

**AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON JANUARY 4,
2011 AT 6:00 P.M., THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.**

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

INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL

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

The roll was called by Muriel Straughn, deputy clerk, with all members present as listed above.

AMENDMENTS AND APPROVAL OF THE AGENDA

Item 4 was deleted from the agenda at the request of the county administrator.

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

Awards, Presentations and Appearances

1. Resolution Number 2011-003 Recognizing the Achievements of Onryll Lewis

Chair Taylor introduced Miss Onryll Lewis and read the above resolution into the record, then presented it to her. The resolution recognized her for having scored 500 on the FCAT test for the last two years on both parts. She is a student at Gadsden Elementary Magnet School.

**2. National Teen Dating Violence Awareness and Prevention Month, February 2011 Resolution
2011-004**

Katie Jo Helm, Sr. Robert F. Munroe Day School Anchor Club read the proclamation into the record.

**UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSION CROLEY, THE
BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE RESOLUTION/PROCLAMATION AND
DECLARED THE MONTH OF FEBRUARY AS TEEN DATING VIOLENCE AWARENESS AND
PREVENTION MONTH IN GADSDEN COUNTY, FLORIDA.**

3. Community Redevelopment Agency Presentation

Charles Hayes, CRA Director of Quincy and Quincy Main Street Director addressed the board and made a report on the CRA of Quincy.

Havana Town Manager Howard McKinnon then did a similar report on behalf of Havana CRA.

Brief discussion followed with an understanding with the two cities that annual reports and financial audits must be filed each year with the Clerk of Court and with the board.

Mr. Hayes agreed to furnish the board with annual reports and financial audits for each year since the beginning of the CRA in Quincy in the year 2000. However, subsequent to this meeting, it was determined that separate financial audits do not exist until the FY 2008. Financial audits for 2008 and 2009 were filed with the Clerk and copied to the board.

Following discussion led by Commissioner Holt, it was clarified that even though the BOCC had asked for representation on the Quincy CRA, they do not have to do so as they can use those dollars as they see fit within the law. They are under no obligation to appoint a BOCC member to their board.

- ~~4. Update on Use of Hospital Building Office Space—Michael Glazer, Deputy County Attorney and Craig McMillan, Gadsden Hospital Inc., Board Chairman—This item was deleted from the agenda.~~

CONSENT AGENDA

Items 6 & 7 were pulled from the Consent Agenda for discussion.

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

5. Ratification of Approval to Pay County Bills

Accounts Payables Dated: December 17, 23, 2010

Payroll Dated: December 30, 2010

- ~~6. Approval to Accept County Commission Public Bonds for Re-elected Commissioner Douglas M. Croley and Commissioner Brenda A. Holt—Johnny Williams, County Administrator—This item was pulled for discussion. See below.~~
- ~~7. Signature of Chairman on Equitable Sharing Agreement and Certification—Katherine Pondexter, CFO, GCSO—This item was pulled for discussion. See below~~

8. Approval of Signatures for Special Assessment Liens for Ebony Evans, Sylvia Cooper, Helenthia Rolax Stephens – Impact Fee Proviso (IFP) and State Housing Initiative (SHIP) Programs Clyde Collins, Building Official
9. Approval of Signatures for Special Assessment Liens and Rehabilitation Contracts for Winifred Stokes, Sally Ramsey through – Florida Homeownership Opportunity (FHOP) and State Housing Initiative Partnership (SHIP) Programs - Clyde Collins, Building Official

Consent Items Pulled for Discussion

6. **Approval to Accept County Commission Public Bonds for Re-elected Commissioner Douglas M. Croley and Commissioner Brenda A. Holt**

Commissioner Croley pointed out a mistake in the narrative, which is a part of the agenda report on this item. It states, “since Gadsden County does not currently have an ordinance in place regarding bonds for “County Officers,” it is not a mandatory requirement for County Officers.” - He noted for the record that the County does have an ordinance requiring bonds for all county constitutional officers. He then pointed out that the bonds do not track with the terms of office. Additionally, the premiums differ between the two commissioners, which does not make logical business sense. He questioned whether the prices were correct.

Commissioner Lamb suggested that when there are questions about items that are on the agenda, that the commissioner call the administrator in advance of the meeting to get clarification so that matters can be resolved more expeditiously.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO TABLE ACTION ON THIS ITEM UNTIL THE NEXT MEETING. STAFF WAS DIRECTED TO GET CLARIFICATION.

7. **Signature of Chairman on Equitable Sharing Agreement and Certification**

Commissioner Croley called attention to Page two of the report and asked if the money referenced in this agreement had already been spent and if it was asking for “Post Approval” of the paid expenditures.

Katherine Pondexter, Chief Financial Officer of the Gadsden County Sheriff’s Office, explained that it is a report that has to be made annually showing how the money was spent. She clarified that it was not a post approval for monies which was spent without prior approval from the BOCC.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE CHAIRMAN’S SIGNATURE ON THE REPORT AND CERTIFICATION.

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

No citizen requests were received by the Clerk.

10. Public Hearing – Approval of Budget Amendments and Resolution to the FY 2010-2011 Budget Resolution 2011-001

Commissioner Croley objected to the way the amendments were “lumped together.” It was decided to review each amendment individually and vote on them.

OMB BA# 1100001 – Hospital Maintenance – The purpose of the amendment was to establish the budget for the maintenance for the entire fiscal year 2011. It was mistakenly left out of the budget approved in September. At the time the budget was adopted, it was uncertain as to what that position would actually cost. Since then, the cost has been determined to be \$80,000, which staff took from several categories rather than take it from the budgeted contingency fund or the unbudgeted general fund balance.

Croley:

Mr. Price, what I don’t understand is this – when we had our budget hearing and we set the budget – practically everything I see on this list was approved in the current budget. Why do we have to have a budget amendment to go back and do what the commission already approved? It was my understanding that we approved, for instance, this business about the hospital maintenance. Didn’t we set money in the budget for the hospital maintenance?

Price:

Not for the maintenance of that, we did not. Finance set up a new department, Department 50, for the maintenance for that and we just failed to budget money for that. That is why we have come back to you to do this now.

Croley:

Why did we fail?

Price:

It was miscommunication. Even the commission talked about \$120,000 at one time, but then the numbers were changing. During the transition, it just got misplaced.

Morgan:

Thank you for clearing some of his up for us. My first question is about Item Number 1 and the hospital maintenance fees. I do remember discussions about that and hence where those dollars were going to come from. My question or recollection is that I asked the question, “Could we use monies from the half-cent indigent care tax to fund the maintenance since a portion of that could be used for physical plant issues?” I know a portion of it had to go to debt service. I don’t remember the answer that I got, but is that a possibility?

Price:

I am not 100% sure on that. I would have to check on that.

Morgan:

That might be a question to ask rather than have to make adjustments. I have just received this, so I am not sure exactly what I am reading, but it says that you are reducing the budgets of the County Attorney by \$15,000, then Information Systems and Medicare Welfare by \$50,000.

Price:

Correct.

Morgan:

How did we come up with a reduction of \$50,000 in Medicare Welfare? Did we over budget by that much?

Price:

Last year they were over budget, I mean they were under budget by \$150,000. So, we thought we would have a little bit of leave way this year to take some of that money for this.

Morgan:

O.K. So, that was 450,000 we could have budgeted somewhere else already. I guess that is what I am saying.

Price:

Sure.

Morgan:

I have not ready the rest of these, like I say, I just got this. I may have some more questions in a minute, Madam Chair, but I haven't had a chance to look at all this.

Taylor:

Commissioner Holt?

Holt:

Yes.

Mr. Manager, I know I was on the commission for a while in the spring, then I retired and now I am back. We were looking at all this stuff in the budget before. This is a real, real problem with me. I am going to be honest with you. You are talking about moving several different things without a true explanation. You laid off 30 people, and I am just saying approximately 30 people. That \$400,000, the Clerk said was absorbed, so it is not there. Now, we are having to move money around again. This is another workshop date.

I keep asking for these workshops. You can't go and say we understand. To move \$50,000 from Medicare Welfare when we don't know what that section right there is going to look like later and what it is doing. What was the purpose of it in the first place?

You come down to the next one. You are going to move \$35,000. The next one says \$75,000. You cannot do stuff like that unless there is cohesiveness around this board in that we know what is going on. There is no way that I can vote for this. We have to have some clarification.

Now, it may be there. I will be honest with you. You were not here when I was raising sand about the budget in the spring. So were other commissioners. So, can we go through these five or six pages(or whatever the number of items here) and look at where that money is moved from and where it is going to.

Mr. Manager, I am not talking to him, really, because he wasn't here. But, we have to have some clarification, this board, before we can do anything. So, if you can tell me something tonight, I am willing to go along with it. But, that is the only way we can consent and go and do it.

Now, we can do it on some of the items, but I need some explanation as to why there was this many? Some of them, when I look at them, I agree with them.

Taylor:

Mr. Administrator, do you want to answer the commissioner's questions? –

Williams:

Well, you know, one of the things that were said earlier is that if you need clarification that is what I am there for. As a matter of fact, I met with our Madam Chairperson today with Jeff and we went over every single one of these items because she had questions. I would do the same for any of you. Anybody that is sitting at this table.

Holt:

Madam Chair, may I respond?

Taylor:

Sure.

Holt:

I do not mind calling the manager, but when something goes on the agenda, and it needs clarification, that is his job. You shouldn't have to call for that. That is not what you call for. WE have e-mail. But, the bottom line of it is this. Some of these things, like I said, I agree with. But, now, if it is taking money from "A" to go to "B," that is where I need to know the clarification – Is it going to hurt "A" to move it? That is the only thing. Like I said, some of these, I can vote for right now. But, that is why we need to go individually.

Taylor:

We are going to do exactly that. I have taken your request and followed through on it.

Commissioner Croley?

Croley:

I just want to say this. All this business about having to call all the time about everything and getting big long clarifications. Let me tell you something. These ordinances say that if we don't have all this information ten days in advance, and that includes all these extra write-ups that always get thrown in front of me, (and this was a complaint that I had with the prior administration) this item is supposed to be deferred to the next meeting. Now, that is in the ordinances.

Now, I am willing to go ahead, but, Mr. Price, you are on this fulltime. Sorry, but I am not here for the status quo. So, if I am offending anybody – get over it because here is a fact. I don't like doing business like this. We should have all this straight in this year's budget. You've got all this computer system. Mr. Administrator, you should know exactly what the situation is here on these budget items. As it is right now, we knew we had to maintain the hospital. I thought we put the money in for the hospital maintenance. (I see Commissioner Morgan nodding his head in agreement.) And yet, I find out that it is not. And, I am going to be on your case about some other things as we go through here.

Madam Chair, I am going to move to approve this simply because they've got the money. But, don't come up telling me that the attorney is short or whatever in this book and other things are short later in the year because ya'll didn't plan. I can only act on information that I am given. So, I make the motion that it be approved unless somebody else has something to add.

Taylor:
Hold your motion for just a second.

Croley:
I will hold it.

Taylor:
I am going to yield to the attorney for a moment. Now, let's back up for just a second. I understand the frustration from my colleague, but let's keep our comments directed where it should be and obviously, it is not Mr. Price because he was not here and we had two or three directors as we were going through the budgeting process. So, let's hold the pen right there.

This is a public hearing. As we go through each of these items, those of you who are in the audience are welcome to come up and voice your opinion from the discussions on each of these items individually. So, I need to say that for the public record.

Now, Commissioner Morgan, you had a comment.

Morgan:
I do. Thank you, Madam Chair. First of all, I do agree with most of the comments that I have heard around the table tonight because it is frustrating, particularly on something as important as the budget. I do want to say this and I know that the board will remember. You know, this past year, we have done so many things very well regarding the budget. That is why we had more money to put back in the county coffers than we have ever have in the history of Gadsden

County. We had a budget and we stuck to it. So, it is not all bad things. We are working our way through some things here.

Mr. Price, I have talked to you a few times and I appreciate some of the things you have done, particularly your last quarterly update that you provided. I thought it was very good. The frustration that I think you hear is - we, obviously, cannot run the day-to-day operations. We don't know every single line item in the budget. If there is one missing after we talk about it that can be a little bit frustrating. I am sure you have heard that in the past in your years of experience in doing this. But all of that to say that the thing that I would like to hear is what are we talking about taking from fund balances in order to have this work out? I haven't looked at each individual one. That is what I need to hear before I can vote one way or another. If that is alright with the rest of the board. What is the net difference? If we are taking \$100,000 that has not been budgeted and we are having to take that from fund balance to put over there. That is what I need to hear. I can see where we are talking about reducing certain areas to make that work out, but it looks like a couple of these items are having to pull from fund balance because we didn't have it budgeted. Is that correct or am I misreading that?

Price:

I believe one item, yes.

Morgan:

Just one item. O.K.

So, what is the net effect on fund balance?

Price:

From fund 112, County Transportation, we are taking \$239,000 from their fund balance.

Morgan:

But that we have had discussion and have already approved that. That is for Frank Smith Road Project isn't it?

Price:

No, that is for equipment for Public Works.

Morgan:

So, we did not have that budgeted. I thought we did. We had already talked about it.

Price:

Yes, we had talked about it, but it was in the wrong spot.

Morgan:

Right. O.K. What I am asking is what monies out of fund balance have to come that we do not have budgeted?

Price:

Under general fund, there is no fund balance.

Morgan:

We aren't moving any monies from fund balance to do anything on these amendments?

Price:

No.

Taylor:

I had a chance to meet with the administrator and the director of this department and if we will go through these one by one, I believe we can move them one by one expeditiously. You will find out all you need to know.

So starting with the first item 11-001: It is clear that this item will be taking items from all these other line items. What Mr. Price has told us is that they looked at the history and what happened last year and a year from there and saw they had an opportunity to move these dollars and not affect services for this year. So, this is very comfortable for them to do this. Now, yes, Commissioner Croley and Commissioner Morgan, we did discuss maintenance. We did not know the exact amount that we would have to budget for the year. But, remember Clyde was out during a couple of those workshops. So, we never nailed down a specific amount. So, let's go ahead and get this \$80,000 over there so we can maintain our portion of the hospital.

So, you make your motion.

Croley:

I make that motion.

Morgan:

I second.

Taylor:

There is a motion and a second. We have already had discussion again. This is a public hearing. Any citizen who wishes to come up and speak to this item may do so at this time.

There being none, all in favor to move this item, please let it be known

Holt:

Question.

Taylor:

I am sorry, there is a question.

Holt:

I am not in favor of this at all. I just can't do it. Even though they may be comfortable with moving the money, we don't know.

Taylor:
What I have gotten from him

Holt:
I understand. I understand. I am not going to prolong it.

Taylor:
No. No. I want to hash some facts for you because I appreciate your inquiries. There was \$150,00 surplus last year under the Medicaid. \$150,000 surplus dollars that were not spent. So, they are saying take \$50,000 of that and still have \$100,000 cushion based on history. All of this is based on history. Same thing with the \$15,000 for the attorney who has done an excellent job of keeping their costs down as well as IT. So, the dollars that they are taking won't affect services or quality of services. So, your comment has been taken. There is a motion and second. All in favor to approve this item, please let it be known by saying, "Aye."

Morgan: Aye.

Croley: Aye.

Lamb: Aye.

Taylor: Aye.

Taylor:
Opposed, by the same sign.

Holt:
No.

Taylor:
Make that 4 – 1 for Item 11-001.

11-003 Again, this is a public hearing. Mr. Price.

Price:
Yes, this is simply an on-going grant for the EMS County Grant. We are re-establishing that into this fiscal year for EMS to purchase A/C power adapters for cardiac monitors.

Taylor:
Thank you, sir. There is no impact on our budget at all. We are just moving this money forward. Correct?

Morgan:
Any match for the grant? We aren't required to make a match?

Williams:
No.

Taylor:
I saw Commissioner Holt's hand.

Holt:
Yes. What is the amount?

Price:
\$4,341.86.

Holt:
Thank you.

Taylor:
Again, ladies and gentlemen, this is a public hearing. If anyone wishes to speak on this matter, you may do it at this time. (pause) Hearing none, may I get a motion?

Lamb:
So moved.

Croley:
Second.

Taylor:
We have a motion and a second. All in favor of approval of Item 11-003, please let it be known by saying, "Aye."

All:
Aye.

Taylor:
Opposed by the same sign. (no response) Ms. Muriel, that is 5 – 0.

Mr. Price, 11-004.

11-004

Price:
This is to carry forward funds from fiscal year 10 to fiscal year 11 for two projects. One is the Drake Acres Park, which is a FDAP grant and then also for the Shelfer Park for \$35,000.

Taylor:
Can I get a motion. Yes, this is a public hearing. Are there any citizens who wish to speak on this item? (no response) Hearing none, Commissioner Croley?

Croley:

You see, this is another thing. I support the parks- Shelfer Park and Drake Acres improvement with the grant. We had \$35,000 specifically budgeted this year for Shelfer Park. We said that in the budget. It was repeated in here several times. What I don't understand is why wasn't that money automatically in the budget if we approved it that way?

Price:

Right. This is just an accounting technical issue bringing it into the new fiscal year accounting software.

Williams:

Well one of the things

Taylor:

Excuse me just a moment.

Do you want to yield?

Croley:

Yeah, I want to hear what he has to say.

Williams:

Well, one of the things that we all need to understand is that we essentially have two budgets. We have a line item budget by departments, which is what you are referring to as being approved. Then, we have a budget by funds. What we are doing here, in effect, is amending the budget by funds to move the money forward. That is essentially controlled by the Clerk's finance office, whereas we essentially control the line item departmental budgets. It is a mechanism for changing it from one fund to another in the budget by funding.

Croley:

So, in essence, as far as your explanation is for the record, this is doing nothing more than what we basically approved in the budget process and reconfirming it.

Williams:

It is doing the same thing as putting it in the fund budget.

Croley:

I will move when you get ready.

Taylor:

So, for clarity, what we are doing is – Are you moving \$35,000 from last year into this year's budget? Or, are you justifying the \$35,000 that is in this year's budget? If you move what we had last year that we did not spend into this year's budget with the \$35,000 we budgeted, then you should have \$70,000 there. So, what are we doing? Do you follow what I am saying?

Price:

I follow what you are saying.

Taylor:

So, if we are moving it forward, and, as Commissioner Croley said so eloquently a moment ago, we already budgeted it, so there should already be \$35,000 there. If we are moving this, then we should have \$70,000. So, just for clarity, What is happening?

Price:

The \$35,000 that we budgeted for is for the budget side. The \$35,000 that we doing here is moving it from the accounting FY 10 into the accounting FY 11.

Taylor:

So, what is the total for this line item?

Price:

\$35,000.

Taylor:

Thank you very much.

There is a motion on the floor. There is a motion and a second. Again, this is a public hearing. There is a motion and a second. Are there any other questions? (no response) All in favor of this motion, please let it be known by saying, "Aye."

All:

Aye.

Taylor:

Opposed, the same sign. (No response.) Five to zero, Ms. Muriel.

11-005 Mr. Price.

Price:

This is to transfer \$75,000 for Shelfer Park from the Reserve for Contingency to the Capital Projects account.

Taylor:

Again, this is a public hearing. If anybody wishes to speak on this item, now is the time. Hearing none, we will now have questions from the commissioners. Commissioner Morgan?

Morgan:

Jeff, this is what I was asking you earlier. Not this particular item, but with anything on here coming out of fund balance. Is this not coming out of fund balance?

Price:

It is coming out of Reserve for Contingency.

Morgan:
Money that was not budgeted is what I am saying.

Price:
The Reserve for Contingency is budgeted.

Morgan:
How much do we have in reserves?

Price:
I think we are down to \$168,000.

Williams:
If you approve this amendment, it will leave us with about \$57,000 in contingency.

Morgan:
Thank you. So, basically, we started out a new fiscal year with about \$280,000 in Reserves for Contingency. We are one third way through the year and now we are down to \$60,000 essentially.

Price:
Right.

Morgan:
Should we be concerned about that or what?

Price:
I think the county administrator will have some good news later.

Taylor:
Yes, I do, too. Based on our discussions earlier.

Morgan:
I need to hear it before we vote on this. (Laughter)

Williams:
You want to hear the good news? Well the good news is that we're getting more money from the State in our Fiscally Constrained funds than we have in the budget. About \$200,000 more.

Morgan:
Now, is that what is budgeted? We haven't received that yet, correct?

Williams:
Yeah, but they passed it. We have budgeted \$1.068 million. We're expecting to receive \$1.257 million.

Morgan:

Is it before they meet in the session coming up?

Taylor:

It has already been approved in the last legislative session.

Morgan:

They know how to take that money back, you know.

Taylor:

Well, it has already been approved, so, actually you are looking at a plus of \$189,000.

Morgan:

I know this park means a lot, particularly to Commissioner Lamb. I know we have parks in other areas of the county, if I am not mistaken.

Lamb:

But, it will mean more to the citizens of Havana.

Morgan:

I understand that, but I am speaking to you because you worked hard to get that done. O.K. If you all are saying that we've got \$200,000 more dollars that I wasn't aware of, then that sure does make me feel better.

Taylor:

Commissioner Croley?

Croley:

If you have people that want to speak on it, then let's hear from them, then I have something that I want to ask .

Taylor:

Sure, I have already opened it up for public hearing. But, again, this an agendaed item as well, number 11. Right now we are doing budget amendments, so you might want to wait until number 11 and then speak. But, right now, we are going through the budget amendment process. I see nods. Unless there is someone else who wants to speak, you are more than welcomed.

Chapman:

May I, Madam Chair?

The item 11 actually speaks to this budget amendment specifically. It is duplicitous in its nature. It is actually providing more information about this budget amendment. It was a minor scrivener miscommunication between Mr. Price and me, so I apologize for that. But item 11 actually explains more about this budget amendment in order to provide more background information.

Croley:

Point of order, Madam Chair. Knowing that, I wanted to know if we could defer a decision on this item until we hear Item 11. I think the proper motion would be to lay this item on the table until we hear Item 11 which is more detail about it.

Taylor:

The only issue I have with doing that is that this is a public hearing item and it needs to be heard at this particular time. It was an agendaed item and we don't need to hear this particular item under General Business. So, it has to be heard because of what is being asked here and what is being put in front of this board. It has to be heard at this time.

Croley:

I understand, but I was looking for some interpretation. I saw her nodding so it remains my concern that I want to see District 1 get its park. I don't have a problem with that. But I have a concern about the cash flow at the rate this commission is spending money. I will say more about that at that time.

Taylor:

Again, I think I have already asked you guys, you citizens, if you want to be heard on this or do you want to wait until that particular item under General Business. So, I am going to ask that we move on Budget Amendment 11-005.

Lamb:

So moved.

Taylor:

There is a motion, is there a second?

Holt:

Second.

Taylor :

There is a motion and a second that we move Item Budget Amendment 11-005. All in favor of this item, let it be known by saying, "Aye."

All:

Aye.

Taylor:

Opposed by the same sign.

(no response)

Make that 5 – 0 for approval of 11-005.

Mr. Price.

Price:

We are on 11-006. This is taken in conjunction with 11-008. I would like to go to number 8 first because that is really where it begins. This is taking money from the general fund and transferring it to the building inspection fund. Now, going back to number 6 – this is taking the money that we just transferred into the building inspection fund and dispersing it into the expense accounts that it needs to be. This is for a vacant position that was filled in the building department.

Taylor:

So you are taking money from one department, the planning department, to finance a new position, which is housed under the building inspection department. And you are asking for a transfer of dollars between these two departments in the amount of \$20,154.

Price:

No, we are not transferring any money from the planning department. It is simply coming from the general fund to the building inspection department for some additional cost for the personnel. The new person.

Taylor:

You are transferring a position under the planning department to the building inspection department.

Price:

We are transferring a position. Correct.

Taylor:

I am clear now.

Commissioner Holt.

Holt:

I was about to say, "Did we lose someone?" So, that position did not exist.

Price:

A person from planning has been moved to the building inspections department.

Holt:

I understand that. Was that someone in building inspection that left?

Price:

There was a vacant position in last year's budget that this position is being filled with.

Holt:

Did we fire someone that we didn't know about?

Price:
I don't believe so.

Williams:
She retired.

Price:
She retired.

Holt:
She retired. O.K. I just needed to know how that position came about. Under the building inspection department – you said number 8. The increase there is coming out of general fund?

Price:
Yes.

Holt:
\$20,000. I will hold my comments until after this item.

Taylor:
I think we are all as clear as mud on this one. Commissioner Morgan?

Morgan:
Jeff, you have heard me say this two or three times tonight, but is that money not coming from fund balance? Where is that money coming from?

Price:
It is not coming from fund balance.

Morgan:
It says general fund transfers.

Price:
Right.

There are transfers that we have budgeted for to various departments from general fund. We are just reducing one of those transfers by the \$20,000.

Morgan:
Just making sure.

Taylor:
Commissioner Croley?

Croley:

I am still not sure. It says move from general fund to the building inspection fund to cover the cost of the new position. Well, what is this new position?

Price:

It is a vacant position that the person retired and so it is a permit tech position. It will be filled by the new person.

Williams;

Let me say a few words about this.

We had a GIS coordinator in the planning department. It was not really a fulltime position. We transferred that person to building inspection to be an assistant to Clyde, with the recommendations of Clyde and Anthony. Then we had a clerk who resigned last year and freed up \$25,000. We are using the differences to replace the GIS person with a planner, an entry level planner. This budget amendments are designed to effectuate these changes.

Croley:

O.K. Well, the person who was GIS and moved to the building inspection department, what is that person going to be doing in the building inspection department.

Williams:

I think Clyde is going to make him a building inspector. Is that correct?

Croley:

How many building inspectors – is this an additional building inspector or a replacement of a building inspector?

Collins:

Actually, what Spencer is going to be doing – we moved him from planning and zoning over to our department – he will be helping with permits, be my permit tech, he will be basically helping with anything we need him to do. We lost one. We have taken on two or three other departments. I just can't keep up with all the paper work and all the agenda items and all the stuff that we are doing as far as projects. We moved him over there so that he could help us. That is basically what that is for.

Croley:

So, now you've got a clerk though that is in the planning department that has retired?

Collins:

No, the clerk was in our office. She resigned and left. We have taken her salary plus a little bit more and put it him.

