENDING THE LETTER, SUBJECT TO THE ATTORNEY'S APPROVAL.

Coleen Roland addressed the Board.

She asked the Board to post the dates of public meetings regarding the Corp of Engineers project for construction of a Regional Fishing Reservoir on Tired Creek, Grady County, Georgia. This would allow the public access to those meetings when appropriate.

She referenced the discussion earlier in the meeting regarding the Circuit Rider Safety Program. She said, "You have in the tentative work program several resurfacing projects that are coming up and it would be a good opportunity to integrate some of the recommendations of that plan into those resurfacing projects. I would recommend that your public works folks contact FDOT when those plans are up for public opinion and input."

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Lamb

Healthy Start Coalition

Commissioner Lamb referenced information that he received in his commissioner's inner office mail. It indicated that the Healthy Start Coalition was applying for their 501C3 and that the County was billed for filing the application. He asked Mr. Brown for an explanation.

In response, Mr. Brown asked Commissioner Lamb to give him a copy of whatever information he had and he would look into the matter.

Attorney Billing

Commissioner Lamb asked Mr. Williams if his staff had corrected the billing which was discussed at the last meeting.

Mr. Williams replied that they were still looking into it.

"Where we are right now is - When we looked into this issue, and as you recall, the magnitude of the allegations were fairly substantial. When I looked at it, right off the bat, I told the manager that to do it properly, it would be expensive. I told him that I would limit it to \$8.000. I assessed it at the

time as a normal procedure which would have cost about \$15,000 to do it. I know that we billed more than the \$8,000. I absolutely stand by my commitment to not bill any more than that difference.

The question in my mind and I haven't had a chance to do the analysis, but we went over \$15,000. I don't know why. I haven't seen the details of it yet. Over the course of doing this, we had a number of different employee investigations that we were doing. When I looked at the read out on it, I had a list of matters that we billed for that were employee investigations. So, I haven't looked at - Was it only the Sam Hawkins investigation? Was it other matters that we are involved in?

I have told Marlon and I have reiterated this more than once, when we started this, it was important to me that we provided documentation for these allegations. He is the chairman of the NAACP and it required an investigation and it required a lot of back up. It was 100 pages worth of investigative information and attachments. There were some very serious allegations about the County. I knew that it was not possible to do it effectively without a significant bill. So, I made a commitment to the manager that I would do it for \$8,000, but there were underlying assumptions about the nature of the investigation. I know that we had to do additional witness reviews. So, the long story short is this - I haven't finished the analysis. I stand by my commitment for that \$7,000 cut that we talked about. What the manager and I need to talk about is when we went beyond that number. I am pretty good at assessing what the costs are. Why did we go more than that and what is appropriate at that point. But, that \$7,000 cut will be done. I told my staff to do it. For some reason, it wasn't and we will credit that back to the County. Then, we will get with the manager and tell him what the difference is."

Commissioner Croley

Commissioner Croley thanked the staff for the recent shoulder work on Shady Rest Road.

Croley:

In support of the effort to improve roadway safety that the public works specifically identify and document the production report all shoulder work and striping done on the various roads

in each commission district.

Second, I want to request that the condition of the maintained bridges in District 2 be examined by public works for major repairs and/or replacement given their age and their general appearance, especially those of Withchoochee Creek, Swamp Creek, and Attapulgis Creek. And, that the county manager provide a report to the Board on the conditions of these bridges and others in the first quarter of 2007.

Third, I want to request more aggressive actions be taken by public works to remove roadside trash in District 2, especially before the 2007 mowing season. That a serious effort be made to remove the old tires and household appliances and other debris from the creeks and streambeds located in District 2.

And four, that community development make an inspection of the community park in the St. Hebron community and that the county manager report on its conditions and any required improvements during the first quarter of 2007.

I also want to request that the fire services look into the replacement at county expense of a fire hydrant on a 6" water line located at the intersection of Riverview Road and Havana Highway and an additional hydrant at the intersection of Havana Highway and Kirby Circle located in the China Hill community and that the county manager report to the Board in the first quarter of 2007 on the financial feasibility of these emergency service improvements.

That the growth management code enforcement take more aggressive action to see that all abandoned mobile homes be removed in District 2 and that the county manager report to the Board during the first quarter of 2007 on the progress of this effort.

And finally, I want to remind the county manager and his entire staff that I have been trying to obtain a current membership listing of all the various citizen boards and commissions appointed by the board for several weeks now. I would greatly appreciate a more timely and adequate response to my request in order that District 2 may be adequately and properly represented on the various county boards by qualified and enthusiastic citizen volunteers.

Thank you, Madam chair.

Commissioner Price

Commissioner Price wished everyone a Merry Christmas and Happy New Year.

Commissioner Holt, Chair

Appointments to Boards and Commissions

Chair Holt appointed Commissioner Price to Transportation Disadvantaged Coordinating Board and Commissioner Lamb to the Small County Coalition Board of Directors to replace Commissioner Dixon. It was noted that Chair Holt already serves as an officer on the Small County Coalition.

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO APPROVE THE ABOVE STATED APPOINTMENTS.

Commissioner Dixon

Commissioner Dixon also wished everyone a Merry Christmas and Happy New Year.

County Manager Brown:

(Referencing the list of requests made by Commissioner Croley)
From the county manager's point of view, I have no problem in terms in looking at those things. But, if you will, as a board, again, we have other districts that we are dealing with - give me some direction. Obviously, I know Commissioner Croley is looking out for District 2 and I have no problem in looking out for all citizens of Gadsden County, but that is a very extensive list and I would like some board direction. Please give us to time to look at this and come back to the board with when we can get it done and not hold us to a deadline.

Croley:

I have no problem with that.

In jest, Commissioner Lamb told the county manager to put his

new assistant, Anthony Powell, to work on that extensive list requested by Commissioner Croley.

RECEIPT AND FILE AGENDA

- Letter to Superintendent Reginald James - Notice of Non-funding of Florida Communities Trust Grant Fund Request
- Letter to Attorney Duchemin - Pictometry International Corporation - LIDAR Mapping
- Letter from Dale Summerford, Tax Collector to the City of Quincy - 2006 CRA Funds
- Letter from Dale Summerford, Tax Collector to Town of Havana - 2006 CRA Funds
- Letter to Superintendent Reginald James - Request for discuss Partnership
- Letter from Pictometry - Pictometry Technology
- Letter to Mr. James Kenon - Notice of Violation
- Notice of Extension of Maturity Date from Bank of America
- Letter from Igler & Fougherty, P.A. - Kiwi's Hospitality, Inc.

ADJOURNMENT

UPON MOTION BY COMMISSIONER DIXON AND THERE BEING NO OTHER
BUSINESS BEFORE THE BOARD, THE CHAIR DECLARED THE MEETING
ADJOURNED.

Brenda A. Holt, Chair

ATTEST:

Muriel Straughn, Deputy Clerk