Croley:

My last question is who is going to do the GIS work and printing those maps, etc.

Williams:

Well, all planners this day and time are trained in GIS as is our new planner. Antony is experienced in GIS as well. So, we are covered.

Croley:

You are covered for the record. O.K. I would move approval.

Taylor:

Alright. First of all, this is a public hearing. If you have come to speak on this issue, you may do so at this time. (There was no response.)

There is a motion on the floor for Item 11-006. Do I have a second?

Lamb:

Second.

Taylor:

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

All:

Aye.

Taylor:

Opposed by the same sign.

(no response)

Make that 5 – 0.

Now I need a motion on Amendment 11-008.

Lamb:

So moved.

Taylor:

There is a motion.

Morgan:

Second.

Taylor:

Again, this is a public hearing. Before I carry this item, I want to make sure that the public has an opportunity to speak. (No response.) Are there any questions on this item, Commissioners?

(No response) There is a motion and a second on the floor. All in favor of this item, please let it be known by saying, "Aye."

All:
Aye.

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

Make that 5 – 0 on Amendment 11-008.

Price:

On Amendment 11-009 – this is fund 313 – we had a balance of \$361,000. It was all in one project. The Road Safety Enhancement project. This is simply taking \$132,000 that Charles will talk about later with a change order, and putting it all into the Frank Smith project. That is all.

Taylor:

This is a public hearing on Item number 11-009. We are going to be moving \$132,000 into finishing up a road project on Frank Smith. You may have public input at this time if you wish to do so. (There was no response.)

Morgan:
I move approval.

Holt:

I have a question and I will second the approval. On that project, Commissioner Lamb knows that I was not crazy about moving one park in my district over to his and I am happy that we are going to finish it up so we can apply for new money. Maybe I can get back in there. But, I thought we had finished up on Frank Smith. Did we not? What is going on with that?

Croley:

Well, they finished it up. Look, this stuff is all out of order, in my opinion, because we are not getting the details like you are asking for because the project is complete and I believe you did it for less money and returned about \$17,000 or \$18,000 back in as a result of savings on the project. So, this is an overstatement of the transfer, isn't it Charles?

Chapman:

The further details that are referenced in your agenda book can be found under Item 12 for this particular project. Yes, the project is complete. This is the first public hearing that we have had available to do a budget amendment to finish out the costs. We have been able to reduce the construction costs by working with the engineers and with the contractor of record. The original contracted price was awarded back in July 2010 at \$249,000 and some change. The current ending price for the construction cost is \$17,342 less than that contracted approved price that was ordered by the BOCC. We are simply asking for the budget amendment \$132,071.80 to round out the approved funding. There was \$100,000 already approved in the budget. This will just round out the expenses and let us close this project out.

Holt:

My question was not that. I read the item. My question was this. So, the project is finished. Are we approving the money after the project?

Chapman:
Yes.

Holt:
How can we do that?

Williams:
It has been approved.

Holt:
No, No, no. That is not what I am saying. I am saying that you are moving the money after the project is finished.

Croley:
This should have been done.

Williams:
Did you see the memo that Charles wrote? We had this on the agenda last fall. For some reason, it was pulled. I can't remember why it was pulled. I think it was because the engineer wanted to wait until we got the final cost.

Chapman:
I am not really sure. I would have to go back and read the meeting minutes, but I believe that there was quite a lengthy discussion at the August 3, 2010 was addressing the additional monies for this project that would have brought it up to \$200,000, but at that meeting, the engineering staff as well as county staff that a change order would be coming – that we were reducing the scope of the project, that it would cost less money. The board had already committed by awarding the contract to Duggar Excavating in July for almost a quarter million dollars worth of contracted price.

Holt:
So, we are back to my point.

Chapman:
Yes, ma'am. The board approved already with that contract, a quarter of a million dollars. They committed to a quarter of a million dollars. This is just simply a budget amendment to honor that contractual price at the reduced construction rate.

Holt:
Not really.

Lamb:
Madam Chairman.

Taylor:
Commissioner.

Lamb:
To really go back on this. We approved the contract. That was approved. So, all we are doing now is honoring the contract, really, by approving this budget amendment.

Holt:
So, the money was already there?

Lamb:
Yeah.

Holt:
That was my point and my question.

Taylor:
Well, actually, the money was not already there. That is what we are doing here tonight.

Holt:
I know.

Taylor:
We are moving some dollars over to pay for it. That is why the amendment. But, we approved the amount. Now, we are finding ways to pay it.

O.K. again. Do I have a motion for approval for 11-009?

Holt:
Yes, you had a motion by Commissioner Morgan.

Morgan:
And a second.

Taylor:
We have a motion and a second and I did ask for public comments. We have so many of these, please forgive me if I get off on them. There is a motion and a second. Are there any questions or concerns? There being none, all in favor of this motion, please let it be known by saying, "Aye."

All:
Aye.

Taylor:
Opposed, the same sign.

Make that 5 – 0 for 11-009.

Mr. Price.

Price:

Thank you. Amendment 11-013. This is when we talk about fund balance. This is taking \$239,000 from fund 112, which is the county transportation and appropriating it to machinery and equipment to purchase a backhoe, a flatbed truck, and some work trucks. According to finance, the balance in there is approximately \$400,000 in that transportation fund balance.

Taylor:

In essence, what is happening here is that we are taking money that was budgeted in the wrong line item and now putting it in the correct line item for this particular purchase.

Price:

Right.

Taylor:

Again, this is a public hearing on this particular item where we are moving monies from one item that was approved during the approval of our budget, but didn't put it in the correct line item. Are there any public comments? If not, Commissioners, what say you?

Lamb:

So moved.

Croley:

Second.

Taylor:

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

Holt:

I will hold my comments until the end.

Taylor:

I appreciate that very much.

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

All:

Aye.

Taylor:

Opposed, same sign. (No response)

That is 5 – 0, Ms. Muriel on Amendment 11-013.

Mr. Price.

Price:

Amendment 11-014 is just a housekeeping item. Finance identified a \$15.00 mathematical error in a calculation and this is just fixing that.

Taylor:

Again, this is a public hearing. If you wish to address this item, you may do so at this time.

If not, Commissioners?

Lamb:

So moved.

Croley:

Second.

Taylor:

There is a motion and a second to approve amendment 11-014. Are there any questions or concerns. Being none, all in favor of this motion, let it be known by saying, "Aye."

All:

Aye.

Taylor:

Opposed, same sign.

(no response)

Make that 5 – 0, Ms. Muriel on 11-014.

Mr. Price.

Price:

Thank you.

Amendment 11-016 is taking the \$75,000 for Shelfer Park from fund 344 and transferring it down into the project itself so it can be spent.

Taylor:

Again, this is a public hearing on Amendment 11-016. What is happening here is that we are taking it out of Capital Projects, which is where we put it earlier on this agenda, now we are putting it into an account for Shelfer Park. So, we are taking it out of one and putting it in another so that construction can begin on this project.

Croley:
Just for the record, we are not adding another \$75,000.

Williams:
No.

Croley:
I understand.

Taylor:
We are just moving it into there. So, we should be looking at the total \$110,000 at this time.
The \$35,000 that we moved forward and now the \$75,000.

All in favor of this motion, well excuse me – do we have a motion

Lamb:
So moved.

Croley:
Second.

Taylor:
We have a motion and a second. Are there any questions, Commissioners? Hearing none, all in favor of this motion, let it be known by saying, "Aye."

All:
Aye.

Taylor:
All opposed, by the same sign. (No response)

Ms. Muriel, make that 5 – 0 for 11-016.

Is that it for you?

Holt:
Comment.

Taylor:
Yes.

Holt:
Commissioners, I have been on this board since 2002. I have never seen such a mess like this in my life. I know you have complained about other commissions and I have argued like I don't know what with Commissioner Dixon over some items, but he will tell you that he thought I was going to blows with him. But, these I save. I have a stack going back to 2002. I always save

them because I am afraid an audit is going to come and I am going to get stuck in it. But, this is a mess. You don't give this to a board on the evening of because it is money and it is not our money. This should not happen. Just let me put it that way. There are some good projects. They are good projects and I approve of almost all of them. It is just that when we do it, we have to be able to study this and not save it for two weeks. No, they were lumped together. In fact, I appreciate this part. I appreciate it because it is what I was asking for. Give me an explanation of what you are moving and why. But you don't do it by lumping them together. This shouldn't have been done and it is very unprofessional. It is very dangerous when it comes to taxpayers dollars. I don't think it should have been done.

I will be honest with you. I think and you all know how I feel about this. We need a change in administration. This is a good example of it. You don't do it. You just don't do it. It is not something that you do. We – not knowing how these other areas from where we are pulling money are going to look like at the end of the year, I don't feel safe with that. That is all I need to say, Madam Chairman.

Taylor:

Thank you. I can appreciate your comments, but I would rather have us take care of the issues on this side of an audit as opposed to having auditors come in and find them and then have findings. I can appreciate it not being palatable, but we are foresighted enough to see these areas and bring them before this board and have the proper proceeding so that we can correct them. We have done that tonight. I concur that it does not look right, but at least we can honestly say that we put forth a good effort. Considering the fact that there were so many change overs during our budgeting process, we had three different directors that came through at that time. They all had a hand in our 2010/2011 budget.

Excuse me, Mr. Administrator.

We had so many people working on that budget at that time, Commissioner Holt. But we made it through because of deadlines and constraints. I am glad that we did and I am even more proud that we found errors and we were able to correct them tonight before they landed up in the hands of our auditors. So, that is a plus sign.

Holt:

So, Commissioner Taylor, we should have work shopped this. This is something that we should have sat down and looked at.

Taylor:

They were amendments that required public hearings, though.

Holt:

I understand, but we could workshop it and not vote on it. That way, we would have gotten in there and found what we needed and we would have known what those accounts looked like where monies were moved from. That is all that I am saying. I am not disagreeing with the projects. The projects, I agree with.

Taylor:

I have to agree with you. Somebody should have been able to go through it and discussed it at length. But, then there were some sensitive items that we needed to correct right away. But I appreciate your comments and I am certainly not demeaning them at all.

Moving on, Mr. Administrator. General Business.

GENERAL BUSINESS

General Business

- 11. Approval of Budget Amendment OMB BA 1100016 and Resolution 2011-001 for Shelfer Park Infrastructure Improvements** – construction of the parking lot, walking trail, security lighting, fencing, driveway, culvert and stub plumbing – this item was approved earlier in the meeting as Amendment 11 – 016. However, the Chair recognized the following people for public comments.

- Shirley Aaron; 101 Cherry Ave., Havana, FL - She thanked the board for giving them the park.
- Nell Cunningham, 310 Bostick Road - She thanked the Board for their service and she spoke of her commitment to make Havana a better place.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0 TO APPROVE THE BUDGET AMENDMENTS FOR SHELFER PARK INFRASTRUCTURE IMPROVEMENTS.

- 12. Approval of Change Order Number 1 for Frank Smith Road** Repair Project with Duggar Excavating, Inc. and Authorize the Chairperson to Execute

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 – 1, BY VOICE VOTE TO APPROVE THE CHANGE ORDER 1 DESCRIBED ABOVE WITH CHAIR TAYLOR OPPOSING ON THE BASIS THAT SHE NEVER APPROVES OF A CHANGE ORDER.

- 13. Ratification of Five Day-Eight Hour Work Week for Public Works Operations**

This item was placed on the agenda for discussion at the request of Commissioner Holt. He explained that he changed the Public Works Department from a four day work week to a five day work week on July 16, 2009 because he felt it was a better way to conduct business. While he did not believe that the five-day workweek needed the approval of the board, he sought their ratification.

Charles Chapman, Public Works Director, directed the board to the analysis he had prepared in the agenda report. It included the benefits and advantages and disadvantages of a four day, 10 hour day, workweek versus the five day, 8 hours a day workweek.

He stated that the number of customer complaints have been reduced because of their availability on Fridays compared to the previous years. He also said that the fuel consumption has been reduced over the last year.

Holt:

We did a study in 2005 or 2006 before they went to the four day work week and there were cost savings. When I was listening to the board when the board changed and they wanted to do cost savings, the public works people said the same thing that I said, "Go back to the four day work week" because you save in transportation and in fuel and in man hours going back and forth to the sites. That is what we looked at in those savings. So, if there is not an analysis currently, then let's do one and see if it saves any money. If it doesn't save any money, then we can continue what we are doing. I think that would be a good recommendation instead of recommending one or the other. Look at it. If it saves money, let's do it. If it doesn't, then we don't.

Morgan:

I just had a couple of quick comments. Number 1 – we are hearing from the director of public works regarding the fuel consumption – we are not seeing an increase at all in the five day work week. I had actually heard a lot of praises for going back to the five day workweek from our citizens. We are offering another day of service to the taxpayers and it has been running very efficiently. I appreciate it.

Bottom line though, quite frankly, this is a decision for the county administrator. He runs the day to day operations and that is not something that we need to delve into as long as it appears to be working. There are always alternatives to really run any department. That is not our jobs. What our job to do is to either agree or not agree with how effective our administrator, overall, has performed. And, we heard just recently about how well we are performing financially due to some major changes and overhaul our administrator has made. Quite honestly, if it had not been Mr. Williams, there would have been somebody else in that spot that would have had to make some tough decisions just because of the nature of the economy. They were good ones for the most part. I applaud him for that and I think this is something that we need to put on his desktop and move on to other items of looking at policy and how our tax payer dollars are budgeted and those type things. This is an operational thing that we don't need to - there is no need for this, in my opinion.

Taylor:

Thank you. Commissioner Croley?

Croley:

Very briefly, I agree with Commissioner Morgan. On this one, I am going to have to disagree with Commissioner Holt on. There will probably other things that we will agree on, but on this one, I will take exception. First of all, all this four day work week got started with some of these DOT departments. If you're working out at Midway and you've got to send equipment down to Sumatra that is a long haul. That is a different matter. Your equipment, for the most part, you move around the county and leave on your job sites anyway, do you not, Mr. Chapman?

Chapman:
Correct.

Croley:
So, you don't have all that mobilization that I used to hear comments made about in here. Second thing is just what Commissioner Morgan referenced about good customer service. When you have a rainy day on a four-day workweek and your men are sitting at the barn and maybe you were supposed to be doing training or whatever. But, the truth of the matter is that they miss a day of work. So, if you have to turn out on Friday, you've got to pay overtime. Is that not correct?

Chapman:
That is correct.

Croley:
So, it cost you more money. In our rainy season during the summer months, when people see the motor grader sitting on the side of the road and say, "Well, it could be scraping my road or you could be cleaning out my ditches or you could be picking up that trash," whatever the case may be, but those employees are not there. Then we also had complaints from some of the employees that were running outside businesses on the side, is that not true, on that extra day off. So, I can understand that they don't like it. But at the same time, I am interested in customer service and cost to the county. It comes back that, truthfully, as pointed out, this man and this lady are the two people that we look to on a day to day basis to run and perform the county government. I think this is an intrusion into the county administrator's authority and I think it is an intrusion and perhaps even a violation of Florida Statutes to get engaged in telling him what the work schedules are going to be for the public works crews. I think that we have two good people. Let them run it and let us stay out of it. I don't think we need to tie up a lot more study.

Holt:
Commissioner Taylor, may I speak.

Taylor:
Yes.

Holt:
Thank you. This was my item and I do appreciate you allowing me to rebut some of these statements.

We had no business in the layoffs, but you made sure you were involved in that, commissioners. You made sure that the \$400,000 was used after you laid the people off. So, that was really none of our business either. That money should be sitting in the bank. That is what you told the citizens when you had the layoffs. So, you voted for the layoffs. Those people are laid off. You didn't care about whether that was the manager's decision or not. So, don't tell me that all of a sudden, this is an intrusion upon the manager's authority.

Financial changes, fiscal changes that is what you did. You took that money and you put it where you wanted it to be. O.K. Now, the manager could have done the recommendations in those and you could have stayed out of personnel pool anyway. Those people didn't have to be laid off, but you jumped in there. You spent those monies.

If you were worried about rainy days, why not on rainy days, do OSHA training. That way, you don't have to worry about accidents and different problems we have had with employee training.

Also legal issues that have been settled because of lack of OSHA training. This item – you want to save money, Commissioners, where you want to save money at. You are not interested in those citizens who say, "Look at this and analyze this and look at it and see if a four day work week saves money." I am not asking that you go to a four day work week. You are saying that it is an intrusion on Mr. Williams, territory. You are his evaluators and you are saying it is o.k. to lay this person off, don't lay that one off. You know what happened at EMS with all that mess and those legal issues. You are ignoring other legal issues that are going to cost us money that could have been settled. So, don't come here and say all of a sudden, when you have to look at "Can we save a little money by going to a four day work week instead of a five?" Then there is a problem. It is an intrusion upon Mr. Williams's territory. No it is not – it is your job.

All I am asking of you is to look at whether it will save money. Why should that be such an effort for this board's part to do that? If it doesn't work, it doesn't work. I am not saying that Mr. Williams should go to a four day work week or not. That argument will come upon his evaluation.

Thank you, Madam Chairman.

Taylor:

This item was really just for discussion. I think we have had the opportunity to go over it.

Mr. Administrator, if you do see where it is warranted to do an evaluation, then do so. If not, then, again, that is up under your auspices as our administrator.

So, we will move this item. I don't

Holt:

There is a recommendation, Madam Chairman. So, that means it requires a vote.

Morgan:

I would move that we ratify the five eight hour day workweek for the public works department.

Lamb:

Second.

Taylor:

There is a motion and a second for Option 1 to ratify the five day workweek. There is a motion and there is a second. Is there any more discussion?

Holt:
Yes.

Taylor:
Commissioner Holt, if there is not a question, we are going to move it.

Holt:
It is not a question. You said if there was any other discussion.

Taylor:
Questions – I will respect you.

Holt:
The discussion on this is for the analysis – not for the move. His recommendation was to ratify. My question was for an analysis to be done. Not for him to go to a four day workweek.

Taylor:
Any other questions? I have already given, from this chair, direction to the manager to use his discretion as to how he wants to move forward with this. If he wants to do an analysis, then that is his privilege. If not, then again, that is the manager's responsibility.

There is a motion and a second for Option 1. All in favor of this motion, let it be known by saying, "Aye."

Morgan: Aye.
Croley: Aye.
Lamb: Aye.
Taylor: Aye

Opposed by the same sign.

Holt:
No.

Taylor:
Make that 4 – 1 to approve for Item 13.

14. Discussion of RFP for State Lobbying Services

Taylor:
Before we can entertain this particular item, we have to put Robert's Rule of Order into play. Again, it was tabled, so what we have to do is look to those who were in the majority to table

this item to ask that it now be put back up for discussion. So there has to be a motion on the floor to put this item back up for discussion then move forward.

Croley:

Madam Chair, for clarification, it was moved – I made the motion to lay on the table until we could hear from the legislative delegation, who was supposed to be working on getting a meeting as they usually do for the county commissioners. So, it was to get a report on what impact privatization and other things may have on in terms of state operations. So, I just wanted to remind you and the commission that was the reason it was laid on the table. It was not laid on the table to delay or kill the effort.

Taylor:

That is totally understood. I did have the opportunity to speak to one of our delegates who thought it would be wise to bring this thing back up and put an RFP out. So.

Lamb:

I also have talked to the delegation concerning this. I am not waiting for them to come to me, I went to them.

Taylor:

So, let's do this, gentlemen and lady – let's again offer a motion at this time to discuss this item and see if we can move forward with an RFP.

Lamb:

So moved.

Taylor:

There is a motion. Is there a second?

Morgan:

I will second.

Taylor:

There is a motion and second to just bring this item back up at this time for discussion and possibly approval to move forward to do an RFP. Are there any questions? (No response) There being none, all in favor of this motion, please let it be known by saying, "Aye."

All:

Aye.

Taylor:

Opposed by the same sign.

(No response)

Make that 5 – 0 to begin discussion on Item Number 14.

Let me yield to you and make sure that I went through the process correctly.

Minnis:

It is officially taking the item off the table and that is what the motion was for.

Taylor:

To officially take the item off the table and bring it for discussion and possible and possible approval for RFP.

You have a comment, sir?

Morgan:

Yes, Ma'am, when we open up for discussion.

Taylor:

We are open for discussion, but before we do, let me share with you that I did speak with the city manager and I think this is a comment that you made at our last meeting, to find out who else might be willing to buy in to help with the cost of these services. The city manager of the City of Quincy did express an interest to buy in and help with the cost of bringing in a lobbying service. That conversation took place between the City Manager and me within the last day or so. I told him that we would probably go through the process to make sure that we get the best person for the job here. Based on some of the emails from the administrator, we have had some inquiries.

Legislative session does not begin until March. Obviously, if we do an RFP, we need to do it first thing in the morning and have someone for approval at our next meeting. So, those are just some comments I am throwing out there. There is someone and other municipalities that are willing to buy in.

Yes, sir.

Morgan:

Thank you, Madam Chair. As you know, I have been quite vocal on how I feel about this particular issue and the importance of it and how many folks are affected here in our county and our neighboring counties. I do appreciate the information being put back for discussion. I think it is absolutely critical. There have been many discussions as you may be aware of with the new administration that is now in place. The teams that he has put together have put forward some recommendations and it has obviously never been more important that for us to have that qualified presence for this particular issue.

First of all, I have absolutely no problem with putting this out for RFP. I would like to see that done in the next budget year. I think now, because of time and because of the fact that we have someone in place that is familiar and up to speed with this critical issue, that it is very important for us to simply approve continuing that agreement for another year. The money has already been budgeted. Let's move forward. As we approach the new budget year and wind down this

fiscal year agreement that we have in place, or hopefully that we'll have in place, then I think it would be appropriate to open up discussion for an RFP for the following year. I think that makes so much more sense. I think we would be doing a disservice to this particular issue and all those involved if we don't handle it that way. That is my personal opinion. But, again, I appreciate you all putting it back on the agenda for discussion. I certainly hope that we can approve the continuance of this particular firm that we have in place.

Thank you.

Taylor:

I appreciate the comment. At our last meeting, I think that you brought up the issue that we had gotten some information indicating that the new administration were looking at privatizing that hospital. Obviously, we need to do something. So many from your area and my area will be affected. That is a "no brainer." But, what we want to do and we want to make sure of is that we have the best person out there fighting for us. We want to make sure that we get the best price, which is why I have asked if we can go ahead and put it out. The person who is there now might come to the surface and be the chosen one. But, if we have some of the municipalities that are buying into this, then we need to have it as an open RFP so there is a fair process that can be done in less than two weeks.

When we approved this \$25,000, we said that it should be put out for bid. We said that. I know that I did and that is what I have stuck with. But, I am just one voice and I live in a democracy. So, whatever the majority says, it is fine. I am willing to carry it and move it, but I personally think that we need to do the RFP.

Lamb:

Madam Chairman?

Taylor:

Yes.

Lamb:

Thank you, Madam Chairman. As I have said before, I have communicated with our delegation for our area. I did it last year and I did it again this year. Now, we also need, and you might not be aware of this, we have two delegates that do not have a lot of experience in the Legislature. Now, you know Mr. Williams, Allen Williams, has not been there very long and Mr. Montford, who is a good person and will do a super job, but he is just getting there. Mr. Doolin, I feel personally is the best person for that job now. Price wise, I don't know. But as far as being the person to represent us over there at the Capital, in my mind, it should be him. That is who I will really support at this time because of his experience in knowing all of those legislators there at the Capital.

Taylor:

Again, this is open for discussion. So, however we decide to put it. Commissioner Holt, do you have a comment?

Holt:

Yes. You said that we are selecting a person at this time, so that is not on the agenda for right now. That is what I am asking about. I feel that with the change in the governor's office, the change in representatives in the House and the change in the Senate, we need to go with who we have right now that can produce those facts very quickly if the new governor's office needs that information when they make a decision. I just think that we have to have someone in there right now. I like some of the other people and some of the things that I have seen out there and especially some of the emails that I have gotten on this item. But right now, I want someone that can hand the governor and say what is going on at the Florida State Hospital - they can just hand it to them. I don't want anyone who is confusing his staff. His staff will probably be new. Then, we have two new people. One in the House and one in the Senate. I think we need to go on and later on we can put it out for RFP. I don't feel safe with the legislative session coming up so early.

Taylor:

Commissioner?

Croley:

I have a question for Mr. Lawson.

Mr. Lawson, when was the last time we did an RFP for the lobbying services? Wasn't it just a year, maybe?

Lawson:

We did a RFP, I believe a year ago and it was awarded to Mr. Doolin.

Croley:

So, it is really, the RFP will say that his professional services have not expired the three years. We are not into the third year, this will be just the second. Is that correct since you did the RFP?

Lawson:

I will have to actually check the file, but I think we did the RFP a year ago, prior to his last contract and it was awarded for one year. It expired on September 30th.

Croley:

Maybe Commissioners Lamb, Morgan or Commissioner Holt may remember or maybe yourself. I think we just did this last year, did we not?

Lamb:

The RFP? Yeah, we did.

Croley:

O.K. We said that if we were going to try to move forward with having lobbying effort on this that I would support Mr. Doolin's firm simply because they are already in place and have the information. I have my doubts as to whether or not this is a prudent use of the \$25,000 based upon, - I don't know if any of you attended or heard the inauguration speech today. If you did

not or if you did, I think you will find that this is an effort like standing in front of an oncoming train. It is not going to do you a bit of good and we are going to be wasting the money for this effort if we are the sole source of the endeavor. This is why I have a problem with it.

Now, I fully appreciate why Commissioner Morgan is passionate and concerned about this. I certainly appreciate that every one of us have employees of the Florida State Hospital as residents in our respective districts. But the fact of the matter is that you are swimming upstream as far as what I know and believe to be the case.

I have talked with the legislative delegation. I haven't waited on them to come to me either. But at the same time, I know that they are not necessarily in a very strong position. That is just the truth.

Now, I have serious reservations about going forward with spending the money other than as a "feel good" measure. But these taxpayers, I would hate to spend my money on something that is a hopeless cause. You go ahead.

Taylor:

Here is the issue – what we have agendaed – a discussion for an RFP for lobbying services. Now, it is clear and I am going to support the majority of my board. I am not going to stand in the way of it. But it is clear that we have one item that is agendaed. This question is for the attorney and I think Commissioner Holt raised this issue a moment ago, but there is one item that is agendaed, but we are looking at maybe extending the current contract with Mr. Doolin. Will that item need to come back and go through the proper process and be advertised as well as placed as an agendaed item.

Minnis:

I am looking at the item as you all were speaking. The recommendation was basically for board direction. So, there is no recommendation to actually issue an RFP in this particular item. It is for board direction. But my suggestion would be and I don't want to try to delay the activity, but since what was advertised was not to extend Mr. Doolin's contract, there may be some citizens that may want to speak to that issue. So, from the spirit of "open meetings" law, I would have a concern about approving the extension of the contract now without notification to the public that this is the action you are considering.

You can bring it back on the 18th because it does not require a public hearing.

Taylor:

O.K. Let's go ahead and agenda the "Continuation of Contract with Doolin & Associates Lobbying Services." At that time, we will entertain it.

Commissioner, do you have a question?

Croley:

I only have a question about you placing it on the agenda. Are you simply going to agenda it to call attention to other interested parties as well as Mr. Doolin. What are we trying to do?

Taylor:

We are going to let the people know that we are going to entertain this matter as far as extending Doolin & Associates contract for another year.

Croley:

Fine.

Taylor:

So, per the recommendation of our attorney, we are going to follow her recommendation and put this thing on the agenda for our next meeting.

Morgan:

Madam Chair?

Taylor:

Yes.

Morgan:

Also, in addition to that, maybe to save some time for the Commission and the public since we have discussed it so thoroughly, is it appropriate to place that on the consent agenda since the dollars have already been budgeted or does it have to be discussed?

Minnis:

I think the preference would be General Business.

Morgan:

O.K.

Taylor:

Then, it will be under General Business.

Now, again, this item did not require - or did it require - since the recommendation was for board direction, would someone please put it out there to have this item brought back?

Morgan:

So moved.

Lamb:

Second.

Taylor:

Alright. There is a motion and a second to have this item brought back as a continuation of the current contract that we had with Doolin and Associates. That is your motion?

Morgan:

Yes.

Taylor:
And that is your second?

Lamb:
Yes.

Taylor:
O.K. There is a motion and a second. Are there any questions?

Croley:
I do have one question. Is this money going to have to be moved or is it already set in the budget?

Taylor:
It is already set in the line item for lobbying.

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

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

All:
Aye.

Taylor:
Opposed by the same sign.

Five to zero to move Item 14.

15. Appointment of a Board Representative to Vote at the FACT Annual Conference in December 2011

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPOINT COMMISSIONER TAYLOR TO BE THE REPRESENTATIVE AT THE FACT ANNUAL CONFERENCE IN DECEMBER 2011.

16. Hospital Trust Investment Committee

Mr. Williams referenced a memo from Attorney Mike Glazer, Deputy County Attorney regarding the Hospital Trust Investment Committee. No action was necessary

17. Discussion of Reinstating Video Recording Services of the County Commission Meetings

Holt:
Madam Chairman?

Taylor:

Yes.

Holt:

I requested this item to be put on the agenda. One good example of why we need this is because there will be questions on these amendments to the budget and whether it was transferring money or whatever. It allows the public an opportunity to see what is going on. I had mentioned to some that Commissioner Morgan had mentioned before that they can go to the Clerk's website and they can see it on the computer. The first thing they said was, "The majority of us don't have a computer." So, that was one of the items that I thought was rather cute.

I think it is our responsibility to put it out there as much as possible. When I looked at it, you were saying in the piece here on the analysis, a company from Georgia had bid about \$575 per meeting. I think there were some other comments there concerning Mr. Southerland's bid for that item. What I am looking at is informing the public and that way we can have more information out there for them. I don't think – the last contract was for \$650 per meeting. That is broadcasting and everything also. If that is a problem, then we should not be moving money at all if that is a problem. We want the citizens to know what is going on. If they could look at it on Wednesday evening in their own home, they become more informed, and that is what they are asking for. They feel like they have been cut off from the meetings. They cannot watch them at home and they want to know what is going on. I was over near Wal Mart and some citizens were saying the same thing in their community. "Why is it not on television, Brenda?" "What is going on?" They really don't feel comfortable with us simply because they feel like we are keeping something from them. I told them, "I am sure you would love to come and sit with us for two to three hours." One little lady responded, "Yeah, but that doesn't allow my bathroom break." So, what I am looking for is a way to inform the citizens. Put it back out there. \$6,500 isn't going to be that much after we have spent several hundreds of thousands, or moved them, and for things that are needed. I believe this is needed also. Those citizens feel like they are being left out and I feel like we should include them.

Taylor:

Any other discussion.

Lamb:

Madam Chairman. I have had some citizens, not just in my district, but other districts, too who are concerned about it being on television. They would like for it to resume back on television so they can see it. One of my reasons for not supporting it in the past was because I didn't think it was getting out to some of my constituents. But I know that one of the vendors, Mr. Southerland has assured me that he has updated his equipment and that will be one of the dealers, I know that if it goes there or if it doesn't go there. But, he has updated his equipment and I am satisfied with what he has told me. There have been a lot of citizens who have talked to me saying they would like to see it on.

Taylor:

Commissioner Morgan?

Morgan:

Thank you, Madam Chair. I appreciate the discussion. I think it is pretty clear how each of us may feel about this issue. But I do want to say, Commissioner Holt, I agree with you completely that it is our responsibility to look for the best way to inform the citizens and certainly at the most reasonable cost. What I have pulled up here on this iPad actually right now is the County Clerk's Website where I am looking at the minutes. There is an option for video play for each agendaed item. You can actually go to each one individually and look at all the comments and follow the video as well. So, we, in fact, are offering a service to every single citizen in the county. The reason that is because we offer computers at our libraries where people can go and access in their free time or if they don't have a computer in their home. We also have two different papers that cover every single meeting. We also have changed the meeting times to where they are more flexible. We have one in the morning and one in the evening for those that may have different work schedules or those that may not want to travel at night can come in the mornings.

I think this board should be commended for actually providing information to the public. It does require some responsibility perhaps if you don't have a computer. Basically, it is not a wise expenditure of tax payer money because we are providing the service now at no charge. It really works very well.

There is an email that we received from our tax collector this week. It discussed the fact that we could be looking at \$1.5 million reduction in county funds due to some things coming forward potentially. We have been warned by the property appraiser about our ad valorem tax base dwindling or heading in the wrong way. We have done such a good job and come so far in the last year and year and a half because of some of the wise decisions that we have made. If there is not a pressing reason to change how we are doing this, it just doesn't make good sense. I would tell you that I would have no problem informing the public that we have saved them money. That is what we would be able to let them know by not approving this. This is just not a wise move. That is all I have to say.

Taylor:

Commissioner Croley?

Croley:

Thank you, Madam Chair. I seem to recall that we had this discussion during the budget process and it was decided by the majority that there would be no broadcasting and we would not fund it and we didn't have any money in the budget for it. At the rate this commission continues to spend money, we are not going to have any money to spend as has been pointed out in Commissioner Morgan's comments as well as what Clerk Thomas had to say. I will talk more about that a little bit later on during my commissioner remarks. I did tell you that we've got two newspaper reporters sitting here, you've got a camera that is filming this meeting, it is on the internet through the clerk's office and I have made mention before that through the technology that we have with the computer system that we probably apply and get a low powered digital television station license, put that on the county antenna that you already own and feed that

back through the county computers, that program right there and you have done what you are asking to do without us having to pay this money every month.

As far as broadcasts, in the comments that I have heard, contrary to what I have heard this evening, I have not had anybody to complain about the television program. Not one single person. I'll tell you what I have heard when it was broadcast – that it was the most hilarious and entertaining program that they would sit around and watch. They had very negative comments to make about some of their commissioners and their behaviors up here. So, all I can tell you is that if you want to get back into the entertainment business, maybe we can franchise it and pay for it that way. Otherwise, I would say that if you decide that you want to get into the broadcasting business, apply for a low powered digital television station license and do it that way and allow the clerk's office to move forward with what they are doing. That is how I see it.

Taylor:

I see that there is someone that wishes to speak on this.

Fletcher:

Curtis Fletcher, IT Manager for Clerk of Courts. We are the ones that do this. If ya'll just want to spend the money, we could use two new cameras and a splitter system that would cost ya'll a whole lot less than what ya'll paid for in a year to have it broadcasted. We can broadcast it all over the world through the internet. I have people that live out where I live and in Greensboro Providence area – we don't even get cable. So, it is not countywide. It is county funds that you are using, but it is not received countywide. That is just my comments.

Taylor:

Thank you.

Holt:

Commissioner Taylor, if there is not another comment, I would like for Mr. Southerland to say something. I did speak to him about his system also.

Taylor:

Alright, we are going to move on this, so this will be the last comment, and then we will get some directions.

Yes, sir.

Southerland:

O.K. Speaking as a citizen and resident of Gadsden County and not as Southerland Enterprises. The agenda is not about me, it is about whether you are going to do it or not. It might not even involve me. But, we are worldwide, too. We are on Comcast in the city area, but we are on the worldwide web. So, if you are in New York or anywhere else, whatever runs on channel 13, if you have a computer, you can watch it. That was not the case before, but it is the case with this firm now. Thank you.

Taylor:

Here is what is happening with Item 17. It is here for discussion to see if we want to bring back the video services and recording services. So, at this time, I am going to ask for a motion to have staff to look into bringing it back or approval to put out an RFP for these services if that is what the majority of this board wants to happen. We will have no more time for discussion. We need to move this item or have it denied. So, I am open now for a motion.

Holt:

Yes, I move that we put this item on the agenda for approval for an RFP.

Taylor:

There is a motion.

Lamb:

Second.

Taylor:

There is a motion and there is a second. Are there any other questions? Hearing no other questions, all in favor of this motion, please let it be known by saying, "Aye."

Taylor: Aye.

Lamb: Aye.

Holt: Aye.

Taylor:

Opposed by the same sign.

Morgan: No.

Croley: No.

Taylor:

Make that 3 – 2 to have staff move forward and bring this back in the form of an RFP.

18. Approval of the Affordable Housing Incentives Summary

Phyllis Moore, SHIP Administrator, addressed the board explaining that the State required Gadsden County to have an Affordable Housing Board and for them to monitor the Comprehensive Plan and to make recommendations to Board of County Commissioners relative to affordable housing. At the recommendation of the Affordable Housing Advisory Committee, the BOCC adopted an Incentive Plan for Affordable Housing in Gadsden County in December 2008. No changes have been made to the Comprehensive Plan since that time, therefore there is no need to change the incentives that are in place.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, DETERMINED THAT THERE WAS NO NEED TO CHANGE THE AFFORDABLE HOUSING INCENTIVE PLAN.

19. Approval of the Gadsden County Tourist Development Council Marketing Request for \$5,000

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTE 5 – 0, BY VOICE VOTE, TO APPROVE THE FUNDING REQUEST CONTINGENT ON THE CHANGES HAVING BEEN MADE AT THE REQUEST OF THE BCC.

This money will be dispersed to Riverway South.

20. Approval of Resolution Number 2011-002 to Establish the Gadsden County Brownfields Advisory Committee

Anthony Matheny, Planning and Community Development Director addressed the board. He explained that an advisory committee is required under the Brownsfield Program. People have been contacted and have agreed to serve on the committee. The kick-off meeting will be held on Wednesday, January 12 from 2 – 4 p.m.

A MOTION WAS MADE BY COMMISSIONER MORGAN AND SECONDED BY COMMISSIONER LAMB TO APPROVE THE COMMITTEE AS LISTED AS FOLLOWS: Addie Brooks (Health Department) , Judge Helms (School Board), Gregory Wade (Local Business), David Gardner (Chamber of Commerce), Tim Waddle (Talquin Electric), Charles Chapman (Public Works), Anthony Matheny (Planning & Community Development).

Commissioner Croley stated, "I just want to be sure that the Board sees everything and that it is the Board that is approving it. The Chair and the Vice-Chair is only acting on what this board approves. I am confused by the wording that you've got in here. It's like some of these budget amendments. It seems like the cart is before the horse."

Mr. Matheny responded, "I was also confused by the wording. That wording was in the grant before I got here and it was pulled out of the grant application. What that means is that that is the signatory official after the BOCC has heard and approved any recommendation going forward – anything to do with Brownsfields."

Croley:

So, if it is the same procedure that we legally always go through, I don't have a problem with it.

THE BOARD VOTE 5 – 0, BY VOICE VOTE, TO APPROVE THE RESOLUTION ABOVE.

COUNTY ADMINISTRATOR

21. Update on Board Requests - Johnny Williams, County Administrator

Mr. Williams reported that he had received a memo from Tax Collector Dale Summerford informing him that there is a bill coming up in the legislative session that will increase the

discounts offered to the tax payers for making early payments, which will essentially double the discount.

Judge Garner's Restroom Facility – Given the good news that the county will be receiving more money from the Fiscally Constrained fund, he felt safe to go forward with the renovations to Judge Garner's restroom in her office if the board gives the direction to do so.

Building Official Clyde Collins told the board that the improvement cost will range between \$8,000 to \$9,000.

Chair Taylor noted that the administrator can approve it because it falls within the amount that he can approve. Hearing no argument from any of the other commissioners, there was a consensus to move forward with the improvement immediately.

Questions were raised by the commissioners.

Croley:

It is not often that Commissioner Holt and I agree on everything.

Holt:

Anything.

(laughter)

Croley:

But, I am going to say this, Mr. Administrator. I have been here now starting a second term and this is probably the worst, most poorly laid out agendas that I have ever received. I am just telling you how it is. I am very disappointed in it. I hope to see substantial improvements in the future. I don't think there was very good coordination on a lot of these items. I realize that you were on vacation and were not here to oversee it with the detail that you have in the past, but I need you to spend more time on getting this information in proper order so that it flows. This is embarrassing.

Williams:

It was done over the holidays while I was not present. Hopefully, I will be allowed to take a vacation every once in a while.

Croley:

Well, I don't have a problem with the vacation, but I have a problem with the way the agenda was provided. I am going to give you an example. This lumping together of budget amendments and putting financial matters on the consent agenda. I sat here and heard you acknowledge and give instruction – for instance, Clerk Thomas – whether or not he or his deputies wish to speak, according to the ordinances, he has a position on the agenda. Again, that was left off.

Williams:

Again, I was not here.

Croley:

O.K. I am just going to re-emphasize during your time and here is how it is. As far as Commissioner Holt's comments, I agree.

Williams:

You know, let me say this. There have been times when we had personnel out. Of course, anytime you have personnel that is out, you are going to have dysfunctions. Particularly in the last two years, I have lost a budget director right in the middle of budget season – two years in a row and was criticized for the poor preparation of the budget. When people are not there, you are going to have dysfunction. Everybody that works for the county is entitled to some time off. When I take off, there is going to be some dysfunction. Always. That is about all I can say about it. Now, if you want me to not take off and not to ever have vacation, then maybe we won't have that dysfunction.

Anytime that Clyde leaves for a week, there is going to be dysfunction. If Charles leaves for a week, there is going to be dysfunction. If I leave for a week, there is going to be dysfunction as well.

Croley:

Thank you.

Taylor:

Is that all for the administrator?

COUNTY ATTORNEY

22. Update on Various Legal Issues Deborah Minnis, County Attorney

Paving of Ames Barineau Road - She reported that she had verified that at the time the paving was done, the road had been accepted as a public road. Therefore, there was no paving of a private road with public funds. As to the assessment issue – that ordinance is a discretionary ordinance which the board can choose to do, but it is not mandatory.

Croley:

Is the current county ordinance now in proper order for assessments in the future? So that we will not encounter this problem again. Did you not update that ordinance?

Minnis:

That particular ordinance, I found out, had already been updated. When I got the correct one, that problem should not occur again.

Croley:

O.K. That is all I needed to know. Thank you.

Minnis:

I think we issued an opinion about how that should work. I think the staff well versed now on the process and how it works.

Taylor:

Are there any other questions?

Holt:

On that issue, yes.

One of those roads was in my district. I don't like the idea of us doing that process and these constituents agreed to pay and now we are saying they don't have to pay. If I was the next citizen, I would say, "Why should I?" I think we need to do a little more research on that and see what that process was. I am not saying that I want everybody in my district to go pay out some money- that is not it. But I do want to be fair. That is the kind of thing that I am interested in. As I said before, and I remember Mr. Suggs saying this, set up an MPO or an MBO, which is a special taxing district and go ahead and do that. If I am not mistaken, we went through it, we voted on it and everything. So, I am just a little bit concerned about that. I am not saying them to go out and say, "I want ya'll to pay out some money," but I do want it to be fair for the next person that says, "I have a private road. We want this private road paved. We are going to do 1/3 and 2/3, then let's do that." If not, let's clean it up so it will be really cleaned up. If it was an error on the county's part, then it was an error. But we need to look at it in just a bit more detail there.

Thank you.

Minnis:

This is the first time that a special taxing district has been brought to my attention. My understanding was that in the past, it was a special assessment.

Holt:

Well, it may have been. But, I know that Mr. Suggs, our former budget director brought that up. And I want to make sure that whatever we use in the future – if we have to set up a MPO or MBO – we need to do that. But we don't need to say that we are going to use this process when this process isn't going to work the next time.

Taylor:

Alright, let's move on.

Mr. Administrator.

23. DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Lamb, District 1

Madam Chair, Thank you. I have two things. Number 1, I want to thank my fellow commissioners for looking favorably toward Item 11 tonight. That was a big step in the right direction and I think it will be appreciated by all of my constituents over in District 1. This board saw fit to go forward in trying to get a park built over is District 1.

The other thing is that I concur with you, Madam Chairman that maybe the additional information for Item Number 10 could have been done a bit differently. But let's be more tactful. My fellow commissioners, let's be more tactful with dealing with my staff, please. Let's treat them the way that we want to be treated. Let's not, especially in a public meeting, and I said and I know that the public might hear it, but they don't need to know when I come down on my staff. I will do it in person. I am not here to put on a show to let the public know that I can jump on my staff just because I am a commissioner. I am saying this out of love. I don't like it. I know it is wrong. So, please be more tactful. Either go in or get on the telephone and discuss whatever you need to with your administrator or staff concerning items on this agenda. Let's take care of it before it gets here so you won't have to put on a show here regarding the staff. Please consider that.

Thank you.

Commissioner Croley, District 2

Croley:

As far as putting on any shows, I am not interested in that. I am telling you the facts.

Now, I want to start by saying, "Happy New Year," on a positive note. That includes all the commissioners, the staff and all the citizens out there.

Request for Report From Department of Corrections

Now, there is something that I would like to request, Mr. Administrator, that you put on the next agenda or as soon as we can get it worked out. I would like to have a presentation from the Department of Corrections and I will provide you with the contact information regarding the number of people that they have under probation supervision here in Gadsden County. We have seen recently headlines of very violent crimes and the suspects in the matters are referenced to have been on probation supervision. I think that we, as a body, as well as the citizens need to know what the Department of Corrections is doing to properly supervise these people for the protection of all the citizens and their families so that we can learn more about that process.

Taylor:

I am going to ask you to do one thing and we will try to make his permanent going forward. Would you put forth a motion for that.

Croley:

I would like to move, Madam Chairman, that this item be added to the agenda for a presentation as soon as we can get that.

Taylor:

From the Department of Correction, there is a motion to have this item added to our next agenda or as soon as you can. There is a motion, is there a second?

Holt:

I will second it.

Taylor:

There is a motion and a second to have this item added to the our agenda upon discussion with our manager. All in favor of this motion, please let it be known by saying, "Aye."

All:

Aye.

Taylor:

Move on, sir.

County Employee Kick-off "2011 County Visioning Kick-off"

Croley:

This next item, Madam Chair, and I hope that you are going to expand upon this under your remarks. I received your invitation regarding this retreat that the money was allocated for and I appreciate that, but I do not understand what is meant by "vision." Whether that is your vision or the board's vision or just what all that is about. We have had a visioning meeting and I know that the goals are taped right there for 2010. I will not get into the details of that. I think you are well aware that I am uncomfortable not knowing what is going on. I am getting no information. That is a request of you during your remarks.

Gadsden County's Financial Future

The other matter is something that I want to talk about is Gadsden County's financial future. As I said, today, if any of you had heard or attended the Florida Governor Rick Scott's inaugural address, and his focus was on job creation as a mission, he used such phrases in those comments that he made that pretty well sets the tone for at least the next four years of his term. We will eliminate and I am going to quote three sentences here, "We will eliminate the business tax and reduce the property tax."

Now, we have heard from the Clerk that we are faced with declining revenues for this year and yet this commission continues to spend. We have heard from our tax collector of the possibilities of further discounts that further reduces revenue.

I am going to make a comment to you and maybe some of you have heard this before that I have brought up in the past that back in August of 2007 that 35% of the revenue for this county comes from District 2. The other 26% back then came from District 1. What I am trying to tell you is that we've got a lot of people, that over half of the tax revenue coming from the eastern

side of the county just like the population that we talked about in redistricting. My folks are concerned about their money and about the way that it is spent. We are spending money up here left and right as of late. Now, you are getting \$200,000 and we haven't gotten that check yet. I am assuming that we will get it based on the representations made, but you haven't gotten it yet. So, you had better bear that in mind.

I am going to go back to the governor's second sentence, "Focus on spending those revenues smarter setting better priorities and demanding more accountability." Well, we brought up about reorganization in county government Phase II. That was supposed to be an objective that the administrator would move forward with that. But, as he pointed out, he's got no support up here for that effort, especially with comments made about lay-offs. Well, guess what. You are going to mess around and you are going to wind up having to lay people off because you are not doing anything to prepare this county for these declines in revenue. You are hand tying this man. The same fellow that I might criticize about some agenda matters, I am saying that I am trying to back up and compliment the fact that he did a good job in the first phase of reorganization. We need to look at that again.

And the last sentence, "Entrenched special interests may try to protect the status quo." Well, we've got three special interests around here. This is no criticism of you, but you are a status quo because you've got a vested interest in it. That is county employees and staff. The second one is the constitutional officers and that includes us because we desire re-election, more power and legacy. We see that in everyone of us (inaudible). And third is that third party interest, those vendors and service suppliers. Guess what. All three of those interests are feeding off the tax payer. The people are tired of it. The people are tired of paying the taxes. If they weren't, you wouldn't have the governor that you've got now.

I am saying to this commission and I am saying to the public and I hope the newspaper reporters, pay attention about this. You had better quit spending and you had better get your mind onto allowing this man to do what he is supposed to be doing. And, we had better get focused on this fiscal responsibility and try to look at growing proper private sector jobs because ladies and gentlemen, if you don't, you aren't going to have the money and you will be laying off people just by sheer necessity. By having to.

I am sorry, I didn't mean to editorialize any further than that, but it is the truth.

Here is the other thing that you are going to want to do. You are going to be wanting to raise the tax millage rate. I can hear that this next coming summer. Well, we've got to raise the tax millage rate. Well, guess what. I am not going to support raising the tax millage rate. I don't want to pay any more money. I am paying enough taxes.

Thank you, Madam Chair.

Taylor:
Commissioner Morgan.

Commissioner Holt, I am sorry.

Commissioner Holt, District 4

Holt:

Thank you, Commissioner Croley for your comments.

Taylor:

Now, what we are going to do – We are not going to make comments to one another.

Holt:

No, no, no. I just said, “Thank you for your comments” because I did not watch the presentation by the governor.

Taylor:

Well, let’s just speak generally so we don’t have this back and forth.

GPS Installation on County Vehicles

Holt:

O.K. Question right quick for the manager. And I wasn’t going to say anything negative to him. I just said that I appreciated it.

Mr. Manager, the GPS systems on all the vehicles – what was the cost of that?

Williams:

We haven’t put them on all the vehicles. We have put them so far on the supervisor’s vehicles.

Holt:

O.K. Any particular cost on that item?

Williams:

It was budgeted – how much Charles? I don’t have that figure with me.

Chapman:

I would have to get the specific cost, but I believe it was just a little over \$5,000 for the actual units. That may be high. It included the actual annual maintenance agreement as well as the warranty and installation. So, it won’t be that high ever again. It actually will only go to be about – I think it is only a \$25.00 service fee per month per vehicle from here on out. Just the initial expense was that high.

Removal of Political Signs

Holt:

O.K. Thank you.

Mr. Chapman, if you will, I have a question that a citizen asked me. Is there a new sign ordinance? Mr. Manager, I am sorry, I am supposed to ask you if I can ask the director a question. Is there a new sign ordinance or something that you are familiar with concerning political signs? Not that I've got all of mine up, now, I am still looking for some.

Williams:

There is an old one, I don't think there is a new one.

Holt:

O.K. I was out there in Gretna Sunday evening and a citizen asked me if there was a new sign ordinance. He was really upset and asked if we had re-written the ordinance about political signs and all of that.

Williams:

There is a Florida Statute on political signs.

Holt:

What does it say, Mr. Manager?

Williams:

It just says that they must be removed after 30 days after the election or 30 days after you resign from the election.

Holt:

His question was, "By who?" His questioned his private property. He was concerned.

Williams:

It doesn't matter whether it was on private property or not. It must be removed within 30 days.

Holt:

He said, "By who?" If he wants to keep his sign, who is going to come into his yard and remove it? That is what he asked me.

Williams:

Code enforcement official would be the one.

Holt:

Do we have something in our policy or procedures?

Williams:

It is a Florida Statute that allows after 30 days, all political signs must be removed.

Holt:

I understand what the State Statutes say. I am asking if we have anything in place?

Williams:

The only ordinance we have concerning signs is that you can't put them on the right-of-way.

Holt:

O.K. Madam Attorney, do we need something in place because he seemed pretty upset about somebody coming into his yard.

Minnis:

I can look into it further, but my initial reaction is that if a State Statute has already given you the authority as the county to remove those signs, I don't know that you have to have an ordinance specifically.

Holt:

Well, it may not be an ordinance. What I am saying is - that citizen needs something in their hand on what they can look up. I am going to send them here. They want some information as to what they can and cannot do.

I will tell you a good example. In 2006, I ran out of signs up there to the polling place. I usually go around the neighborhood and pick up some signs and take them up there so people can hold them up. I went out there by the complex and a lady had two or three. So, I said, "I will get a couple of them and go back up there." She had a screened in porch and I went there and didn't see her car, so I went out there and grabbed a couple of signs out there right by the ditch. She said, "Put my sign down." I said, "I am Brenda Holt and I just wanted to borrow a couple of signs." And she said, "Those are my signs. I put them out every time you run. You put my signs back or they are going back on my porch." So, she wouldn't let me get my own signs.

So, what I am saying is the citizens could be confused. He didn't want anybody on his private property. So, if we have a policy or procedure in place -

Williams:

No, we have a State Law.

Holt:

I am talking about what does the county have?

Williams:

We follow the State Law.

Holt:

I know we follow the State Law when we don't run traffic lights, but we do it. What I am saying is get something together for the citizen so that I can put something in his hand. That is all. So if you need to get that and email that to me.

Williams:

She is looking that up now.

Holt:

That is fine, if she can get it. That is not a problem. I just need to give him something.

Williams:

By the way, we can also charge them the cost of removal.

Holt:

Well, let's not get nasty here cause he is pretty mean already.

Minnis:

I can give you the cite now. It is FS 106.1435 Subsection

Holt:

If you will get that literature to me, email it to me. That way he can look at it. His question was – I told him I thought it was 30 days, but I wasn't sure about being on private property. But his question was, "Who comes to get it?" I told him it wouldn't be me.

Williams:

No, it would be Code Enforcement probably.

Holt:

That is the stuff he needs.

On the budget amendments – I have already said what I wanted to say about that.

Hospital Space

The vacant space at the hospital – Is there a report coming a little bit later on that, Mr. Manager?

Williams:

Clyde has been working with the hospital people with a certain doctor.

Holt:

O.K. I don't need a full report, I just wanted to know if it would be coming a little bit later on. That is all.

Jai Alai Issue

Holt:

At the last meeting, I was instructed by you, Madam Chairman, to present some information. I went back and checked with the company. They said that they are going to open in Orlando. After they open in Orlando, they will get back with us. I told them we are still interested and didn't want them to go west of here, we want them to come here. As soon as they agree, I will be more than happy to bring something to you. I had that note.

If we are interested in saving money, we have to look at, as I said, saving money tactics. I am not for laying off anyone because you cut your possibility of getting the sales in the stores for them to spend that money within the county. Usually, if they are working in the county, they are going to spend it here. If you layoff, you lose jobs and then your crime rate goes up. The Sheriff stood right there and told us that. The more people you have unemployed, the higher the crime is going to be. They are not going anywhere because their families live here. They are going to stay right here and they are going to be robbing from us and they are going to be committing crimes here. So, I am not for layoffs and I will tell anyone that. Fewer jobs, the more crime you are going to have. It is as simple as that. But we need those jobs in the county and we need to be out trying to get some more. I don't know how to get that from the State level. I think they are going to be just like the federal government. We are going to have people in office and they are not going to know how to fix this either. We just need the jobs.

Thank you, Madam Chair.

Commissioner Morgan, Vice-Chair, District 3

Positive Achievements for BOCC

Morgan:

Thank you, Madam Chair. I want to start by challenging us to accentuate the positive whenever we can. I think that we have had a lot of really good things that we celebrated. We began our meeting with some achievements by a young lady, Onryll Lewis, and we saw some other young ladies from an organization supported by several people that brought a really important issue before the board regarding National Teen Dating Violence Awareness. We took note of that and we learned some things from it. We talked about the success that we have had in the past by setting a very good budget and the rewards that we have reaped from that for our citizens in the past year. We've got a current budget in place that I think is very good. I think that we worked together to put a responsible document in place. We are having to consider amendments as we do every year. I am frustrated as well. We have heard some comments before about the process, but we worked our way through it tonight. I think that we, as a board, can be commended for that. We got through it and we handled the issues.

Cold Weather Shelter

Another positive thing that we have in the community is our temporary cold weather shelter. It worked beautifully again for three nights here in Gadsden County at no cost to the tax payer. That was a private organizations, local churches that did that. These are the kind of ways that we are able to govern more efficiently, by looking in some ways to the private sector to fund some things that we simply don't have the money to do. We have to continue to prioritize what is a need and what is a want. That is going to become ever so important and critical in the years ahead and the months ahead.

Contingency Fund Spending

The fact that we have got a reserve/contingency fund that has sharply been reduced from \$280,000 to just \$60,000 – I hope that throws up a red flag to everybody on this board because it really sends a strong message that we are moving away from what has brought success to us during the past twelve months. It is great news that we have an additional \$200,000 in fiscally constrained money. I am like Commissioner Croley, I would like to be updated when we actually receive that because that does fluctuate since they have been doing that. I want to say that 29 of the 67 counties are part of that fiscally constrained pot of money. It is very important to keep a watch on that. It is great. Let's put that back into some of these dollars that we have spent so we can build back the reserve fund.

You know, the new governor here said and has said so many times that his number one goal is jobs. The way that you reduce jobs is by improving efficiencies. Whether or not you are a public entity or a private company or an individual, if you improve the way you are doing things, you are going to have an opportunity, if you chose, to build up funds and reserves. By doing that, you see a way to prepare for the future. That is our largest responsibility that we have. That is to not only govern the present, but to prepare for the future. We had a room full of children here supporting their students here earlier. Those folks are going to be in a heck of a mess if we don't govern in a way that is fiscally responsible. And we did it last year. What did the clerk tell us? Never in the history of Gadsden County have we returned so many dollars back to fund balance. That is because you do two things. You set a good budget and you follow it. Now, we have the luxury of knowing that we have set another good budget. That is great. If we don't follow it, it doesn't mean anything. So, it is really important that we continue to prioritize and follow that budget.

Now, of all the constitutional officers that have come to us with the same message about, and I am speaking specifically about the tax collector and property appraiser, and everything else that we read in the news today, our revenues are on a declining trend. Don't care if you are black, white, rich, poor, new citizen here, you are a 5th generation from Gadsden County – you are living in a small rural county of 50,000 people with revenues declining. So, that being said and thought about and realized forces us to do business better. We have done such a good job and we need to continue on that in my opinion.

There was an email sent out to us and we have referenced it that Dale sent to us. There is a bill that is proposed for the upcoming year that would really take a bite out of our revenue. Believe me, citizens will take advantage of a significant discount on their property taxes that are potentially going to be reduced anyway. When you talk about saving four percent by paying early, Dale can tell you how many citizens take advantage of that. I have talked with him and he is right in this. More citizens will take advantage of that discount because that discount has now doubled. It is significant dollars that we are talking about. Why would you not do that if you have the opportunity? A lot of people do. Our revenues are trending downward.

We talked about several items on the agenda tonight and I think that we handled them in a good manner. It is just a matter of remaining focused on how we prioritize things. One thing in particular – we have identified a better way of delivering goods and services at no cost. We are talking about replacing that and spending unnecessary dollars. Now, it doesn't matter if that is a dime of tax payer money or \$100,000 and a dime. It sends the wrong message. Mr. Croley is

right. People are fed up with having to pay unnecessary tax dollars and not having a say in how those dollars are managed. So, I hope that we will really think about that as we move through the year. Guess what? That fund balance that we did such a great job of increasing – all we need is about two more years and we are going to be in great shape. Unless we see something really terrible happen, we are going to be in great shape. It is a wonderful story to tell.

So, I apologize for being long winded, but I thank you for listening to that.

Madam Chair that is all I have. Thank you.

Commissioner Taylor, Chair, District 5

Taylor:

I think this is the longest meeting we have had since I became chair, but I have to concur with Commissioner Morgan in saying that we got through this. There were quite a few items, especially with the budget amendments, but we were able to move through them. I apologize that we had to extend our time.

We are within our budget. There have been some additional items that we funded that were not funded in this year's budget, but we funded those items out of the contingency fund. Out of the discretionary money. So, we are not outside our budget. We are still within our spending abilities. We had \$277,000 budgeted for discretionary funds in case that something came up that we could handle. We are still within our budget.

Now, there are some questions about the critical counties money. One of the emails that was sent out were facts about the allocations for each county that qualified. This is not a guess. This is information that came in as a fact that gave very specific numbers that was allocated to each county. So, this isn't a guess, this isn't a wish list. These are dollars that will be forthcoming with regards to the \$1.2 million and then the (inaudible) thousand dollars. We need to make sure, however, that we submit the proper documentation to be able to get these dollars. So, we want to make sure, Mr. Administrator that we are in line with submitting proper documentation that we can pull down these dollars that have been allocated.

I spoke with the property appraiser. Actually, until we got this last email, he was preparing to come back before us in April with some good news and that was that the that the \$2 million deficit that he thought that we would be seeing in property taxes, but actually we were going to do better. Those figures were going to be coming before us in August. So, our numbers are not as dismal as we once thought or as he had originally projected. He, again, being the property appraiser. I met with him last week. He had planned to come before this board to give us some positive news that we were not in the shape that he had thought we would be in.

Tonight, we did a couple of things. We did a couple of things. We could have gotten a road paved for \$100,000, but we came back and spent \$232,000.

It was clearly said on another item that this idea of prioritizing that hospital, in order to stop it is just like one of us standing on a train track trying to stop it. But we are spending \$25,000 to try to

do it. We each have our items that we are passionate about that is taxing this budget going forward. But I firmly believe that the dollars that we have just gotten back from fiscally constrained counties will replenish this contingency fund. We will put the money back in there and then we are right back from where we originally started, but we got some additional items added to our coffers. We got that road paved and people paid and we got lobbying services coming, we've got cold shelters now that are going to be available to us. We are spending this money. Some I call it wants, some I call it needs, but we are spending. And for that, we are now getting these dollars back in our coffers. So, we have not spent outside our budget. We have not. We are still within our budget.

There is a discussion that we have had previously about two roads that I want to put out there. These roads met approval sometime ago, but I want to make sure that we move forward on these two roads. They are Joe Knight Road and Talquin Ave. Want to make sure that staff takes a look at those, Mr. Administrator. If you want to go back and look at some of our previous meeting, this board did vote approval for those roads to be done. They have not been as of today's date. I saw that there are some additional dollars in enhancement funds to get them done. So, let's take a look at that, Mr. Administrator.

Are you there?

Williams:
Yes, Ma'am.

Laughter.

Taylor:
The comment and I thank God for this, the comment on more power and legacy and being re-elected. I get beat up so much that a lot of times, ladies and gentlemen, I don't even know that I am a commissioner. So, power is not a part of my – it is something that I am not gravitated toward. I can appreciate the concern, but as far as this commissioner, I want to serve. That is it and to do the very best that I can. Legacy – I hope to do well. No one on this earth walking wants to not do well in what it is that they are pursuing. So, to be re-elected – that is up to God, not me. And the people. These things are notable things, but let's well place these items.

I concur with Commissioner Lamb, a few minutes ago, about attacking folk in public. We need to be careful.

The Kick-Off. I looked at the goals and the Kick-Off has those goals right in play. How do you become fiscally responsible without laying people off? Well, you get your employees to tell you how you can cut cost within their departments. You get your employees to show you ways that you can reduce expenditures. You have to have that dialogue with them and you need to give them incentives. You put the goals – you put what you want to see done, but we haven't put down how we can get it done. If you want to be fiscally responsible, how can you get it done? You need to start talking to these employees and hear what they have to say. That is exactly what is happening with the property appraiser and the tax collector every year and that is why they are

bringing back \$30 - \$40,000 every year. They are talking to their employees and they are finding ways to reduce their cost each year. We need to do the same thing in every department.

Public Safety – the vision here is for us to start talking and working together. I found out in our meeting with the ones who want to participate with this – the constitutional officers – the Supervisor of Elections has one of the most well attended city elections that there is in the State of Florida. No one knew that. Employees need to know this. Why is it that it is well attended? Because of the things that she has done. And she is going to talk about this on that day. We need to understand why we might be looking at a layoff. We need to understand why citizens may have to start paying for some of these services. How are we going to get the message out there if we don't start talking about it.

So, the vision is not mine. You asked that question. It is not mine. It is a collaborative effort of all these constitutional officers and what they want to see going forward. That is all this is. Is this county coming together? That is number 1. There are 67 counties in the State of Florida and we are in the bottom in almost every category that we wish to be in the top.

It says here that it is unrealistic to expect change if we remain the same. We have to do something. We perish from a lack of knowledge and lack of vision. I don't know. I do know. This thing is going to work because it is good. It is not my personal vision. It is a collaborative effort from talking with the Sheriff, from talking with the Superintendent, from talking with the Property Appraiser, from talking to the Tax Collector, from the Supervisor of Elections and the Clerk. This is where it all comes from. Get a hold of it and help push it through. I told you this at our last meeting because you were hollering about it and you were fussing and saying, "We are spending too much, we are spending too much." I said, "It is good expenditure and this money is going to come back to us." Then we found out about the \$189,000 that is coming back to us. It is good expenditure. This is a good vision so it is going to do well, but we fail from lack of effort.

Now, this is a new year and I have a very positive outlook on this new year because we are going to work together. We have a lot of differences around this board, but no one got upset and no one got irate. We had differences and we had comments that we made, but we pushed our way through it. I respect and appreciate the intelligence of this board. I do. So, I am hoping that you are going to be there to support this because I need you. I need you. We need you. This county needs each of us to come together and pull together to show a combined force moving forward.

Thank you for allowing me the opportunity to say these words.

Do we have a motion to adjourn?

Lamb:
So moved.

RECEIPT AND FILE

24. For the Record: Letter from the Havana Herald Regarding the 5th Annual Outlook 2011 edition for the end of January

January Meeting(s) - January 18, 2011, Regular Meeting, 9:00 a.m.

UPON MOTION BY COMMISSIONER LAMB AND THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, CHAIR TAYLOR DECLARED THE MEETING ADJOURNED AT 9:11 P.M.

Sherrie Taylor, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA, ON JANUARY 18, 2011 AT 9:00
A.M, THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

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

INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

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

ROLL CALL

Deputy Clerk Muriel Straughn called the roll with all commissioners present.

ANNOUNCEMENTS

Chair Taylor announced to the public that if they wished to speak to the Commission to complete speaker form and give it to the clerk.

She then asked that all cell phones and pagers be silenced for the duration of the meeting.

AMENDMENTS AND APPROVAL OF AGENDA

No amendments were made to the agenda.

**UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE
BOARD VOTE 5 – 0, BY VOICE VOTE, TO APPROVE THE AGENDA.**

AWARDS, PRESENTATIONS AND APPEARANCES

1. Department of Corrections – State Probation Statistics for Gadsden County

May Andrews, Correctional Probation Senior Supervisor and John Walkup, Circuit Administrator

Mr. John Walkup, head of the Second Circuit for State Probation, Florida Department of Corrections, addressed the board. He gave the following statistics:

- The Gadsden County Office has 19 on staff with two supervisors, 4 clerical, 13 Probation and Parole Officers (2 for sex offenders. 3 handle community control cases, 3 handle drug offenders and the other five handle regular probation caseload).
- There are currently 900 active probationers that are being actively supervised. 500 of them were actually sentenced in Gadsden County.
- The Gadsden County office also supervises approximately 150 Liberty County cases.
- The remaining caseload of 250 stem from arrests made in other parts of the region including Jackson County and other parts of the state.
- Approximately 600 inmates are released each year to Gadsden County. 150 – 160 of the 600 are classified as violent offenders meaning they have been convicted of a violent offenses.
- The caseloads change daily, but they are currently supervising many high risk caseloads - 48 sex offenders; 54 on house arrest; and 80 drug offenders. The remainder are regular probation/parole supervision.
- They do have some conditional release cases that they monitor and others that do non-reporting probation.
- Their work is geared toward re-entry and public safety. The re-entry process starts while the inmates are still sentenced to prison. He described the various ways that they work with the inmates and the probationers.

Commissioner Croley made several remarks then asked what the community could do to help prevent such a high rate of recidivism (probationers returning to prison.) He asked specifically, "What is it that you are doing and what you see that we can do as a commission and as a community in our support of law enforcement to try and help this problem?"

Ms. Pleasinger replied, "There are lots of factors that go into re-entry and we do need the support of people in the community. If an inmate comes back to your community, even if they have had substance abuse, even if they have had job skills training, and there are no resources in the community, they are more likely to recidivate. If an inmate doesn't want to change – you know, the biggest burden falls on the inmate or the offender themselves. If they are not willing or interested in changing, then that is a problem. What we try to do is work with communities. We have built some re-entry centers in the state, but we don't have one in Gadsden County yet, but that is something we move to where we work very closely with the communities.

When an inmate is released, instead of just coming back to the community, they go through a re-entry center so the inmate can say, "I need food stamps, I need this" and they are given those resources. It is also important to let law enforcement to let them know when an inmate comes back to the community just so they can see that "We're keeping an eye on you." That does make a difference. But, we do, Commissioner Croley, we have more work to do.

We've done a lot with re-entry. I would love to be able to tell you that every inmate that comes into our system leaves with a GED. That doesn't happen. We have some inmates that come in with a second grade reading level. So, we've got to work very hard to get that inmate even at a 9th grade level to get a vocational certificate so there are a lot of challenges like that.

Croley:

One follow up question related to – we had a discussion recently about gangs. Apparently there is some question about whether or not gangs are a problem. I don't know if they are or not. What do you see?

Ms. Pleasinger:

Well, I know in the prison system and among some of our offenders, yes, It is a problem. Most of the time when they come into our prison system with a gang, we have a gang task force unit that is very good. They, I am sure, would be very willing to come in do a presentation about gangs, just in general. They do it for our staff – what to look for gangs. But, I am sure your Sheriff's Department has a lot of that information as well.

Lamb:

Thank you all for coming over this morning. My first question is after you all release the inmates back into society, do you all help them look for a job or help them get a job when you release them?

Pleasinger:

It depends on whether or not the inmate is sentenced to probation. When an inmate is released from prison, if they don't have probation to follow, the department has nothing more to do with that inmate. By law, we can't once they are out of our custody. Usually, they don't want to have anything more to do with us. But if that inmate is sentenced to probation, then probation officers do assess that inmate's needs and try to help them as they can.

Lamb:

We are having – there is a situation over here in Gadsden County, I know it is happening over in my district and probably all over the county, that there is a lot of break-ins and so forth here in Gadsden County and we are very concerned about it. I want to know what you all can recommend or what you all can do to help our Sheriff's Department to counter these break-ins here in Gadsden County. It is all over the county.

Pleasinger:

What does your Sheriff's Department need? What sort of help are they looking for?

Lamb:

They probably need more deputies to help patrol this county. They don't have enough deputies. That is something that I feel that a recommendation should be coming from your department plus we should look at this very hard as a commission. We should look at this and see what we can do to assist the Sheriff's Department in putting more deputies out there on patrol.

Pleasinger:

Right. We are, our department is funded by the State lawmakers and our budget is very specific. We have probation officers, correction officers and all of our funding comes from State lawmakers.

Lamb:

I am getting a lot of questions from the citizens saying that they just don't, that they are not

visible in the districts and communities. We are going to have to be proactive in getting more deputies out there in the districts.

Now, the only way you can do that is hire more deputies. The Sheriff's Department needs more funds to those deputies out there. We just don't have enough to patrol Gadsden County. You've got one deputy in District 1 and that is not going to ever work. You've got the whole of Midway and Havana and all the development that has taken place in those two areas. There are break-ins almost every day. We need some support from the State to help our Sheriff's Department to patrol these areas.

Pleasinger:

I wish we had extra money to give you as far as the Department of Corrections. I think that is something that would be better addressed by the State Legislature, your lawmakers and you are local lawmakers here.

Lamb:

Thank you.

Taylor:

Commissioner Holt?

Holt:

Good morning. I think that this falls back on us as commissioners. We fund the Sheriff's Department. I understand what you are saying, Commissioner Lamb, but what we have to do is – I was just looking at my schedule of meetings. The first thing I put on there was workshops. I am the one that always asks for workshops. I must be an old school teacher. What has happened is – we have to budget better and we have to attract businesses. There is no way that somebody is going to get out of jail and stay hungry because we don't have a job for him. They are not going to do it. They are going to take from those that have. I tell people this all the time. It is going to happen. You can say whatever you want, but when it is time to eat, they are going to eat just like we eat. If they need shelter, they are going to find shelter just like we do. So, we are back to the point of this commission sitting down and looking at a budget. My concern with your department and not necessarily with your whole department because I don't know your whole department, but I get these strange stories about people saying, "I had to get off from work to go pay my probation or go to court and I got fired because I am off work." That is another person on the street.

I need them – if we need to do their court thing in the evening so they can go to work, we need them working. We don't need them losing a job or a piece of a job out there trying to go and do something. That is something that I think we need to work together on. If they are working, we need to make sure that they continue working. "I went to report and when I got back and the boss said, "you can't be here because you are on probation. I hired you as a favor and now you can't be here because you've got to go to court all the time. I need my product out there, I don't need to be bothered with this stuff." Those are the problems that I see here and the lack of jobs. We need to come up with more jobs. We cannot do that unless we sit down and come up with a good plan. WE have to have a plan, commissioners. But I would appreciate some help on that

side. I was in the courtroom the other day.

Pleasinger:

Absolutely. Sure. When offenders violate their court orders, we let the judges know. It is called violation of probation – VOP. If the judge signs the warrant, then they do go out and pick up the offender. They spend time in jail and they often do lose their jobs or if they have to go to court during the day. It is something that we work with and a lot of times when we notify the courts (we work very hard to let them know exactly what it is) and probation makes a recommendation so that the courts can make appropriate recommendation whether or not to pull this offender off the street or to let them remain on the street so they can work.

Holt:

I can understand if they are still on the street and they didn't go and report. But when they are on the job, we need them working. I understand what you are saying. You've got to make a choice – how does that person logically make a choice when you don't have a lot of job choices out there. You only have a few because you have a record and they've got to have a job. I would rather they stayed on that job, but I don't know how the court system can do to try and help out with that. But we need them working. We don't need them to be on the street.

Walkup:

As far as our – well, she addressed the ones that on violation status, but as far as the folks that are under regular supervision and are in good standing with us, most of them only have to come in once a month and it is usually for 10 – 15 minutes, once a month. We tell them ahead of time to make arrangements with your employer. Most employers understand that these folks do have to come see us once a month because we correspond with the employers. They know the people are on probation.

Holt:

Can they come on a weekend? They are working five days a week. Can they come on a weekend.

Walkup:

We make arrangements.

Andrews:

May I say just one thing? Our office, on Mondays, all of our community control offenders report and our office is open until 7:00 p.m. every Monday. The offenders are required to report by the 5th of the month. Our office is normally open until 7:00 p.m. So, we make ourselves available because we don't want them to lose their jobs.

Holt:

Thank you. That is what I wanted to hear. Great! Thanks a lot.

Thank you, Madam, Chairman.

Taylor:

Commissioner Morgan?

Morgan:

Thank you, Madam Chair.

Mr. Walkup and ladies, we appreciate you all coming and informing us. This has been some good conversation. I do have just a few quick questions.

First of all, I will say my personal opinion about these issues that we are discussing basically stem back to the breakdown of our family units and discipline and responsibility. So until those types of things are effectively addressed, we are going to continue to have these issues.

Mr. Walkup, you are the circuit advisor, it says here.

Walkup:

Circuit Administrator.

Morgan:

O.K. What other counties do you administer?

Walkup:

Jefferson, Wakulla, Franklin, Liberty, Gadsden, and Leon.

Morgan:

Within that area, where is our closest re-entry center?

Walkup:

I think Baker CI right now would be our closest.

Morgan:

Baker County, O.K.

Pleasinger:

Those are for inmates that are going back to Duval County only. Right now, we have four re-entry centers and Baker is the closest. We are looking at Palm Beach. We just opened one in Palm Beach and we are getting ready to open one in Polk County as well. We would love to have one eventually in every area, but we are just not there yet.

Morgan:

It sounds like, based on the statistics that we have heard and read about that a regional re-entry center here in the panhandle might be effective. It might be helpful. The State Legislature and their priorities, obviously, we have heard talk about DOC, how is that going to affect what you guys are doing?

Pleasinger:

We are not sure yet. We are in transition mode. Secretary McNeil will step down probably the

latter half of February. We have a new Secretary, Secretary Buss, who ran the prison and probation system in Indiana. He is very well known and Secretary McNeil said that he is a great guy. He is very knowledgeable and he believes in re-entry as well and thinks it needs to be an important part of what we do. So, I don't see that changing.

Morgan:

O.K. You know, we have a lot of DOC employees not only in Gadsden, but in our neighboring counties. Maybe with some of the changes that I anticipate happening, a re-entry center might be something to put on the table to discuss if there is not going to be a local DOC prison in the area for some reason. That may be something where we could put folks back to work if we needed to.

You also mentioned and I learned something – we are providing services to Liberty County through Gadsden County. Is that correct?

Walkup:

Yes, sir.

Morgan:

From our probation office. Are they contributing, Johnny, to our budget revenues that we receive annually?

Williams:

Not that I am aware of.

Morgan:

Why not?

Thomas:

This is the State of Florida. It is State Probation.

Morgan:

But, we are providing the employees to do this services. Is that right or not?

Thomas:

It is State.

Morgan:

None of those are our employees at all?

Thomas:

No.

Morgan:

O.K. that was my next question. Good. Thank you.

I think that was all my question. Thank you very much. I appreciate you all coming.

Taylor:

We certainly appreciate all the information. It has been very informative. It would be good, however, if some of that which you shared with us was given to our county administrator so that we can have it for record and information so that we can reference back to it in the future.

So, Thank you for that presentation. It was very, very wonderful.

Walkup:

Just one quick thing before we go. I talked to Commissioner Croley about this. In Leon County, we have what we call a Public Safety Coordinating Council, which is a group of us who meet once a month. It consists of all the law enforcement agencies, correctional agencies, clerk of courts, state attorney, public defender and anybody involved in the criminal justice system. We meet once a month at the courthouse in Leon County to discuss any issues relative to public safety in Leon County. It is not just us, but it is across the board. I had suggested to Commissioner Croley that Akin Akineyemi, who is the commissioner in Leon County that runs our group. You might consider possibly speaking to him and it might be something that you would want to consider for Gadsden County.

Taylor:

Thank you. I is certainly something that we should consider given the information that you have shared with us today. So, Commissioner Croley, that is something that we will ask you to lead us on, since this is your brain child. We will certainly support whatever efforts you put before us.

Croley:

I appreciate that, Madam Chairman. The main thing is this – apparently whatever we are doing or not doing isn't working when you've got that kind of recidivism rate. Whether it is a re-entry center that I believe the Law Enforcement Academy had discussed and brought up the possibility of building such a facility there. The need for jobs that Commissioner Holt has referenced to the fact that it is more of a regional multi county effort to do what you just said about the need to look for some coordinated effort here. So whatever we can do, we will try to do.

Taylor:

I appreciate that. Thank you. Thank you very much.

CLERK OF COURT'S AGENDA

2. Ratification of Approval to Pay County Bills

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO RATIFY THE APPROVAL AND PAYMENT OF THE COUNTY BILLS AS REFLECTED IN THE WARRANT VOUCHES DATED AS FOLLOWS:

Accounts Payables Dated

December 30, 2010

Payroll Dated: January 7, 2010
January 13, 2011

Presentation of County Finance and County Clerk Issues

Clerk Thomas stated that he had no specific issue to raise with the board regarding finances, but he offered to answer any questions they might have.

Morgan:

Clerk Thomas, thanks for coming to the meeting this morning. I see that we've got something before us this morning regarding the fiscally constrained dollars, the additional dollars, that will we will be receiving. I know that later in our meeting we have an item to discuss. I don't know if you will be here for the entire meeting, so I want to get your feedback regarding that. We are looking at approximately \$190,000 of funds that we did not budget that we are receiving through the fiscally constrained dollars. I was just wondering what your thoughts are. As well as we have done financially here in the county, should we budget those dollars in a certain area or should we leave those unbudgeted to go back to fund balance due to the fact that we have several things coming up here with the economic environment that are potentially negative?

Thomas:

These are just my thoughts. This money is budgeted in general fund. There are a number of revenue sources in the general fund. Generally, I would not recommend amending the revenue upward. However, this money has been identified. You have been notified that it is coming. If you have a specific project or a one-time expenditure that you want to use it for, that would be fine. But generally speaking, during the course of the fiscal year, you don't want to amend the general revenue sources. Like I said, this is a little bit different scenario, so if you have identified what you want to spend it on, I don't have a problem with it.

Taylor:

Thank you.

Lamb:

I have a question for him. It is not really a specific question, but once they allocate these funds to different counties for fiscally constrained counties, if there are areas that they (the county) needs these funds for, aren't those funds there for the counties to spend toward those areas? It is not necessarily that they are giving us this money to put in a pot just to hold it there. Am I correct?

Thomas:

That is correct.

Lamb:

I mean if you, I mean, I don't see why they would give to us just to hide it somewhere.

Thomas:

You are free to spend it.

Lamb:
Yeah.

Morgan:
I am not asking about hiding the money.

Lamb:
I am through.

Morgan:
I certainly have not eluded to hiding any money. What I am saying is putting it fund balance because the fiscally constrained program has not been around but just a few years. It is a very real possibility that this program will not be in place next year. That is my point.

Thomas:
I take both your points. When you don't amend the budget, basically when you get additional revenue, it will end up going to fund balance. If you don't amend your budget upward to spend it.
If all the other revenue sources come in pretty much as you predicted. That is normally the case that it just goes into fund balance. However, there is no problem in this case. You have been notified that there is going to be additional money. You have identified a specific project. I just don't recommend spending it on general operations, that's all. You've got a onetime increase in money that has been identified. If you choose to spend it, that is fine. I don't have a problem with that is what I am saying.

Holt:
Madam Chairman, I guess we are discussing this item now. I just wanted to say one thing. I help work on getting this money along with several other commissioners in the state. We were told after one county moved the money over to Road and Bridge to do some work, there was a problem with the State. They had to go back and they said to define that fiscally constrained money. Not only do you have to go in and say what you are going to do with it, you have to make sure that it is spent as you said you were going to do. Also, if you just bank it - one county put it up then down and they didn't use it. The state Legislature had a little problem with that saying, "We sent you money to use for something that we were taking out of your budget for." They wanted to make sure that money was not banked, it was used for something that you said it was going to be used for. So, these are two things. They want you to justify what you are doing, but they want to make sure that it is something that you need. If you are going to just bankroll it, we are going to have a problem with the State. That is what we were told when we were over there.

Thomas:
In line with what you are saying, Commissioner Morgan's biggest concern is whether or not you continue to get the money in the future. This is something that the Legislature, out of the goodness of their hearts, did for small counties. They have been really good to small counties over the years. This is another one of those examples. The question is - as money tightens up, whether or not they will continue to do it.

Holt:

Well, as I was going to say right quick, in that Amendment I, in the fight during that time, Amendment I gave a big tax break and it killed off 36 of our counties. I was chair of the 36 counties. It killed our budgets because we don't get enough millage. It cost us the same thing to pave a road and a mile of dirt as it does for big counties and they have millions of dollars. We didn't have that. So, they supplemented this in order to get that tax break for those large companies. So, once they got the tax break, they left us broke, then turned around and said they were going to give us money.

Now, they may cut it off and I am pretty sure that eventually they will. But Amendment I is still sitting there and it is going to grind us down to nothing. So, this is not that you are going to use it this time, you are going to have the same problem next time and you are going to be broke again. It is going to grind down again and again. In this, you have to have a specific project and make sure that we can explain it. If you want to budget some back, let's just be sure that we are doing it right. That is all I wanted to say. We don't want a problem with it and say, "You didn't need the money anyway, you put it back and saved it." That is how we got the new courthouse. We did it the first time, saved the money, next time got some more money. We did it like that and kept putting it together. Let's just be sure that we look at it right. That is why I told you that I love workshops. I will get that out then.

Taylor:

Thank you, Commissioner, well received.

Does that conclude your presentation?

Thomas:

Yes.

Taylor:

Thank you, sir.

CONSENT AGENDA

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA (ITEMS 3 – 5.)

- 3.** Approval of Minutes – December 7, 2010 – Regular Meeting
- 4.** Approval and Execution of County Deed to Henry and Gwendolyn McGill
- 5.** Acceptance of Public Official Bonds for Re-elected Commissioners Doug Croley and Brenda Holt

CONSENT AGENDA ITEMS PULLED FOR DISCUSSION

No consent agenda items were pulled for discussion.

CITIZENS REQUESTING TO BE HEARD ON NON AGENDA ITEMS

- **Jim Ivey** – voiced concern regarding the extension of the deadline the board approved for C.W. Roberts Construction Company to leave the his location on SR 267 near Lake Talquin
- **Brian Bess**, Gretna Police Chief, - requested assistance of the BOCC to get the word out into the community about the need to donate blood, particularly the blood drive on January 21. The county administrator was instructed to meet with Chief Bess and coordinate such effort. It was suggested that perhaps another location could be used as well. It was also suggested that the Sheriff's Emergency call system could be used to notify people of the need for blood.
- **Michelle Ostenberg**, Chattahoochee Resident – spoke to the issue of human dignity and the need to protect the vulnerable citizens from the cold weather.

GENERAL BUSINESS AGENDA

6. Approval of 2011 County Commission Meeting Calendar

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE MEETING CALENDAR.

7. Renewal of Contract for State Lobbying Services with Doolin & Associates

A MOTION WAS MADE BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT TO APPROVE THE RENEWAL OF THE CONTRACT WITH DOOLIN & ASSOCIATES.

Discussion followed.

Croley:

Was there any effort made to or any commitments received from the municipalities regarding a shared expense especially question regarding the City of Chattahoochee?

Morgan:

No.

Croley:

No effort made or no commitments received?

Morgan:

No commitments received.

Taylor:

Well, there was a manager's commitment received from the City of Quincy.

Croley:

But nothing formal?

Taylor:

Nothing formal. I did mention it at our last meeting and it should have been followed up by the administrator to the City of Quincy.

Morgan:

Madam Chair, I think it will be wonderful if they will agree to participate. But obviously with different public meetings schedules and getting things before each of those commissions, I think it will be impossible to get it on their agenda and back to us at this point in time. I hope we will work toward that. That would be great.

Croley:

But has a letter been written to these municipalities and to the adjoining counties asking for a cost share since the primary effort, if I understood this endeavor, was to promote the interest of the state run Florida State Hospital facility. It stands to reason, just on common sense, if there are so many other stake holders in this endeavor, why would you not want to do that?

Taylor:

Again, I commend your comment, Commissioner Croley and I agree with you wholeheartedly. As a matter of fact, this is not the first time this discussion has come up – inviting other municipalities to participate. That is day to day and I am going to have to lay that on the shoulders of our administrator. He should have gotten in touch with surrounding counties and should even though we go forward this morning, he still should make that effort to see if there are any of the municipalities that may want to buy into this effort.

Lamb:

Madam Chair, this is an item that we have discussed before. We have gone into deep depth on this particular item here and this is something that I am in favor of going forward on, but this is something that we are going to be looking at very closely this year. But, I think we need to go ahead and move forward on this and be done with this item. We have talked to our delegation and they have agreed that it could do us some good. I am willing to try. We need to move forward on this.

Taylor:

Are there any other comments?

There being none, all in favor of approving to renew this contract, please let it be known by saying, "Aye."

Lamb: Aye.

Holt: Aye.

Morgan: Aye.

Taylor:

Opposed?

Taylor: No.

Croley: No.

Taylor:

Make that 3 – 2 in favor of the motion to approve the renewal of this contract for lobbying services, Ms. Muriel.

8. Approval to Renew the Microsoft Enterprise Licensing Agreement and Authorize the Chairperson to Execute (Charles Chapman, Public Works Director)

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTE 5 – 0, BY VOICE VOTE, TO APPROVE THE ABOVE STATED CONTRACT RENEWAL.

9. Approval to Award Bid Number 10-28 for Engineering Services to Preble Rish for the CDBG Disaster Recovery Grant and Authorize the Chairperson to Execute the Contract (Clyde Collins, Building Official and Phyllis Moore, SHIP Administrator)

Gadsden County received a grant for \$241,866 from the FL Department of Community Affairs to mitigate flooding problems on Crawfish Island in Chattahoochee, FL. The project will include re-enforcing the banks of Mosquito Creek, which is adjacent to the island community. The project location is at the west end of Branch Street in Chattahoochee. The project should be completed within 6 months once the work begins.

The board solicited bids for engineering services for the project. Once bids were received the bid committee recommended awarding it to Preble Rish.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO AWARD BID 10-28 to PREBLE RISH ENGINEERING.

10. COUNTY ADMINISTRATOR'S AGENDA

Fiscally Constrained Funds Discussion

Following a discussion among the board members about how best to use the additionally fiscally constrained dollars which will be forthcoming, there was a consensus to agenda it in March, but to schedule a workshop before then to discuss how it is to be spent. Until then, when the funds are received, it should be placed into unbudgeted general fund balance.

Florida State Hospital – Lobbying Service Expense

There was a consensus to direct the county administrator to write an appropriate letter to all stake holders identified with the movement to privatize the Florida State Hospital and ask them to consider sharing in the cost to hire lobbying services to help defeat the effort.

COUNTY ATTORNEY'S AGENDA

11. Presentation on Required Re-districting of County Commission District

Minnis:

This is going to be an ongoing process, the required redistricting. It is required under the Constitution Florida that after the decennial census that all the states, counties, municipalities – if they have the need to – redistrict, look at their lines. It is usually based on the census population data that comes down from the federal government. That is a benchmark that people generally use. It must be done in odd number years. So, since the census was completed last year, this is the odd number year.

Now, based on the information that I have received, they are not always completed in that odd number year, but you have to start the process.

The other thing that you have to do is when you get the census data, look at it. You may not need to change the lines and you are not required to change the lines if your populations are nearly equal. But you do have to go through the exercise of looking at them. Once you look at the lines, you have to put on your minutes the actual legal description of the boundaries. So, it can't just be a map of District 5. You have to have the actual legal description in your minutes and those have to be certified and they have to be sent up to the Department of State at some point.

You also have to publish the minutes of your new boundaries for at least two weeks. You have to publish at least once a week for two weeks before you actually finalize it.

Now, the census data has not actually gotten to the states yet. The states are probably not going to get it until February or March. Somewhere in March, April to June, that kind of time frame – the federal government will be putting together a website where the data can be more easily accessed by the counties and by the states. They have this whole software program that they are working on to make it easier for the states and the local Supervisor of Elections to go in and get the information. What several of the Supervisors of Elections are doing is that they are actually hiring a consulting firm or experts to come in once they get the census data to work with all the computer programs and software programs and basically put together recommendations for redistricting if they are needed.

My recommendation to the commission is to consider doing something like that. Strongly consider hiring an expert or consulting firm to help you look at your district lines. That adds an additional layer of objectivity that will go well in the event that some challenges are filed, which generally happens. Challenges can include equal protection challenges, voting right act challenges, sometimes you get some gerrymandering challenges. If you have an independent body to look at your land, it can be considered that you've got an extra layer of independent judgment to protect your (inaudible)

But, that is where we are right now. I did attend a full day seminar in Wesleyan chapel last week on re-districting. The whole day was nothing but re-districting. Every Supervisor of Elections in the State was at this conference. It was pretty well hashed out event. It is going to be a little bit of a lengthy process, but it is something that we are required to look into.

Holt:

Are there any penalties for not re-districting in 2011 and doing it in 2013?

Minnis:

I did not see anything that required that issued a penalty if you didn't get it done in 2011. In fact, the timeline that they gave us for the state to be able to redo it's congressional districts, - they are not going to be able to get that completed until right before qualifying on June 2012. So, it is not something that can really be done in one year. It just says, "In odd number year."

Holt:

So, if it was 2013 –

Minnis:

In fact, under the Census website, some of the data from the census, for example the congressional district summary file isn't even going to be issued until January of 2013. So, there is some information that is not going to get done until 2013. But everybody tries to go ahead and start the process. If you do get some challenges, you need time to work through those. There are some exceptions about sitting elected officials. When you re-draw the lines, it does not affect their term. It is a very lengthy process and there is a lot involved in doing this.

Croley:

Ms. Minnis, that was a good report. A couple of things. As far as delaying, I think there is enough citizens who will aggressively oppose any delay any effort legally.

Sidebar conversations can be seen violations of the Sunshine Law, I understand, among commissioners. So, I would ask my fellow commissioners to refrain from that.

Taylor:

I will take care of it, Commissioner.

Croley:

The other point is as Ms. Minnis has pointed out very accurately, there is going to be a need for outside consultant to maintain the objectivity for the welfare and benefit of everyone. On that basis, it would be strongly recommended that we take action now to put out an RFP or ask the staff to put out an RFP for these services so that we can be in the forefront of securing the services of a qualified consultants because there is going to be a lot of demand in the 67 counties, not counting the other states that may, or at least just in Florida. That might be something that you find that you need some of this revenue that is coming in from fiscally constrained to pay for that. That is something that you might want to look at, Mr. Administrator.

Now, Ms. Minnis, is that a reasonable course of action, given what you have heard?

Minnis:

Yes.

Taylor:

Let me say this. Based on your summary, it sounds as if this is something that needs to come from the Supervisor of Elections that she will orchestrate or see where she would need, once she gets the data, to get a consultant in. That might be something she be able to get out of her budget or not.

Minnis:

I certainly don't have a problem touching base with her. I do know that I did talk to Ms. Knight. She was at the conference. I also talked to Mr. Sanchez. He was also at the conference. I do know that counties have done it differently. I know that the last time there was re-districting in Gadsden County, it was coordinated by Supervisor of Elections Shirley Knight. She coordinated with both the Commission and the School Board and that you had your districts drawn the same way. I do know that the Supervisor of Elections did work with the School Board, but the county opted to do its own.

Taylor:

I think your first opinion is something that maybe we should consider. That is bringing Ms. Knight in. Maybe the administrator meets with her first. Let's see where we are. Obviously, we are a little ahead of the game, which is always a positive. I can appreciate the attitude of being proactive. But, let's have a meeting with the administrator and Ms. Knight and let them derive what they need from this board. Yes, we will work and those dollars might very well be used. But let's make sure that we have exhausted all means before we get to that point.

Now, we are not going to hammer on this one.

You have a question?

Croley:

I just wanted to say that I think your perspective is exactly correct. I definitely think that Ms. Knight needs to help spear head the coordination of this, although the Statutes place the responsibility on the Board of County Commissioners.

Taylor:

Absolutely. (inaudible) So, go ahead onto your next one. I think we have exhausted this one. Mr. Administrator, the direction here is to let her know, the Supervisor of Elections, as soon as you get that information. You need to coordinate between the two so we can be in the forefront of this re-districting. Thank you.

Update on Extension of Time for C.W. Roberts

Minnis:

My second item, as I indicated, it is not a discussion, it is just an update. Basically, as you recall, Mr. Roberts did come to the board a few meetings back and indicated that he would need some additional time and he was given a timeframe for that additional time. I was tasked to putting a limit on what that additional time would be and it was not a very long period of time. I have sent to his counsel the limit that was discussed, which was three months, no further than the end of October, he will need to have all that shut down and penalties will be incurred if he doesn't meet

that deadline. At this point, that is where it is – at his counsel's office. I put a phone call in last week to his counsel . I have not gotten a return call yet, but it was to impose the limit.

Taylor:

Thank you. I think that may have addressed some of the concerns voiced about Lake Talquin especially with the Friends of Lake Talquin - and it seems to be repetitive. But one comment made earlier by Mr. Ivy, a resident out there, was that the previous board did not address and request for additional time. As a matter of fact, they let time move on without addressing the request. But, this board is in front of it and is a bit proactive toward it. We are giving him the time that he needs because we do want to give the appearance of a business friendly county. We have to be mindful of that.

Now, Commissioners, we all have had different opinions about this. People have come up with different opinions about it. Where it sits now is near our aquifer and it sits near our water streams and it is very dangerous. We have unnatural weather now and that concerns me tremendously where it is now. So, we are going to move forward with this. I don't think there is going to be a problem with him complying. And, Mr. Administrator, I think Commissioner Croley said this, and I am going to echo it back to you. You need to keep an eye on the progression on movement out of there and make reports. He mentioned that. I don't know if it is something that has been put into place, but it needs to be done and it needs to be monitored regularly.

I am going to move on this item.

Bond Ordinance

The ordinance will be brought for a public hearing on February 1, 2011.

DISCUSSION ITEMS BY COMMISSIONERS

12a. Commissioner Lamb, District 1

Public Safety – Home Invasions In District 1

Lamb:

I don't have but one item that I would like to mention to you and that is about public safety. We have got to do something. This board is going to have to act in District 1, I know and probably other areas, too. We are having just too many break-ins. I am getting too many complaints. We only have one officer patrolling the area. That is not enough officers in District 1. Now, if everybody else is o.k. with their districts and they are not getting any complaints on break-ins during the daytime when people are at work, that is fine. But, I am looking forward to doing something toward this. It is in our hands. Now, we need to talk to the Sheriff's Department to see what we can do to help the situation because we are getting break-ins almost every day in District 1. We only have 1 deputy patrolling District 1.

Taylor:

Mr. Administrator.

And I concur, sir, and District 1 is not the only one out there getting a rash of break-ins and problems. It is happening countywide. So, what I am going to ask is the administrator – I am echoing the concerns of Commissioner Lamb, would you please have the Sheriff's Department or a representative come before us at a very near future meeting, maybe not the next one, but give us a report on the rise of this particular crime. As well some suggestions to ratify or whatever this board can do to help it. If we do nothing, then obviously, it continues. I echo you, sir, yes, there is a rash of crimes on the rise throughout this county.

Lamb:
That's it.

12b. Commissioner Croley, District 2
Public Safety Committee

- The administrator was asked to contact Leon County Public Safety Committee and get a copy of what they are doing with their committee and bring back a report and place it on the agenda for consideration. The board can decide at that point whether it would like to move forward with forming a similar committee in Gadsden County.

Report from CRTPA Meeting

- A meeting was held on January 10, 2011. Gadsden County is benefiting from the regional effort . Projects approved include significant amount of work planned for bridge work on I-10 and resurfacing work; some widening of some of Gadsden County roads and beautification along some roadways, particularly in Havana; sidewalks; further work on the Quincy By-Pass; Apalachicola Northern Railroad Depot in Greensboro; assistance with the Quincy Municipal Airport; Shuttle – Big Bend Transit. There is an addition 2,075 jobs that is expected to come out of the projects in Gadsden County alone.

Future Opportunities

- Rail resources in Gadsden County give an additional transportation strength. There could be opportunities regionally to work with the St. Joe Port . He stated that it would offer a great deal of opportunity to take part in the growing a global economy and help the region by starting with some of the agricultural products that are locally grown. He asked that the board consider having them come and make a presentation.
- There is an effort going on to try and get the Amtrak Service re-established. A stop in Midway to serve the Tallahassee area could be a possibility.

County Vision

Commissioner Croley then took a moment of personal privilege to publicly thank County Administrator Johnny Williams, Attorney Debra Minnis, all county employees and constitutional officers and their employees for doing a good job to make Gadsden County a better place. He then read a statement which highlighted the accomplishments of the board over the last several months. (copy attached.)

Commissioner Brenda Holt, District 4

Holt:

Commissioners, the Medicaid withdrawal that we were looking at on the last meeting to use those funds. I need and I think we are going to need a report on that Medicaid Medicare, well, I am just going to say Medicaid because I am not sure exactly how much Medicare is depending on that, depending on what plan is used by the majority of people in Gadsden County. But, those Medicaid dollars, that \$50,000 that was taken out. Now, my understanding when I did some research because I thought it was kind of odd when I looked at that sheet, if you remember, I wouldn't vote for that item. The reason that I didn't is because the State Association, I was on that committee and the State and Federal government sends the Medicaid dollars to the county. We have been budgeting \$600,000. If I am not mistaken, in 2007, we almost ran out of money. I think a few thousand was left in that account and that was in November. O.K. The states are verifying their own accounts now. That means that if Mr. Williams go to Key West and he has a Medicaid card and he uses that card, we send that money to where that card was used. If I am not mistaken, we have not been paying into that account. Am I not right, Mr. Williams? Have we been budgeting \$600,000 in that Medicaid account every year?

Williams:

Approximately, yes.

Holt:

O.K. From what I looked at, we were a little bit low because if they are verifying and they haven't sent us a bill, in two or three years we will be in trouble. If they verify those and they are say that we have to pay it, if \$600,000 wasn't quite enough in 2007, and the last three or four years, they are going to send us a bill. If \$600,000 wasn't enough, we should have been budgeting higher because of the people who are out of work and they get more public assistance, that means that that budget for that account could be in trouble. Then we took out \$50,000 the other day. So, I am really, that kind of blew a light with me. So, what happens when we get the bill? So, can you tell us what is in that account now?

Williams:

I don't have those figures with me, but I will be glad to check on it.

Holt:

Can we get someone to check that right quick, maybe one of the employees?

Williams:

Jeff, are you in the back? I need you.

Holt:

If they could just check and see because that is quite scary because if that is what it was in 2007 – and you always pay for the year before. So, in 2008, you paid for 2007 after it was verified. If you just look at \$600,000 times 3 years, from 2007 to 2010, that will be what? \$1.8 million. We need to be able to pay that bill. If it is not enough, then we need to see about budgeting and make sure that we have enough in there. I get really worried when people are out of work and they get that assistance. You are going to have to pay that bill.

Thomas:

You budgeted \$500,000. This is one of those things where you are going to have to pay when the state bills you. So, that is certainly something that is going to have to be monitored.

Holt:

And you see, that is for three years. So, if \$600,000 wasn't enough in 2007 to pay the 2006 bill, then, we have a problem. That really needs to be looked at. That is the reason that I said that I couldn't vote for that. I kept saying that we need to workshop that. This is one of those things because the state is going to – when we send our money out to the state and the state sends that money to the federal government, the federal government sends back a dollar for every dollar. You get a dollar for a dollar when it comes back through. Then they send you your money. Once you get your money, wherever your citizens go and they have a Gadsden County address and they use that card, we have to pay that bill and especially if they are in long term care. We were trying to negotiate during that time to give us some back end days instead of the front end days. When someone goes into a hospital, their bill is really high because you are doing all those tests and all of that. We were getting some of the front end days associated with those accounts and you don't want that because you have the bigger bill. So, we kept saying, "Let us pay for some of the back end bills so the bill won't be so high and let the state revenue pick up the other."

Thomas:

So far, you have spent \$110,000 there, but it is something that will need to be monitored.

Holt:

Yeah. I can't stress this enough. Commissioners, you could kill your budget with this one. You could wipe your budget out. We need something back on this as soon as possible. You could have \$1.5 or \$1.2 million. We have it in there. We need to know what is in there and we know what we need to do to make sure of that and we need to budget earlier this year.

When I looked at the calendar, it wasn't on there. We need to budget earlier simply because you are going to have to see about moving that money.

Taylor:

There are budget workshops.

Holt:

No, I am saying earlier in the year. We need to start earlier. We didn't start last year until July or August, something like that. We need to look at it earlier like in the Spring because we need a report on what is going on with Medicaid, we need to see where the state is on verifying those bills. We need to sit down and if you are going to have another workshop day, that workshop day, we could tag this issue onto it with the other item.

That was one issue. The other is – this is one that I really think you need television for.

Black History Parade and Use of Courthouse Grounds

Mr. Manager, I received reports and other people did that for the Black History Parade, you told the sponsors of that parade that they would not be able to use the courthouse grounds. They told me about it and I said, "That can't be because we have been having that parade and been using those grounds for 29 years." I had two or three people who came and told me about it. So, I asked around. Now, I want to know what happened.

Williams:

It was approved.

Holt:

It was what?

Williams:

It was approved.

Holt:

It was approved, I know, but the City is the one that asked for the approval. I think that the county should be a sponsor of that event because we are the county.

Williams:

No, I don't have a problem with that. It didn't come in as the county sponsoring it. If the county would like to sponsor it, that would be great.

Holt:

No, no, that is not what I am saying. The event was and it has been for 29 years – they come and fill out the paper work, they make sure that they have what they need to have and they use the grounds. It wasn't that a city had to come and do it for us. This is something that causes so many bad feeling within the community. There were people talking about coming up here today and I told them to just wait. They are totally upset about this. They are saying, "Wait a minute. We are county residents and we can't use the grounds for Black History Month." Now, they are totally upset in that you told them that it was the opinion of the attorney. It was said that (let me look at my notes) It was said that it was under her recommendation that you said that they could not use the grounds. Yesterday I had people cussing because they were so upset.

Williams:

Ms. Chairperson, it was approved.

(The administrator left the chambers briefly at this juncture explaining to Commissioner Croley that he was going to the restroom.)

Holt:

No, that is not what I was saying.

Taylor:

O.K. Hold on. Alright.

Holt:

Because if we can get some clarification, maybe they won't be so upset.

Taylor:

Commissioner, I have heard some of the same concerns and it has been approved. Maybe the same process didn't go forward as it has been in the past. Maybe because the county administrator was new to this. I don't know, but I do concur with your issues and your concerns and I am pleased to know that it is going forward. And, that is where we are right now. We won't haggle on it, but in the future, it probably won't go through as many steps as it did in the past. Because this year, it may have been new and I am going to say that to justify it. But, we need to move on.

Holt:

Commissioner Taylor, thank you. I am going to say this. I am not concerned about whether it moves forward, I am concerned that another local government had to come and request it and we represent this county, too. Now, that is what I am upset about. That you can say off the top of your head and the manager can say off the top of his, "No, we are not going to do it," and you don't get back with the individuals that are requesting it. Then they become upset and then they get other people in the community upset. I would be surprised (inaudible) that if this goes on, that any one up here will get re-elected. They are really upset about it. My concern is this – how we handle business. What about front end saying to the public and we need to make sure that it is not something that causes this rift between people. That is what I am upset about and I am totally upset about it. I am going right back to where I was a few weeks ago.

I move that we replace the manager. That is my motion. Now, you cannot second it and not approve it, but that is my motion.

Taylor:

There is a motion on the floor to remove the manager. Is there a second?

(There was no response.)

Holt:

O.K. Let's move on. I am going to be putting it in probably every two weeks until something happens. Let me say this, let me move on to the next item.

When an employee about a three day suspension because she came to the microphone – that is another rift. You don't do that. You tell the people, you know, you tell them what they need to be told or you follow your policy and procedure. You don't suspend somebody for three days for coming to the microphone unless there is a policy in place. That is another thing. That is the reason I keep saying these things keep piling on. We are setting ourselves up for law suits that we don't need and they are going to be coming.

I would like to thank you, Madam Chair, for the visioning kick-off the other day. Great idea and I am hoping that we will have another one. I was a little cold over there, but it was good because it started.

Also, I survived a fall the other day. It was too funny. Even I was laughing. Thank God it was just his high off the ground at the race track.

(The county administrator returned to the chambers at this juncture)

As I told the people in Gretna, whether we approve or not of gambling, the horse track is coming and there will be several jobs. I am hoping and I talked to the commissioners out there and the staff out there that we have enough people in place that are pushing for local contractors. So, if you know of people who can provide a service in building that facility – it is a \$12 million facility – we need to send as many people, local contractors, to the staff out there at the City of Gretna in order to look at a choice. We want any electricians, any of those people – plumbers, whatever – to keep that money in the county. We don't want that money to come out. They come in and build a facility then the money is gone and nobody has any jobs. Those are temporary, but at least they are jobs.

I would like to thank everyone for coming out. This was a great activity. The City of Gretna Commissioners and the staff are going up to Atmore this morning to look at their facility there. I hope that you will be supportive of it because it will bring income into the county.

Thank you, Commissioners.

Commissioner Morgan, Vice-Chair, District 3

Morgan:

Thank you, Madam Chair. Let me first just say that day to day operations and personnel actions are inappropriate to discuss at these meetings. That is Florida State Statutes. We need to keep that in mind.

(Commissioner Holt left the chambers at this juncture.)

Crawfish Island Project

Secondly, we had another issue that we approved on our agenda and that was regarding Engineering Services and a Disaster Recovery Grant, which we authorized for those funds. Just for the Crawfish Island over in Chattahoochee. We are making great strides in that project and it is going to come to fruition and that is a great success for this county and the folks in that neighborhood. I am glad to highlight that for us this morning.

Lighting at I-10 Exchanges

The other item that I had regarding some of the economic development opportunities that we heard about this past week. As we are looking for potential growth at the I-10 exchange – we have two exchanges where we have no lighting. I would really appreciate the board formally approaching Florida Department of Transportation and I have talked with them and swapped emails and I think Governor Croley may have as well. – that is what I call him, Governor Croley.

(huge laughter)

Croley:

I can't repeat what I call you.

(laughter)

Morgan:

I think he has, as well, but we just need to, if we can at all, approach them about those funds, I think it will be a worthwhile effort. I do know that we need to mention to them this subject as it relates to safety. I say this again, we have around the clock, three shifts coming out of there that are working coming out of DOC and also Florida State Hospital. We do have folks coming and going from different counties to those exchanges. For some reason, along that stretch of I-10, those are the only two – the Greensboro/Gretna Exchange and the Chattahoochee Exchange. I hope we can ask the administrator or someone put forth a formal request of the DOT to support that if the board so chooses.

Croley:

May I say something to that?

Morgan:

Certainly.

Croley:

Commissioner, Chair Taylor, if this board will make a formal request through that CRTPA process, it will go into these work plans. That is the proper avenue now for the four counties. So, if you will bear that in mind.

Thank you.

Williams:

Are you going to carry it to CRTPA?

Croley:

If you write it and if she signs it.

Taylor:

What we will do and thank you, I am glad you are astute enough to make sure that we are familiar with what we need to do to put it in the right place regarding CRTPA, so I am asking that a formal letter to CRTPA be presented through our administrator to our representative on behalf of this body on this issue. I think Commissioner Morgan has brought it up twice now. We certainly need to get something moving on that.

Croley:

If you will sign it, I will

Taylor:
With board approval, I will.

Croley:
Well, that is what I mean.

Taylor:
Let's get with the attorney and put together a formal request so that we have all the ingredients in there.

Williams:
Can we (inaudible)

Taylor:
Well, let's not put too much on her because the clock starts ticking when she picks up her pen.

(Commissioner Holt returned to the chambers at this juncture.)

Williams:
I was just trying to clarify who was going -

Taylor:
You orchestrate the letter, then have her to sign off on it. I think that will help to get it completed.

Morgan:
That will be great, thank you.

Cold Weather Shelter

Just another couple of quick items here. Michelle Ostenberg mentioned about the cold weather shelters. I know there was a meeting held at the Sheriff's office on the 14th at 11:00 to discuss temporary cold weather shelter and how we want to move forward with that. I think there is a lot of movement in that regard, so I am encouraged by that, but we just need to get a little bit of structure around that and how we notify everyone in the county.

Commissioner Holt had a good idea regarding 911 calling system. I don't know, but I imagine there are some uses where we are limited in what we can share. Maybe you can correct me on that, but that may be a way to share with the citizens and communicate the locations, the times and things of that nature if we can do it through there.

Visioning Meeting

Madam Chair, I really appreciate your efforts there. I think there was some good that we accomplished there. I did review the comments and feedback that we got from our employees who were there. I would encourage the board to do that. There were a couple of good suggestions - some that I thought were noteworthy.

EMS Facilities

Finally, I just wanted to mention about the EMS facilities where we currently house EMS. Have we – I know there was brief discussion about relocating them maybe to a better facility. I don't know that we have ever followed through on that. You know, in my opinion, that building either needs some attention or we need to look for a strategic place to house those folks. I think space might be one issue, but also just the general condition of the facility. I just think that is something we need to help with there.

Williams:

We have a meeting set up, a separate meeting, set up at the hospital. It has already been set up. That is one of the items that I think we are going to discuss. By Florida Statutes, that would be my decision to make, but certainly, I take guidance from you as well as the hospital board and everybody else.

Morgan:

Well, I am anxious to see what your thoughts are on that.

Williams:

That is one of the discussions at that meeting. Mr. Glazer will be there.

Morgan:

O.K. I will just get with you and see what your thoughts are on that.

That is all I had, Madam Chair, thank you

Commissioner Taylor, Chair, District 5

I am going to move expeditiously. Just for notification to the audience. We will recess briefly after my comments to go into a special session with our attorney then we will reconvene our board meeting then adjourn it. So after we recess, there will be no other discussions publicly. So, you may leave at that time. Again, we will reconvene after protocol and proper procedure and end the regular board meeting. I just wanted to share that with you.

Visioning Retreat

I want to thank everyone for the visioning. I concur with some of the comments that we need to read and take notice of and move forward. It was a heartfelt event when you saw so many people that came out and supported this from all walks of our county and to see all five of our commissioners standing there. This is something that our President talked about of the incident in Tucson, Arizona. It is about us standing together as one and moving our county forward no matter where we are, but that we stand together strongly. We have evidence of that at that visioning. All five of us were there and no, we did not expend for each commissioner to have response because we felt that it would have been time consuming. But, in an effort to make sure that your sentiments are given to the employees, certainly what you did today was noteworthy. That you made your own public comments. As well, each commissioner is recommended to do so either through email or letter to the administrator that he can share with the other employees. So, this was a vision that I was nerve-wrecked over, but we followed through. Through your appreciation, the staff, Mr. Administrator and all who had a hand in this, there were over 200 and something people who came through those doors that we were able to reach

out to.

Commissioner Lamb talked about some issues and concerns with robbery, burglary and this all came out because of the issues that the Sheriff's Department is having. When we had that one incident when someone was stabbed and it took an entire day to find that particular personal weapon, you and I watched it from our television. But the sheriff lived \$16,000 worth and now he's got to find it in his coffers. That is why he has to shake and move his budget. You take \$16,000 unexpected off from that and you've got a hurt deputy somewhere, that is how it happens.

We have gotten pertinent information from the tax collector and property appraiser about what is coming down the road. People who were there will inform others about information they did not know.

The Superintendent got up there with facts that we could put our fingers on. So, when he talks about whatever is coming down his tube, then we could understand why. So, I thought this was a great kick-off. By the way, in April, make note of this, the Sheriff is going to host the next one. In April. Then in August, the Superintendent will do the presentation. So, it is going to continue to roll on. We will be back in January, this board will – that is my hope.

Mr. Administrator, I have asked you about the television. We would like to see it on our next agenda. Can you tell me real quickly what it is that we are doing? Do we have it up for bid or what?

Williams:

Yes, Arthur is going to put it out for RFP.

Taylor:

Will we be able to know or be able to discuss this on our next agenda?

Williams:

Arthur, where are we in the process?

Taylor:

Will you please come forward real quick for us so we can get this nailed down?

Lawson:

Madam Chairman and members of the board, I have put it out for an RFP, but it won't be back or rather we won't have the results by the next meeting. Probably the meeting after, we will be able to bring a recommendation back to the board.

Taylor:

So, we are looking at March because it will have to be a public hearing?

Lawson:

No, it doesn't have to be a public hearing – not from my prospective.

Taylor:

It doesn't have to be a public hearing, so the end of February.

Lawson:

If you are going to have to move some money around from the budget prospective, but I will bring it to you at the last meeting in February.

Taylor:

There will have to be a budget amendment because there is not a line item, so it will have to be a public hearing.

Lawson:

But, that is dealing with the budget side. But, I will bring it to you with our recommendation sooner. But if we have to tie it all in with a public hearing, we can only do that at a night meeting.

Taylor:

So, that is the first meeting in March.

Lawson:

Right.

Taylor:

That is what we are going to shoot for.

Thank you.

Croley:

Mr. Lawson, are you including the offer made by Clerk Thomas's staff about additional cameras on their part if they are still interested?

Thomas:

May I just say something? I know this came up several times when I wasn't here. I just want to be on the record saying this. What we have done on the internet was not meant in any way to influence what you are deciding about. It was to create a record and to be there. If it serves a purpose, that is great, but that certainly was not our motive to in any way influence what you are debating.

Taylor:

Thank you. It certainly should be considered – his comments. Thank you.

Moving on. Talquin Ave. and Joe Knight Road – Will that be on our next agenda, Mr. Administrator?

Williams:

I think that is something that we may discuss because it may be done in conjunction with the

constrained money. When we discuss it. The board wanted a plan.

Taylor:

I think that there are still some dollars in our own coffers without having to touch that. There are still some dollars in that safety enhancement roads.

Williams:

If that is the wishes of the board, we will certainly do that.

Taylor:

But, it has already been approved.

Williams:

Talquin was approved several months ago.

Taylor:

Talquin was approved, so Joe Knight has to be put on the agenda before we can approve anything because it does have to do with dollars. So, that is why I am asking that it be placed on the agenda.

Let me say this and then I am done and we can move to recess.

This has come up before and I share this with a lot of people who come to me. I had rather be a very strong one-year commissioner than a very weak two-year one. I don't waiver because of public opinion. I waiver on what is right. If you sit down in a room with 10 people, 10 of them will have different opinions about one item. So, we need to move forward with what is right and what improves our county.

There was a situation around the board tonight that was not, in my opinion, professionally done. When a commissioner is speaking, especially to an administrator, one or two things. The administrator should not get up and leave. That was disrespectful. When a commissioner is speaking, no commissioner should override or supersede what the other is thinking. That is not professional protocol. This is why incidents often occur – because of the concern among us that we would learn to be professional and courteous toward one another. Then we can put that into the community and that comes back to us. Let's be mindful of how we react to one another as we do the business of the county.

I thank you again. Again, we are going to recess this meeting. Do I have a motion to recess?

Lamb:

So moved.

Taylor:

Motion to recess. We are recessed.

Following the recess to go into a confidential meeting to discuss litigation strategy regarding a

pending lawsuit with Farnita Saunders, the board reconvened and promptly adjourned the public meeting.

RECEIPT AND FILE

15.

- a. For the Record: Letter from the Clerk's Office Regarding Cash-In-Bank Summary Report
- b. For the Record: Letter from Waste Pro Regarding Franchise Agreement with the County

February Meeting(s)

- February 1, 2011, Regular Meeting, 6:00 p.m.
- February 15, 2011, Regular Meeting, 9:00 a.m.

Adjournment

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

Sherrie Taylor, Chair, District 5

ATTEST:

Muriel Straughn, Deputy Clerk

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA, ON FEBRUARY 1, 2011 AT 6:00
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

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

INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

Chair Taylor called the meeting to order at 6:00 p.m. and opened the meeting with a prayer. She then led in pledging allegiance to the US flag.

She requested that all cell phones be turned off or put on vibrate so as not to disrupt the meeting. She also announced that if there was anyone present who wished to speak to the board, they should complete the Speaker Appearance Form and file it with the deputy clerk.

The roll was called by Deputy Clerk Muriel Straughn. All commissioners were present as noted above.

AMENDMENTS AND APPROVAL OF THE AGENDA

The following changes were made to the agenda:

- Item 16 was pulled - Emergency Management Interlocal Agreement between Sheriff & BOCC
- Add as Item 16: Approval to Pay Ron Sachs Communications, Inc. Invoice for Tourist Development Web-Site Design \$15,000.
- Add 3A: Presentation by Commissioner Eugene Lamb as a member of the TCC Board of Directors
- Add under Commissioner Holt's discussion items: Roof for Livestock Pavillion

Commissioner Croley stated objections regarding the process of amending the agenda.

Croley:

I am having a problem with this agenda process. If I am not mistaken, this item on Ron Sachs was supposed to be on the agenda. Ya'll took it off the agenda. Then, you turned around and you added on this matter of Joe Knight Street. Then when Commissioner Holt has something to be added or when I had something to be added about the courthouse grounds and support at the Request of Black History matter, we've got to wait and bring it up under us to get it added back on. It seems like there are two

sets of rules going on around here. One for Commissioner Holt and myself when we want to put something on and then there are other things that ya'll are doing in adding and taking off without the rest of us being involved.

Taylor:

That is a good comment.

Croley:

From now on, when ya'll go to put something on - I am talking about the administrator is supposed to handle it. The law says that we've got 10 days to have the supporting documentation. You either get all of us to vote on it under our time (like you're wanting Commissioner Holt and I to do) or either we get to put things on like the rest of you.

Here's the thing. Stop adding and taking off without our involvement.

Taylor:

O.K. Point of clarity. Point of clarity. What we said going forward was if an item was to be added on by the commissioners that we would vote for it. That is what we said. There were some commissioners saying, "Well, I asked for an item, but it wasn't added." Then there were some being added. What we decided, and we did this last time because you put an item on and I asked to have it pulled. We voted and it got on the agenda.

So, what we are going to do going forward is that we are going to get a vote from this board. Once it has been voted on by this board, then we will add an item.

Now, as far as Joe Knight, it was an item that I had asked to be added at our last meeting. It is not anything that is popping up on us.

Croley:

We didn't vote on it.

Taylor:

I asked for it (inaudible)

Croley:

I can use the same argument. Madam Chair, I am going to clarify on this. Whatever rules go for you, go for the rest of us.

Taylor:

Exactly.

Croley:

Alright, we've got that clear.

Taylor:

Are we in one accord?

Croley:
On the same course.

Taylor:
Are we ready?

Croley:
I am ready.

Taylor:
Alright.

Croley:
I EVEN MAKE THE MOTION TO APPROVE IT.

Taylor:
Go ahead and make your motion.

Morgan:
My frustration is and I think we owe it to the public . Once we put an agenda together and we publicize that, we need to try to minimize any changes. That is the way that they can educate themselves if they have an issue coming before us. Out of respect for them, unless there is an absolute emergency, I would like to request that we focus on keeping that agenda as it is.

That is my only comment.

Taylor:
And I agree. What happened was the county administrator and I met the very next day and we looked at the agenda. We went through it. It wasn't publicized and it wasn't advertised. When we got a chance to look at it, and I will discuss this thing a little more when we get ready to address that particular item so that you will understand the rationale behind it. But, going forward, Commissioner Croley, I agree, we should do it in one accord. If there is an item to be added, we need to vote on it. If there is an item on the agenda that has already gone forward, we need to make sure that we stick with it. In the event of this last item, neither of those things happened. We didn't advertise it and we pulled it for a very, very good reason.

There is a motion on the floor to approve the agenda, is there a second?

**LAMB:
SECOND.**

**TAYLOR:
THERE IS A MOTION AND A SECOND THAT WE APPROVE THE AGENDA AS AMENDED.**

ALL IN FAVOR, LET IT BE KNOWN BY SAYING "AYE."

All:
Aye.

Taylor:
Opposed, the same sign.

(no response)

Motion carries.

Mr. Administrator.

AWARDS, PRESENTATIONS AND APPEARANCES

1. Resolution Number 2011 – 005 Declaring February 7, 2011 as National Black HIV/AIDS Awareness Day

Keith Blocker, Prevention and Training Consultant from the Gadsden County Health Department spoke to the board requesting their participation in promoting awareness, treatment and prevention of HIV/AIDS.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE RESOLUTION 2011-005.

2. The Impact of an Ad Valorem Tax Exemption for Senior Citizens

Property Appraiser Clay VanLandingham addressed the board with a presentation regarding how the Senior Citizen Tax Exemption would impact the Ad Valorem revenue to Gadsden County. He summarized his presentation by saying that it could possibly reduce the taxable dollars that will not be available for ad valorem purposes by \$150,000,000 if the county should grant the \$50,000 exemption to Senior Citizens.

Mr. VanLandingham provided each commissioner a copy of the Statute which describes how the board should proceed if they chose to grant the additional exemption.

Questions followed:

What is the legal definition of “earned income” for this purpose? As defined in the IRS description of earned income. I would think that Social Security in most cases would not qualify as income. You have earned income, investment income, capital gains, interest income, rent, annuities, - it does say social security benefits, but there is an asterisk by it.

Is there anything other than wages, salaries and benefits of that sort that we would normally think about as earned income? Not necessarily pensions of a state retiree or something like that? If there is any income from the pension, that is to be added in. Earned income, investment income, capital gains/losses, interest, rents, royalties, VA benefits, income from retirement plans,

etc.

Can it be undone if the board moves forward to implement it, but the impact proves to be a greater burden than anticipated? The attorney declined to give a definite answer without further research.

In today's current economic environment and with the current administration, everybody wants reduction in their taxes, and it looks like that may happen, so there is a chance that we will have potential additional reduction in our revenue. Would you agree with that? I am not aware of any reduction in property taxes.

A MOTION WAS MADE BY COMMISSIONER CROLEY TO APPOINT A TASK FORCE CONSISTING OF THE CLERK, PROPERTY APPRAISER, TAX COLLECTOR AND BOARD MEMBER TO STUDY THE FEASIBILITY OF IMPLEMENTING THE SENIOR CITIZEN EXEMPTION AND BRING BACK A RECOMMENDATION IN A PROPER FORMAT FOR DISCUSSION.

Commissioner Holt contended that this matter deserves more than just discussion at a regular meeting. She insisted that there should be citizen input in a workshop environment. She asked that the motion be amended.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO SET UP A TASK FORCE (CLERK, PROPERTY APPRAISER, TAX COLLECTOR, TO STUDY THE POSSIBILITY OF IMPLEMENTING THE SENIOR CITIZEN PROPERTY TAX EXEMPTION, THEN BRING BACK A RECOMMENDATION OR IN SOME FORM TO THE BOARD FOR FURTHER DISCUSSION AND PUBLIC INPUT – POSSIBLY A WORKSHOP.

It was suggested that Commissioner Holt serve on the Task Force on the board's behalf.

Chair Taylor suggested that they look at other counties that have implemented it to see what it is that they are doing.

3. Crime Report

Jim Corder from Sheriff's Office reported that Sheriff Young had intended to make this presentation, but became ill and was unable to attend. He went on to say that the Sheriff's office is noticing an increase in violent crimes in Gadsden County. He gave them some statistics that indicates that gun crimes are on the increase. He noted that there was another homicide inside the city limits of Quincy over the weekend. He made note of the following:

- 18 patrol deputies that currently patrol 516 miles of real estate. The patrol shifts are 12 hours. There are four shifts. During the day, there will only be 3 deputies and a supervisor that patrol all 516 miles. He stated that it is not nearly enough.
- Zone Four – the Midway Zone – it is the second largest city within the county. It is the fastest growing city within the county. It holds many special needs that the other zones

and the other municipalities that the others don't have. They have one of the largest traffic intersections in North Florida. (US 90 and I-10) and two truck stops.

- Zone One – Havana – it is a very big zone. One deputy is assigned to both Zone One and Zone four.
- Zone Two – Quincy Zone – It covers everything from Lake Talquin through Robertsville. It is a very, very big zone.
- Zone Three – West Zone, which covers Chattahoochee, Sawdust and Greensboro.
- On a typical day, there would be 3 deputies and a supervisor, who would serve as a backup zone deputy if needed. Ideally, they would like to have four men and a supervisor on a shift.
- The Sheriff's Office responded to more than 65,000 calls last year. All of those calls must be reported to the Florida Department of Law Enforcement (FDLE). There are 81 different crime categories in which they report.

Discussion followed among the board. There was also discussion regarding what it will cost to add additional officers to patrol the county. There a consensus that the staff would work to "crunch some numbers" and determine what funding the county can provide immediately to help ease the crime rates throughout the county.

There was discussion about the possibility of establishing the Public Safety Council as provided by the Florida Statutes. No consensus was reached. (For the purpose of clarification, it is noted here by the recording clerk that the Public Safety Council Ordinance 2005-006 is already a matter of record.)

3A TCC 2011 African American History Calendar

Commissioner Lamb presented an award to Commissioner Brenda Holt is featured for the month of June on the TCC Calendar.

CLERK OF COURTS

4. Presentation of County Finance and County Clerk Issues

Clerk Nicholas Thomas was called away with family emergency.

CONSENT AGENDA

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA, ITEMS 5 – 6.

5. Approval of Minutes of December 21, 2010 Regular Meeting

6. Ratification of Approval to Pay the County Bills

- Accounts Payable Dated: January 14, 2011
- January 21, 2011
- January 28, 2011
- Payroll Dated: January 27, 2011

CONSENT AGENDA ITEMS PULLED FOR DISCUSSION

No items were pulled for discussion.

CITIZENS REQUESTION TO BE HEARD

Ms. Dorothy Lewis, 350 Hardaway Hwy. Chattahoochee, FL - Formal Complaint against EMS (widow of Mr. Robert Lewis) .

Chair Taylor stated for the record that Ms. Lewis's complaint appears to be a complaint about day to day operations and it should be forwarded to the county administrator. However, she did agree to allow Ms. Lewis to speak, but encouraged her to follow up with the administrator.

Ms. Lewis then told the board that the EMS was called to her home in response to 911 call for her husband, Coach Lewis. EMS disrobed him and declined to cover him when asked to do so by the family. The administrator was instructed to meet with Mrs. Lewis at her earliest convenience. She was asked to come back to the board if her meeting with the administrator does not prove beneficial to her.

Commissioner Holt asked that the Florida Statutes be available during the meeting when such a matter comes from the public so that it the board can confirm to them what the proper channel of command is when it comes to personnel matters.

Sam Palmer, 1225 Berry St. Quincy, FL 32351 – Redistricting of County Commission District lines

Mr. Parmer stated that there is information in the community that the county commission is interested in re-drawing district lines. He asked why this matter has surfaced. He asked that if the county is going to redistrict that they make sure that you are doing it for the right reasons. He recalled that the Executive Committee of the Democratic Party initiated the last redistricting when it became obvious that there were variances in the demographics in the county population. He then said that he had been to the Supervisor of Elections and requested some data to see if there was a need for re-districting and he did not make that observation in spite of the population growth in some areas.

PUBLIC HEARINGS

- 7. Guy Race Courthouse Annex – Request to Award Bid Roof Repair to Commercial Roofing, LLC for \$93,850.00 ; OMB BA# 110023 and Resolution 2011-006**

Chair Taylor announced a public hearing and invited public discussion and questions regarding the issue.

Building Official Clyde Collins addressed the board regarding the extreme need for the roof replacement. He said the funding can be ascertained through the court facilities fund.

Grant Slayden, 1188 Ronds Pointe Dr. E. Tallahassee, FL 32312, representing the Office of Court Administration in the Second Judicial Circuit, addressed the board. He introduced Judge Sjostrom and a representative from the Public Defender's office. He reported that the roof has seriously deteriorated. He reminded them that they had been before the commission in October in 2010 at which time they voted to approve the concept to go forward with a series of repairs, but there was an issue of being able to fund it. Since that time, the Clerk has confirmed that there is adequate money in the court facilities funds to pay for this particular roof up to \$111,000. The roof already has 42 patches on it and water is coming through into the Public Defender's office, the court reporters office and the judge's office. He showed the commissioners pictures of the damages that are on-going.

Commissioner Lamb stated, "Why are we even discussing this. This needs to be done. Let's just do the job and get it over with. We don't need to stay on this long. We need to grant Clyde Collins the opportunity to go forward, do the job and get it done."

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

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

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO AWARD THE BID TO COMMERCIAL ROOFING, LLC AND AUTHORIZE THE CHAIRMAN TO SIGN THE CONTRACT.

8. Public Hearing – Approval of Resolution 2011-006 and Budget Amendment #OMB BA# 110017

OMB Senior Analyst Jeff Price presented the amendment and resolution which transfers \$372,490.50 from the unbudgeted general fund balance into the Land account. An additional \$32,509.50 will be transferred to the Land account from the Rentals & Leases account that was paying the rental on the property. Total transfer - \$405,000. This purchase was previously approved by the board.

Chair called for public comment. There was no response.

Commissioner's comments.

Morgan:

Jeff, this fund balance that we are going to draw down this money from, a good portion of that

was returned to the county from the Tax Collector and the Property Appraiser because of how efficiently they run their offices and what we get back every year. In addition to that, in future years, from a monetary business point for the citizens, it makes sense to purchase this building rather than lease the building for which we pay close to \$50,000 per year. In addition to that, we got additional services that we are going to be required to carry out in that building due to the Driver's License Office being moved there. If you would touch on some of that, I would appreciate it.

Price:

Absolutely. Every year, the Property Appraiser and the Tax Collector tend to give back to the County some funds. It will help offset this reduction of the fund balance.

Morgan:

That was in the neighborhood of about \$150,000.00 between the two of them. Then we would make that up over two years – that expenditure because we won't have the expense of leasing that facility?

Price:

Correct.

Williams:

Actually, we have credited this back and the actual figure that you will be working with is \$372,391.

Price:

We took the rental money out.

Williams:

We took the lease money and credited it back, so it is actually not \$405,000.

Morgan:

Of the \$372,000, \$150,000 of it got brought back to us anyway from them. Then we won't have that rental expense.

Williams:

Right.

Taylor:

Any other comments?

Holt:

Yes.

Taylor:

Commissioner Holt.

Holt:

This is not a good time to buy this building. As I said before, on the Medicaid issue, I called the State on that issue. I can't seem to get it on the agenda, so this is a good time to bring it up. In 2006, we were \$16,000 from making the \$600,000 that we had set aside. I saw the report that Jeff sent email. But, when I called the State, they said, "That is not what is going on. What was set aside and paid to Medicaid was only what was paid. The re-billing has not been done." From what I was told by one of the representatives today, in 2006, \$600,000 was not enough. Medicaid cost go up. They don't go down. This board has not put enough in that account to start with since 2006 and they are auditing all the way back to 2001. Some of the other counties are trying to see if there is some type of statute of limitations that would help them out. They are really worried about this.

So, what is happening now, if you just budgeted for 2008, 2009, and 2010 the \$600,000, which was not enough, we are already going over by \$1.8 million. Where is that money going to come from? So, what I am saying right here is we should have gone up and even the representative said that people being out of work since 2008 and there will be even more people on Medicaid. They are auditing the whole state. So, there are more people on Medicaid now than there were in 2006 and we were just \$15,000 under our budget of \$600,000 then. We have not paid the remainder of those bills since 2006.

So, this is not a good time to be buying anything. I am talking about any item that comes up. We are either going to have to get ready to pay these bills like the other counties are doing or we are going to owe that money. Now, we already know that there are certain taxes that they can take from us that will be revenue that will not be coming in if we don't pay it. The report that I got today is just what we paid. We didn't budget for what we owe. So, \$1.8 million is not what we owe. We owe more than. That is why I am saying that this is not a good time that building or buy anything else. She says it will be 18 – 24 months before they get through. I asked her, "Can you tell us what we owe now?" She said, "No, she could not."

Secretary Pelham appointed me to DCF and we were working that committee and we were looking at reporting of Medicaid through Children and Family and how they have better access. They are saying that we definitely owe this money. How are we going to pay it if we don't prepare to pay? That is all I am saying. I can't support buying anything. We need to do something. We don't need to keep paying \$50,000 a year, but we need to look at something else. We need to prepare for this bill. I had to be put on hold because that representative kept talking to other counties and they are worried about their Medicaid bill that they have not paid. We do not have the money for it.

So, that is my take on the buying of a building.

Taylor:

Commissioner, I hear you loud and clear. I am hoping that you will ask to have a representative to come over and have the item agendaed so we can have someone to come over and talk to us. So, please ask to have that added to the agenda.

Holt:

O.K.

Taylor:

You speak a lot of knowledge and we need to know more – as much as we can about this situation. So, let's stay clear of that at this time, but let me share this with you. Your point is well taken. Let me share this with you. We have already approved the purchase of the building. The only thing that we are looking at tonight is the method by which to do it. The approval has already gone forward to buy it.

Holt:

Commissioner Taylor?

Taylor:

Yes.

Holt:

You are right and I voted against the approval. But, my point is saying that is to say this. I asked at the last meeting that the Medicaid be put on the agenda. Yes, I asked at the last meeting. I called and talked with her before.

The manager does what he wants to do and ya'll do what ya'll want to do.

Taylor:

Commissioner.

Holt:

Wait a minute, now, I am serious. This is not the only item that I couldn't get on the agenda. So, these don't need to be taken care of. This is the latest thing. The lady started laughing today and said, "Well, it seems that your board would be preparing for this."

Now, what I am saying is – if ya'll don't put my items on the agenda, well, I'm not going to vote for it anyway – on this because we can't afford it. But if we can't look at this and when items come up that certain commissioners think that they want – they will say, "We've got to be fiscally responsible," when it is something else. I am not asking for anything other than for this board to look at anything other than just to look at what you owe. Pay your bills, then turn around and do the things that you want to do. But, you've got to pay your bills first. That is all I am asking you to do.

Taylor:

Again, I am not disagreeing with you at all. Would you, either you or myself, but I would prefer you, under your concerns, motion to have it put on the agenda?

Holt:

Sure.

Taylor:

Thank you. Then, let's move.

Are there any other comments about the avenue in which we are going to forward in purchasing the building?

There being no other comments, the only comment that I have is that when you open up Pandora's box and start dipping money out of the reserves, there will be others that might come back with this same avenue to help with funding. I want to buy the building. I think we need to do it and stop leasing it, stop paying rent each month. I agree 100%, but I thought that we would get a loan and pay the \$50,000 each year that it is budgeted toward the loan. That is what I thought we would do, not go into the reserves. But, if this is the avenue that this board wishes to follow, I am certainly not going to be a "stick in the mud" on my part. So, with that being said, let's open this thing up for a motion.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4 – 1 TO TRANSFER THE MONEY FROM FUND BALANCE AS RECOMMENDED BY THE COMMITTEE APPOINTED BY THE BOARD AND APPROVE THE BUDGET AMENDMENT AND RESOLUTION. COMMISSIONER HOLT CAST THE LONE OPPOSING VOTE.

9. Public Hearing – OMB BA 110022 Resolution 2011-006; Joe Knight Road Paving

On April 6, 2011 the BOCC approved applying for a grant to pave Joe Knight Road – SCOP – However, it was not funded. It was brought back to the board for discussion and direction.

Williams:

This is a project that is \$87,000 and tried to get grant money for it before to the tune of \$265,000 and we didn't get the money. So, this is a scaled down version.

Charles, do you have any more details?

Chapman:

No sir, this is a discussion and is agendaed as a public hearing for discussion and direction from the Board of County Commissioners as to how to proceed. As the administrator said, I would echo that this is a scaled down simplified version of the grant project that we proposed to the Florida Department of Transportation. It is calling for resurfacing of the prescriptive easement on Joe Knight Street, a county road.

I would be happy to answer any questions if they are available.

Taylor:

Again, this is a public hearing. I did have one that wanted to speak on this item. That is Pastor Sand Davenport. Would you please come up sir, and give us your complete name and your current address.

Davenport:

My name is Sandy Davenport, Pastor Sandy Davenport. I live at 649 South Adams Street here in Quincy, FL. My concern is, of course, the paving of Joe Knight Street. I just want to thank the

committee for approving this agenda item. I just want to commend you all because you all are doing a wonderful job. This community sends their best from the various districts to represent them and I can see that you all represent them well.

Now, I am here to plea for this paving because number one, this has been a long time coming. Joe Knight Road was originally a dirt road when Strong Road was paved and brought through this particular avenue. It was allegedly supposed to be considered to be paved during that period of time some 30 years ago. Somehow the ball got dropped on that. Now, here we are some 30 something years later. Every rabbit trail and every little goat trail in that particular area has been paved. Guess what? Joe Knight Street is still a dirt road.

The reason that it needs to be paved is because it is dangerous. We have a blind curve there where numerous accidents have occurred. When it rains, it is a slippery mess. I have an aunt that is here today who is 87 years old. She just came from the doctor. I took her to the doctor about 2:00 p.m. and she got out about 4:00. I brought her home. She did not have time to even prepare her dinner, but she chose to be here – sick and all. Her hands are swiveled up with arthritis, but yet, she chose to be here.

When it rains, if it rains within a matter of a few days, her ride for her to get to church is afraid to come down that particular road because it is so treacherous.

Aunt Nell, are you here? Would you stand?

Taylor:

Mr. Davenport, speak to the board.

Davenport:

I am sorry. I really appreciate you, Sister Taylor, Commissioner Taylor for representing us with regards to bringing this issue to the board. I know that it has been a tremendous effort for you to get this on the agenda. I am asking you, Commissioners, I know that you represent your constituents and everybody wants a piece of the pie, but what I am saying is that it is time. I am not talking about later. It is time – now. Being that we have the opportunity to do something that should have been done a long time ago. Let's do the right thing tonight. Let's pave Joe Knight Road.

Thank you.

Taylor:

Is there anyone else who would wish to make a comment on this road at this time?

Please come.

Would you please state your full name and your current address.

Moore:

Yes. My name is Virginia Moore. I live at 131 Joe Knight Street. I have been there for just about

39 years. Just like he said, when it rains, it pours. When it rains at my particular area, my carport is just covered with water. It almost washes me away. My yard has ditches and trenches and everything. But, you know, it is a very urgent matter that you get this road paved.

Thank you.

Taylor:

Is there anyone else who wishes to discuss this at this time?

Nobody. O.K. At this time, I will open it up for discussion around the board. Commissioners?

Morgan:

I have a question for Charles.

Charles, if we were to approve this, these dollars will have to come public works capital projects funds? Is that what I am reading here?

Chapman:

Most likely, sir. That is the fund that I have referenced in this agenda item.

Morgan:

And it will be for \$87,000?

Chapman:

Yes, \$87,000.

Morgan:

What is the balance in that fund right now?

Chapman:

Approximately \$855,000.

Morgan:

What project would we be unable to perform if we use this money?

Chapman:

Currently, the projects that have been identified by the Board are funded out of this particular line item. That would be Fortune Blvd. and Talquin Ave. Joe Knight Street was not funded in this budget and that is why it is before you tonight. We typically use this fund for an emergency fund in case we have a storm event and it washes out a road, blows out a culvert, takes out a bridge. Currently, it is an objective of the Public Works Department to build this reserve back up over the next five years. We do have a couple of bridges that we do need to address if there is a severe storm event that comes up, however, we will work with the board's directions at each proceeding.

Morgan:

How many residents do we have down this road. I am not familiar with it.

Chapman:

I am not exactly sure on the population of the road.

Morgan:

Who would know? Somebody here ought to know.

Taylor:

It is my road. It is in my district. I can simply give you an indication if you will humor me for just a moment. Just for one moment.

Those of you who use that road on a daily basis, stand up. Thank you.

It is well used, Commissioner. There is a church back there. Again, there are houses back there. You approved the road to be done when we worked on the other grant.

Morgan:

I was just wondering about the residents back there. I know there is a church. I knew that. So, are there 10 houses, 20 houses? What?

Taylor:

I don't know the number of houses, but I know that it is a well used road.

Morgan:

How many neighbors do you have Ma'am. You just spoke to us. That live on that road.

Moore:

Four homes.

Morgan:

Four homes total. O.K. thank you, Ma'am.

Last question Charles – What is your recommendation?

Chapman:

That is why I am here tonight. I do not have a recommendation on this item. It is for board discussion and direction.

Lamb:

Madam Chairman? As you all know and those who know me, my number one thing in Gadsden County is the safety for the public. My number two thing is paving of roads. Now, they don't have to say anything to me except that they don't have a paved road. My vote is yes.

Now, the money is there for us to do this. Like the gentleman said, it probably should have been done some time ago, but it wasn't. That is history, but we need to go forward now and complete this and be done with it. I have no problem with it whatsoever.

Taylor:
Commissioner Holt?

Holt:
Yes. As I spoke with Mr. Davenport, I don't have a problem with paving. I have a problem with the process. The process is that all roads should have been put on the table. As I said in 2009, the board refused to do it, but put all of it on the table, divide it up five ways and everybody gets a piece of the pie. But, the process is wrong. I want your road paved. I want Phillips Road paved. I want Post Plant Road paved. I want all the roads paved. But they are looking to us to do the same thing that you and that is to be fair. We have to lay it out and be fair. If there is a certain amount of money, it should be divided up among the districts and that way, they will all have the same shot at the money. That is the same thing I told them and that is the same thing that I am telling Mr. Davenport.

I am for you doing it. I will tell you why. Because I sat in a workshop for two days trying to get bond money to pave them. To get \$25 million. I was only able to come back here and get \$10 million. But, if they had listened to me, they could have gotten \$25,000 to pave everything at one time and we would have been through with. But, no, they didn't do that. What I am saying is that the process is wrong. We need to have it so that I can – you keep hearing me say, "Workshops." That is why I keep saying it.

You are saying that you have been out there 30 years. Others can say the same thing – that her grandmother was born on that road. I know a road that is more than 100 years old. But, the bottom line is that they deserve the same opportunity. That is why I asked your permission. I think, Commissioner Taylor, that we all have an opportunity to put them on the agenda. She said, "Yes." Phillips Road, Post Plant Road, all the roads were approved before, too. Those people are waiting, too. So, what is the best way to do this. The best way is to make it fair throughout the county. That is why I can't support one over the other. We must sit down and look at it and do it so that everybody is not upset. So, if we approve yours tonight and go and get money for it, that is just one thing.

The other thing is that it is coming out of the emergency fund. One hurricane could wipe that fund out. What will we do when we need to use that money to go out there and help people to get chain saws and all that stuff. Those people have to be paid and they are going to be working overtime. So, we need to look at those numbers and make sure that the numbers are correct. That way, we can do some things. I have no problem with doing it. In fact, like I said, nobody on the commission went to that classroom but me to get that money. I had to come back up here and cut the fool to get it done. Then they took the money and put most of it in Districts 1 & 2. So, I am all for you getting it paved. It is just a matter of how to do it and do it so that it is fair. That is one thing.

The other thing, Mr. Chapman. You spent \$11,000 on engineering? Did ya'll?

Chapman:
No, Ma'am. We have not spent any funds as of yet.

Holt:

So, there is no proposal for the \$11,000 for engineering?

Chapman:

That is just a cost estimate right now for engineering. We really have no intention to pay that. Typically, Preble Rish does us the favor of waiving those fees in lieu of assisting us on the grant applications. Then they get reimbursed for administering the grant applications.

Holt:

But, we don't have a grant, right?

Chapman:

No, we do not have a grant. This is a raw estimate. We can negotiate with our county engineer. They are very, very generous with us on this type of thing.

Holt:

Right. We don't need to pay them \$11,000 even it is approved. There is no need to pay \$11,000 for that. We paved roads for years and didn't do that.

Chapman:

Correct.

Holt:

Thank you, Commissioner.

Taylor:

Before I move on, I need to address something. You brought out some very good issues that I need to address.

I, too, was put on the back burner, Commissioner. That year that you are talking about, I didn't get anything put forward either. There is some money set aside – some \$855,000 that we can do some things. You are right, we do need to discuss this and do it fairly. But I, too, have said that there is not one road that has been paved in my district. Moving forward, I certainly don't mind us coming together. I have to echo Commissioner Lamb. Egress and Ingress is very important. They have to be able to get in and out, especially when there is an emergency. We need to deal with the roads fairly. I, too, sat back in 2008, 2009, and 2010 and not gotten one road paved. But we are presented with an opportunity tonight. So, I understand.

Holt:

I have a question, and I don't have a problem with that if I see the money.

Taylor:

Yes, sir. (laughter) I mean, yes, ma'am.

Taylor:

No problem. We got to get out there and play with the big boys. No problem.

Mr. Chapman, how many roads have we paved since 2008?

Chapman:

I do not have that data right off the top of my head.

Holt:

Is Robert Presnell around here somewhere?

Chapman:

No, ma'am, he is at home this evening.

Holt:

That is the road man, Mr. Manager. What we need to do is find out if the money is there.

Chapman:

There is \$855,000 in the reserve fund.

Holt:

For roads?

Chapman:

For emergencies that we would pull from. It is a contingency fund.

Holt:

That is the problem. That is a problem. No, no, no. That is a problem because that money is for contingencies. One hurricane could wipe it out. That is what I am saying. Where is it that we are going to say that we can go in and get people out of situations and we are going to have the money for it.

Taylor:

Commissioner, let me say this to you, then we are going to move this item. I can appreciate your argument and your frustration. We are going to move this item, but let me say this. There are federal funds that are in place in case there is an event or disaster that hits this county. You and I both know that. There is FEMA and others that we will have to pull monies from. We will not be able to get everything from our coffers to take care of a disasters that may hit this county. Granted, we have done well and there are dollars that are set aside that will take us until FEMA gets here. But, we don't have to depend totally on what we have in our banks. There are federally funded agencies that are supposed to come in and help counties in the event of disasters. So, that is there. I can appreciate your not want to deplete a fund in the event of an emergency. But, this particular line item is budgeted for roads. Let me show you why.

At our last meeting, we pulled \$132,000 to finish Frank Smith Pond Road. That is where those dollars came from. That is how I was able to identify that line item and I saw those extra dollars.

Holt:

Commissioner, I don't have a problem with that. I don't agree with that either. I was looking back at my notes and I didn't agree with any of it. When that \$50,000 was pulled out of that Medicaid fund, that was my signal that something was wrong with it. But, I want to say this, and I don't want to prolong it.

Mr. Chapman, where are those roads going to be paved?

Chapman:

Talquin Ave. is in District 5. Fortune Boulevard is in Midway, District 1.

Holt:

In 5 and 1. So, where is 4? Four gets nothing. Has not gotten anything since 2007.

Lamb:

Excuse me, where is Fortune Blvd.

Holt:

It is at 10/90 Park.

So, that means that they don't get anything and it is not your fault. It is this commission's fault. They have blocked out a whole district for three years now.

Taylor:

O.K. I've got to hear from Commissioner Croley, then Commissioner Morgan and then we are going to wrap it up and move on.

Croley:

Well, Commissioner Taylor, Rev. Davenport and everyone else, I want you to know that if I could I would pave every road in the county that folks wanted paved, we would. I am saying I would support it. I am speaking about me. But, we don't have the money. Commissioner Holt and I don't agree on a lot of things sometimes, but at the same time, she makes a very good point. The money in that Transportation Fund is held as contingency for emergencies. Out of respect for folks that live on Joe Knight Road since it has been an issue with Commissioner Taylor and she has done a good job in advocating on your behalf. I said, "Well, I am going to go look at that road." And I did Sunday after church.

In my usual way, I said, "I am going to do some research on that road and find out, as Paul Harvey used to say, what is the rest of the story?" Now, let's get to some facts. This may have a bearing on this commission's decision. It may not have any bearing whatsoever. But I believe that based upon a search of the public records that Joe Knight Street is a dead end dirt road of approximately 1550 feet in length.

Am I very far off, Mr. Chapman?

Chapman:

(inaudible)

Croley:

There are only 12 recorded parcels of property located on the Joe Knight Street area. Of these 12 parcels, there are only two lawfully recorded homestead properties located on Joe Knight St. I don't know where everybody lives. Maybe they live in those two houses, but those are the two residents that are homesteaded. The total amount of 2010 Board of County Commissioners Property taxes that Commissioner Holt references generated by those 12 parcels was only \$912.10. I am not saying that no rich folks live on Joe Knight Street, but I am pointing out to you that it is a very low tax base. There is an abundance of county code violations on the various properties located on the Joe Knight Street area. These violations range from illegal trash dumping and abandoned automobiles to vacant dwellings.

Holt:

I was listening to you.

Croley:

Alright. Let's keep it - No side bar there, now

The Joe Knight Road primarily runs, and this something that is important, through 70 acres of timberland owned by Trace Landing # 1, LL, one of the previously mentioned 12 parcels. Approximately 682 feet of the Trace Landing property adjoins the north and south sides, meaning that it is on both sides of the street. Then, there is an additional 868 feet located on the north side of the road owned by Trace Landing. When added together, the total frontage owned by Trace Landing #1, LLC fronts on practically the entire 1550 ft. of Joe Knight roadway.

Now a background check into Trace Landing # 1, LLC with the Florida Division of Corporations confirms that this limited liability corporation is one of those companies owned by the Gazbini family of Tallahassee. These are the same folks, just as a side bar, that some months ago promoted the transfer of the railroad crossing from Havana to the Midway Area for the benefit of their land development project. Trace Landing # 1 LLC was set up on December 21, 2009 by its registered agent Robert Pierce, an attorney with the Ausley McMullen Lawfirm, which is of course our own county attorney's law firm. I am not saying that she had anything to do with this.

Another note of interest is the fact that the Gadsden County Tax Collector's website confirms that Trace Landing # 1 LLC is only paying \$228.92 on that 70 acres. Out of that \$228.92, only \$96.96 even goes to this board of county commissioners for the operation of county government. So, when you need those deputies, they are contributing \$96.96 potentially to help do that.

The public record also shows that of the 12 parcels on the Joe Knight Street area, one is owned by an individual whose name is Ed Dixon. Mr. Dixon owns approximately 675 ft. of the frontage on the south side of Joe Knight Road. The board of county commissioner taxes on the Ed Dixon property amounts to \$250.49 annually.

Now, based upon the basic cost estimate of \$87,000 and given the \$912.10 of the total estimated 2010 property taxes generated and the small amount of fuel taxes paid, conservatively, it would

take 95 years for the county to recover the capital outlay for this 1550 of proposed paving of Joe Knight St. The time frame does not even take into consideration other associated county cost including lost interest and service on the existing county paving bonds.

Then, we've got a transportation plan here. It deals with the collector roads, the bridges and the major drainage culverts. Now, we need to be going by this because when you are talking about collector roads, that is the roads that everybody is driving on. If I had the, and this board really had the extra money, fine. I would consider Joe Knight. But, at the same time, we've either got to fund this and we can't even do it, and we've got bridges falling down. We've got culverts caving in. We've got a need for law enforcement. We've got roofs that need dealing with. And you are asking me to approve \$87,000 on something that makes no sense.

Taylor:
Thank you.

Two weeks ago today, you, Mr. Croley, asked us, out of the same pocket to pay \$132,000 of the same monies that you are now saying you need to tax for dilapidated culverts, overrun bridges, that we need to make sure that we have deputies. The same funds, we just voted and gave you \$132,000 out of the same identical line item.

Croley:
You didn't give it to me.

Taylor:
The same identical item, this board voted to help you pave Frank Smith Street. See, if it gets to the point where it is o.k. over here, but it is forbidden over there.

Croley:
Point of order. Point of order. No. Point of order. No paving of Frank Smith Road

Taylor:
I am talking. (gavel) I am talking now. I am talking now, I am talking. I don't want to be disrespectful. We are not about that. Don't want to give you all the air that we are because we are not. We sometimes do go back and forth, but out of the same funds. I tend to support commissioners when they want to have things done in their district. I tend to be very supportive because I know that it is important. So, we paved that road with an additional \$132,000.

Now, the road was first brought to us, still talking about Frank Smith, for \$100,000 to do. But, the commissioner wanted some more so the total road ended up being \$232,000 which we found the additional dollars out of this line item. So, there is a double standard. I am not going to entertain that.

Commissioner Morgan?

Morgan:
Thank you. I will be a lot more brief, I assure you. I think what we are seeing is a reason to have a

consistent method moving forward. WE have a dirt road improvement plan that has been existence, but we do not adhere to it. That is one of the, might be the first thing that I called for when I got up here two years ago. Here is a listing in the county of all the unpaved roads and they are prioritized and ranked. Mr. Chapman, do you mind? Just entertain me for just a minute.

We do have that and all these unpaved roads in each district as far as the total amount and how they are prioritized. We do have that in place, correct?

Chapman:

We do have a document in place, however, there are three different versions of that same document.

Morgan:

There is one that was updated not that long ago. Within the last two years.

Chapman:

There is an update, sir, but because there is some confusion between historical knowledge versus this latest list, it has been prudent on our own staff, we are undertaking the task of getting that list updated and bring it back before the board for another discussion so that we have a fresh, complete, and newly updated list that this body, since we have had elections and natural attrition when elections occur, that this body will input into creating. That way, we start fresh with the same page.

Morgan:

Thank you. And, it should be because it is fair to all the citizens, that it be put into place and adhered to no matter who is sitting up here. It needs to say that these roads are ranked and it is done fairly among all the districts then simply follow it. We could avoid this type thing.

Commissioner Holt, you are right in everything that you said about how we need to proceed forward on this. I do want to mention one thing about the FEMA dollars and the need to have monies available if there is a natural disaster or occurrence in the county when we need money. That is extremely important. Yes, FEMA does provide dollars, but if we need to go out and do something immediately, there needs to be funds there to provide the method to do it. It is not until later that we are reimbursed for those costs and expenses. If we don't have any money in our public works reserve fund, then that becomes impossible to do. So, it is extremely important that we actually even build up that fund.

Just like what was said before, we all have roads in our districts that need to be paved and I understand the need for that. We just need to adhere to the dirt road paving improvement plan that we have in place.

Taylor:

I will hear from Commissioner Holt, then we will move the question.

Holt:

No problem. Commissioner Taylor, I still feel that we should build that fund up, but after listening

to those two commissioners, they convinced me that we should just go on and pave the road.

Look, my thing is I was against doing that project we did two weeks ago. I was against doing two of them and I talked about it. What I am saying is this, I don't have any problem with paving the road, but we have to look at – I am going to use my district as an example – we have to look at where you have not done any work and go over there and do work, too. Those people are waiting, too. We need to sit down and not say, "Well, this road is off this one," what we should do is call Robert Presnell and ask him, "How much money did we spend over here on this road?" He can give us the exact numbers. We can go ahead and make that (inaudible) today. That is what we need to do. That will solve that problem.

What I am saying is I don't have a problem with paving the road. I do have a problem with you not coming back in here and get theirs paved. When you get yours paved, then you come back in and those people on Lewis Lane and Phillips Road and Post Plant Road get theirs paved. Don't sit back. That is my only thing. I don't want to use the money out of there, but I don't have any problem with helping you help other people.

Taylor:
Can I get a motion?

Croley:
Wait, wait, discussion. I want to clear something up.

Taylor:
No, I haven't called for discussion yet. I just need a motion. Hold on for a second.

Croley:
No ma'am, the questions are not over with and I am going to raise the question. Now, Commissioner Lamb was first.

Taylor:
I am going to ask for a motion. Commissioner?

LAMB:
MADAM CHAIRMAN, EVERYBODY HAS SPOKEN WELL AND EVERYBODY'S OPINION IS RESPECTED AT LEAST BY ME. WITH THAT, I WOULD LIKE TO CLOSE THE DISCUSSION AND I WOULD LIKE TO OFFER A MOTION PAVE JOE KNIGHT STREET.

TAYLOR:
THERE IS A MOTION, CAN I GET A SECOND?

HOLT:
I WILL SECOND IT.

Taylor:
Thank you. There is a motion and a second. Commissioner, now you have questions.

Croley:

Now, let's get the record straight. There was no paving of Frank Smith Road. The culverts were caving in on a main collector road and they had to be repaired. Now, you know that. I know that. You know that we supported you on Talquin Ave. You know that we supported you on the replacement of culverts in your district since you have been here. I don't think that it is very fair to represent to the public that this was about paving of a road. The repairs were for culverts.

Now, let me say something else to you. I can support and I appreciate the fact that we didn't have the money to pave the dirt roads. We got out and got the asphalt millings to put on the Mary Brown Road. There are a lot more people that live on Mary Brown Road and it is a collector road for that area than Joe Knight Road. Why can't you consider alternatives like using asphalt millings, which improves a road and makes a hard impervious surface, but short of having to do all the asphalt paving at a time when we don't have the money as pointed out. We have other major needs.

Now, that to me is a reasonable compromise in a positive way. But to do and set in motion the paving of a street with two homesteads on it on a dead end street sets a bad precedent.

Now, that is trying to be cooperative, not hostile. Thank you.

Taylor:

Point of Order. Talquin Ave. has not been paved. It is still a dirt road. Point of correction on my behalf. You are right about the culverts on Frank Smith Road, but also we still pulled it from this same funding, from this particular line item that I am looking at.

Now, I will not devalue this road and ask for that. There is a motion and a second on this floor to approve the paving of this particular street. There is a motion and a second. I am going to call for a vote. All in favor of this motion, please let it be known by saying, "Aye."

HOLT, LAMB, TAYLOR: AYE.

TAYLOR:

OPPOSED, THE SAME SIGN.

MORGAN, CROLEY: NO.

TAYLOR:

THAT IS 3 – 2 TO PAVE JOE KNIGHT ROAD.

10. Public Hearing - Amending Section 2.92 of the Code of Ordinances - Ordinance 2011-001

Upon reviewing the sufficiency of the bonds for constitutional offices, the appointed committee recommended to increase the bond amount for the Sheriff from \$10,000 to \$100,000. The Board approved the recommendation. Ordinance 2011-001 will amend Ordinance 2009-005 to reflect that change.

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

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, TO APPROVE THE ORDINANCE DESCRIBED ABOVE.

11. Appointment of a County Commissioner to Serve on the Committee to Oversee the Inmate Commissary and Welfare Funds for the County Jail

In accordance with FS 951.23 the Gadsden County Sheriff Morris Young proposes to establish the Inmate Welfare Fund Committee to provide direction for the programs implemented using the inmate commissary and welfare funds. It will ensure that the inmate commissary and welfare funds designated for use are spent appropriately and that programs are implemented to assist in the rehabilitation of inmates.

The committee is to be comprised of one county commissioner, one community member, jail chaplain, jail administrator and one other representative from the Sheriff's Department.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO APPOINT CHAIR TAYLOR TO THE INMATE COMMISSARY AND WELFARE FUNDS FOR THE JAIL.

12. Award of Bid No. 10-26 for HVAC Services to Hodges Heating, Air Conditioning and Refrigeration for all major work, Engineered Cooling Services for Major work and back up and Howell Refrigeration for light commercial work

Due to the nature and kind of work required for the county, the staff desires to contract with several vendors to use on an as needed basis depending upon the complexity of the work to be performed. There is a need to contract with vendors who can service the complicated commercial chillers and boilers. Other contract can be utilized to work on the light commercial HVAC units.

Staff recommended three of the vendors who bid for the services. Awarding of the bids in this manner will guarantee that staff can secure the specific kind of expertise when needed. The use of a single vendor in the past has resulted in cost that exceeded the competitive bid limits.

The funds for these services are allocated in Building Maintenance budget for equipment repair and maintenance.

Mr. Clyde Collins told the board that they received bids from five different companies. All the bids were very similar. He recommended that the board continue the services with Hodges Heating, Air Conditioning and Refrigeration, but he would not object to using any or all of the bidders.

Commissioner Croley asked Finance Director Connie McLendon how much money has been paid out for air conditioning services over the last year. She replied that it was approximately \$145,000.

Ms. McLendon reported that the independent auditors had commented that the county's procedures were not followed.

Mr. Collins stated that the majority of the \$145,000 was due to the renovation of the hospital and the jail complex. He was confident that it would not be as expensive in the current budget.

Commissioner Croley commented that the bid and narrative were not laid out well.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 – 1 TO AWARD THE BID TO HODGES HEATING AND AIR CONDITIONING FOR MAJOR WORK, ENGINEERED COOLING SERVICES FOR MAJOR WORK AND BACK UP AND HOWELL REFRIGERATION FOR LIGHT COMMERCIAL WORK.

GENERAL BUSINESS AGENDA

13. First Quarter Report for FY 2011

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE FIRST QUARTER REPORT FY 2011.

14. EMS Grant Application to Department of Health for 2010-2011 -

EMS proposes to apply for a grant to remount two ambulances at a cost of \$69,925 per unit totaling approximately \$140,000. The grant requires a 10% match which would be \$14,000. The funds are not currently in the EMS budget making it necessary to request that the funds be taken from the budgeted Reserve for Contingency fund or the unbudgeted General Fund Balance. The final decision on the applications will be made in June of 2011.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE GRANT APPLICATION ABOVE.

15. Public Officials Bond Review

Section 2 – 112 of the Gadsden County Ordinance 09-005 requires that the Board of County Commissioners review the bonds of the constitutional officers in January and June of every year to determine if they are sufficient. The Board voted on June 15, 2010 to increase the amount for the Sheriff to \$100,000. The ordinance making that change was approved earlier in this meeting.

Staff recommended that the current amounts of the bonds are sufficient.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO FIND THAT THE PUBLIC OFFICIALS BONDS ARE SUFFICIENT.

16. Interlocal Agreement with Sheriff Regarding Emergency Management and E911 Operations

~~Even though the Sheriff has been operating the Emergency Management and 911 programs for the county since 1991, no formal agreement was ever put into place. The attached agreement was a collaborative effort to draft an interlocal agreement to formalize the transfer of the programs to the Sheriff.~~

Approval to Pay Ron Sachs Communications, Inc. Invoice for Tourist Development Web-Site Design - \$15,000 for the First Phase

Lisa Garcia, VP of Ron Sachs Communications, Inc. , addressed the board.

Chair Taylor commented that there was not sufficient information in the agenda packet by which they can make an intelligent decision on the invoice. She went on to say that when she questioned the appropriateness of the invoice, she was provided with adequate facts upon which she could recommend approval.

Discussion followed.

Commissioner Morgan commented that the contract was previously approved by the board and that prior payments have been made. He could not understand why it was before the board for approval.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE \$15,000 PAYMENT.

17. County Administrator's Agenda

Interlocal Agreement with City of Quincy on Fuel purchases – A meeting was held with Finance Director, Administrator and City Manager. The original agreement expired on September 30, 2010 and they are working on new interlocal agreement. He proposed that the administrative fee be adjusted from .10 to .20 to be consistent with the surrounding counties.

Medicaid Report – OMB Jeff Price is working on it. Only one quarter complete.

18. County Attorney's Agenda

There were no matters brought forward by the attorney.

19. DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Lamb, District 1

Commissioner Lamb requested BCC to look into helping the Sheriff with more patrol officers.

Commissioner Holt, District 4

- **Livestock Pavilion Roof** Livestock Pavilion roof is leaking. They may want to move to another county. Clyde Collins acknowledged that the roof does leak and he has put it in his budget request again and again, but it has not been funded. It also needs French drain.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER CROLEY TO INSTRUCT MR. COLLINS TO LOOK AT THE NUMBERS TO FIX THE ROOF AND BRING IT BACK AT THE FIRST MEETING IN MARCH.

- **Medicaid** – It will take 18-24 months for state audit to be completed. Most counties are budgeting additional money over and above what is being paid out in a year. OMB Jeff Price was asked to bring back information in two weeks.

UPON COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO INSTRUCT THE STAFF TO GET INFORMATION REGARDING THE MONEY PAID OUT EACH YEAR VERSUS WHAT MEDICAID IS REBILLING AND FOR WHICH GADSDEN COUNTY MIGHT BE RESPONSIBLE. THE MOTION ALSO INCLUDED HAVING THE ITEM PLACED ON THE AGENDA FOR DISCUSSION UNDER PRESENTATIONS.

- **Comments to Administrator** – She reported that she had been told by an employee that the administrator had threatened to fire him because he was upset with her.
- **Evaluation of the Administrator** - She stated that the commissioners must do an evaluation on the administrator.
- **Call to Replace the County Administrator** – She made a motion to replace the administrator. Motion died for lack of second.

Commissioner Croley, District 2

- He commended Commissioner Holt for having been selected to appear on the TCC Calendar.
- **Policy for use of the Courthouse Grounds and Other County Property** He noted that there is no formal policy for use of the county property including the courthouse grounds. He quoted FS 125.018 Rules and Regulations.

UPON COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO REVIEW AND DISCUSS THE USE OF THE COURTHOUSE GROUNDS AND

OTHER COUNTY PROPERTY AND TO PUT IT ON AN AGENDA AS QUICKLY AS REASONABLE.

- **Public Safety Coordinating Council -**

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER , THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO INSTRUCT THE ATTORNEY TO BRING BACK FACTS REGARDING THE ESTABLISHMENT OF THE PUBLIC SAFETY COUNCIL UNDER “PRESENTATIONS.”

- **Redistricting Process** – It was determined that the attorney and the Supervisor of Elections should bring a presentation regarding the requirements of law. His point was to learn what the time frame should be established and what the costs will be so that a budget can be established.
- **Drug Abatement Board** is still on the books. We still have a crime problem. He commented that County Ordinances should be enforced, repealed or changed. .

Commissioner Morgan, Vice-Chair, District 3

- **Fuel Payments** – He thanked the administrator for getting the delinquent fuel bills worked out. He suggested that the board consider something in the new agreement to offer incentives for paying their fuel bills timely.
- **Governor’s Budget and Impact on Gadsden County**

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO HAVE THE STAFF AGENDA A RECAP OF HOW GADSDEN COUNTY CILL BE AFFECTED BY THE GOVERNOR’S BUDGET AND TO SEEK AN EVALUATION FROM THE FLORIDA ASSOCIATION OF COUNTIES.

- **Tax Abatement Referendum** – agenda an update from the Supervisor of Elections about how to get a referendum on the ballot in 2012.
- **Code Enforcement** - Received several calls lately and county needs to move forward on issues where we are not getting compliance.
- **Dirt Road Improvement Plan** – County is doing a disservice to the public by not following that plan.
- **Lighting on I-10 interchange at Gretna and Chattahoochee** – Would like to see a copy of that letter. Send the letter to CRTPA. This is third request to have letter sent.

Commissioner Sherrie Taylor, Chair, District 5

- **June 21, 2011 Meeting Cancellation** Must either reschedule June 21st meeting because it

conflicts with FAC Conference cancel it.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO CANCEL THE MEETING ON JUNE 21, 2011 AND TO MAKE SURE THAT IT IS DULY NOTICED.

- **Redistricting** – Cautioned the public not to get upset about it as no decision has been made.
- **Televising of County Commission Meetings** – It will be back for discussion at the first meeting in March.
- **Additional Patrol Officers for the Sheriff** - Would like to find funds to give the sheriff enough money to add additional patrol officers. No motion was made.
- **EAR** discussion will be on the next agenda to bid out an extension for services.
- **TDC Appointments** – When are new appointments to be made?
- **Evaluation of County Administrator** will be on April agenda.
- Pledged her best to work with everyone and like to work in harmony.

20. Receipt and File Agenda

- a.** Aramark Contract for Uniform Services
- b.** Employee Assistance Contract with Solutions EAP – Eileen McCann, LCSW, CEAP
- c.** Annual Choose Life Specialty License Plate Report to DHSMV
- d.** Letters to Municipalities and Surrounding Counties Requesting their Participation in the cost State Lobbying Services to Prevent the Privatizing of Florida State Hospital

February Meetings:

- February 15, 2011 at 9:00 a.m.

ADJOURNMENT

UPON MOTION BY COMMISSIONER LAMB AND THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, CHAIR TAYLOR DECLARED THE MEETING ADJOURNED AT

Sherrie Taylor, 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 15,
2011, AT 9:00 AM, THE FOLLOWING PROCEEDINGS
WERE HAD, VIZ.**

PRESENT: Sherrie Taylor, Chair – District 5
Eugene Lamb – District 1
Doug Croley – District 2
Brenda Holt – District 4
Nicholas Thomas, Clerk of Courts
Deborah Minnis, County Attorney
Johnny Williams, County Administrator
Jean Chesser, Deputy Clerk

ABSENT: Gene Morgan, Vice-Chair – District 3

INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL

Chair Taylor called the meeting to order at 9:00 AM with a quorum present. She then led in prayer and the pledge of allegiance to the U.S. Flag.

The roll was called by the Deputy Clerk with the attendance/absence recorded as listed above.

UPON A MOTION BY COMMISSIONER HOLT AND A SECOND BY COMMISSISONER LAMB TO EXCUSE COMMISSIONER MORGAN'S ABSENCE, THE BOARD VOTED 4-0 BY VOICE VOTE IN FAVOR OF THE MOTION.

AMENDMENTS & APPROVAL OF THE AGENDA

The following items were added at the request of the County Administrator -- Added Under Awards, Presentations & Appearances

- 1. A --Recognition of School Crossing Guards**
- 1. B --Senator Bill Nelson's Representative Ms. Lynn Banister on behalf of Community Outreach**
- 1. C --Chris Doolin & Associates**

UPON A MOTION BY COMMISSIONER LAMB AND A SECOND BY COMMISSIONER HOLT TO APPROVE THE AGENDA AS AMENDED, THE BOARD VOTED 4-0 BY VOICE VOTE IN FAVOR OF THE MOTION.

AWARDS, PRESENTATIONS & APPEARANCES

- 1. Redistricting Process –Overview**

County Attorney Minnis explained that her power point presentation is being made at the request of the Board as an overview of the Redistricting Process ; it is simply an overview of the process and is not intended as a detailed discussion of all of the 'ins' and 'outs' of litigation – the types of litigation. It is to simply give the Board an idea of what redistricting is, what the law says about it and generally how it was done the last time the County redistricted. In going through the presentation Ms. Minnis noted they will be working off of the 2010 census for this round of redistricting. Included with the slide presentation was a redistricting timeline 2011-2012 for the State of Florida (prepared by the Senate Reapportionment Committee) indicating how the various Congressional and Legislative Districts will be reapportioned. Ms. Minnis also explained that some counties delay redistricting until completion of the state reapportionment process in order to decrease voter confusion on potentially changing districts. She gave examples of potential problems that could occur during the redistricting process, especially if the county does redistricting prior to the State Reapportionment (pages 7-10 of power point presentation document). The presentation included four main topics; (I) What is Required (II) The Process, (III) Prior Redistricting Process in Gadsden County, and (IV) Finalizing the Plan. She again reminded the Commission this presentation is a simple overview of the process and is not a detailed report on the process. Ms. Minnis said Supervisor of Elections Ms. Shirley Knight has agreed to answer any questions the Commission may have.

Chair Taylor said the reason the Board requested this was because of some concerns with lines being drawn and the process in which it was being done. She said the Board wanted to get this information to the community so the citizens will know the Board has not made any decision on what needs to be done in going forward because they don't have the necessary data in place and the information will not become available until April 2011. She asked that everyone remember the part that states "we may or may not" and she assured everyone that will be up to the Board and they will put everyone on notice and will advertise whenever they are to have such a meeting as the Board wants to calm some of the concerns of the citizens and ample notice will be given.

Ms. Shirley Knight, Supervisor of Elections addressed the Board and in response to Chair Taylor's question as to what type of noticing the Supervisor of Elections Office will do prior to – or if they are required to do any type of noticing for the public prior to-- and Ms. Knight stated "The Supervisor of Elections Office is not required to do any noticing – that is the Board – the Boards do all of that."

Commissioner Holt commented that she was on the Board during the previous redistricting and "the County is not required to do it in the first years – you can do it in 13 years, 15 or 17 years, but the bottom line is what we did before was each one of us selected a committee member and I think there were different people from the community that was on that committee and they brought back information and that way we had community input. It was not the commissioners and you don't want the commissioners determining district lines simply because we are the ones that run. We want the community of Gadsden County to decide that; but Reapportionment as the County Attorney has said, the State has to do the Reapportionment first. You cannot go in without confusing the community and redistricting before Reapportionment is done. Let the State do their job and then we follow up after the State, and that way you don't have a lot of confusion for the voters and there's a problem with the ballot as she said and you don't want that. There's no rush to redistrict anyway – there's not any rush – you need to follow what the community wants. Also we worked and talked with the School Board members and said, 'is this alright with you'? Not that we needed their approval as they could redistrict on their own but it just made more sense for the County Commission and the School Board to have the

same districts and that way the people weren't getting different ballots. So, we are not in a big hurry to redistrict – it can only hurt your community if you are. This stuff is nothing new but it's dangerous if you do it in a hurry. It's very dangerous. You know we had bad press in 2000 with the ballot and you don't want that press again saying there's problems with our ballots in Florida. Thank you, Madam Chair."

Chair Taylor "Are there any other comments – Commissioner Lamb?"

Commissioner Lamb "Not a question to Ms. Knight because I've already spoken with her in the past about this redistricting. What we're going to have to realize is really do we need it and I don't think so because our County has not grown that much so we really don't need to get into this until we have to; and we probably won't even have to speak on this until probably 2013 so we just need to back off of this; save time, save discussions and we don't want to confuse our voters. They're already confused and they don't go to the polls like they should now and you mess around and change these lines, you're not going to have nobody going to the polls and we have to consider the School Board because the School Board doesn't have to accept the same lines that we accept. Right now the School Board and the County Commission, as you know, have the same lines and you don't want to do anything to confuse our voters any more than they already are. So, we just need to back off of this and leave it alone."

Chair Taylor "Thank you, sir. Commissioner Croley?"

Commissioner Croley "Good morning Madam Supervisor – always good to see you. I don't really have a question for you. I understand the concern that your office may have about precincts eventually having to be changed or adjusted to track with the districts to avoid confusion and the added costs, especially for your operation. Should changes occur or changes that will occur need to be properly funded for the added expense in your operations. I hope that the County Administrator's Office will work closely with you to make sure that you get those funds that you need in the upcoming budgets. I do have a question for you Ms. Minnis, if I may. Would you explain what is known as 'communities of common interest and their impact in this process'?"

Ms. Minnis "Basically communities of common interest is basically what you said; there's a community of individuals who live in a certain area that have a common interest in business, etc., etc. As far as the impact on this process, my understand is that there is no legal requirement that they – that you group based on that but it has been used in challenges to redistricting programs or redistricting plans that if the entity has used that as their basis or one of their bases for drawing the lines the way they did the Courts have acknowledged those, but I'm not aware that it's a requirement that you have to redistrict on that basis but I know that it has been done in some areas and acknowledged by the Courts as not being an illegal process or illegal consideration."

Commissioner Croley "You mentioned that the Federal – that there was a State requirement that followed the Federal census—"

Ms. Minnis "Correct"

Commissioner Croley "But yet in Chapter 124, I don't recall that it makes any specific mention of —"

Ms. Minnis “There is a separate Statute that basically says that any time you deal with the term ‘population’ in any Statute in Florida, there’s another Statute in Florida – ‘The Definition Statute’ that the population is referring to the census data from the Federal Government.”

Commissioner Croley “Thanks for clarifying that and the State level – and I know Ms. Knight is familiar with this -- there’s a software web site that’s up that’s called ‘My District Builder’ Is that type software being used in the counties so that the public can have input into the redistricting process?”

Ms. Knight “Yes, there is a web site that the public can go on to monitor the redistricting process.”

Commissioner Croley “Ok, and would it be beneficial at the County level if some similar web site were available for Commission districts as well as the School Board districts?”

Ms. Knight “Sure, if it’s available.”

Commissioner Croley “Ok, well I believe we have about a million dollars in computer technology that’s under-utilized so it looks like that may be something that your office or Ms. Minnis might want to share at some time with the IT people. The final thing is because of the level of redistricting that may go on in the State that there will be – there’s only a limited number of consultants that are familiar with this type process. Is that a – I mean there’s not an indefinite supply of them with redistricting going on all over the area; so would it prudent to consider engaging a consultant early on?”

Ms. Knight “Well it decides on when the Board would decide they want to do it. You know, if you want to wait until 2013, you can wait until then to get a consultant.”

Commissioner Croley “Well what I’m trying to say is are consultants difficult to come up with that have expertise in this?”

Ms. Knight “ No, I don’t think so.”

Commissioner Croley “That’s why I asked the question and I was trying to understand if that might be a problem. That concludes my questions, thank you.”

Chair Taylor “Thank you. I want to thank you both for coming this morning and sharing. Thank you Ms. Knight, I know you are very busy. The idea is to give public a rest and as Commissioner Lamb has so eloquently said, it is not that time, but there were some concerns that we wanted to address and I think you all have filled that requirement this morning, so thank you both for your time and efforts.”

The 9th and 12th grade classes of Tallavana Christian School studying governmental procedures in their Civic class were recognized and welcomed for coming to the Board Meeting. These students are studying local government and are attending this meeting in order to observe local government processes.

Chair Taylor addressed the students and stated “On behalf of the Gadsden County Commissioners, we want to welcome you this morning.”

1.A -- Recognition of School Crossing Guards

Chair Taylor **"WE and I do use the term WE in big bold letters want to recognize the School Crossing Guards in Gadsden County. The Superintendent of Schools along with the City of Quincy's Manager, Gadsden County and the Gadsden County Sheriff's Department wants to let the Crossing Guards know how much we sincerely appreciate what you do for our children in escorting them to and from school safe."** She said not only would the crossing guards be acknowledged today with tokens of appreciation, but that they were being honored with a brunch upstairs as well as with gifts which are being provided by the afore mentioned sponsors. Chair Taylor asked that the crossing guards present stand to be recognized and there was a large round of applause by everyone in recognition and in honor of the School Crossing Guards.

School Superintendent Reginald James addressed the Board stating his pleasure and pride in being a part of this recognition and celebration of the County's school crossing guards and for the important roles each of the guards play each and every day in the lives of the students.

Ms. Teresa Moore, representing the City of Quincy addressed the Board adding the City's support in recognizing the school crossing guards and to let them know the City of Quincy is extremely proud of each of them in not only making sure the children arrive to and from school safely, but for the mentoring roles they each play in the lives of the school children of Gadsden County.

Chair Taylor said the City of Quincy and the Superintendent of Schools is graciously sponsoring the brunch, Ms. Audrey Lewis with Parent Services will be assisting with hosting the brunch and the County Administrator has opened his conference area up stairs for the brunch.

Chair Taylor read into the record the Certificate of Appreciation being presented to each of the crossing guards.

***IN GREATFUL RECOGNITION OF (Guard's name) FOR YOUR UNSELFISH AND
OUTSTANDING HARD WORK AND DEDICATION TO THE GADSDEN COUNTY
STUDENTS SERVING AS A CROSSING GUARD AT (name of school)
PRESENTED THIS 15TH DAY OF FEBRUARY, 2011.***

***Presented By: Gadsden County Commission, City of Quincy, Gadsden
County Schools, Gadsden County Sheriff***

School Crossing Guards present to receive their awards:

Mr. Willie Long, Gretna Elementary School
Mr. Amos Murray, Greensboro Elementary & West Gadsden High
Ms. Doris Bryant, James A. Shanks Middle School
Ms. Christie Newsome, Stewart Street Elementary School
Ms. Dorothy Glover (**Absent - ill**)
Ms. Lily Smith, George W. Munroe

Chair Taylor praised each of the crossing guards and said as they are always on post whenever those school doors are open and they brave the weather every morning whether it is cold weather, rainy

weather or blistering hot weather to make certain the students arrive safe. She said it would have been wrong not to say “Thank you. We love you and we wholeheartedly appreciate you.”

There was another round of applause showing appreciation to Gadsden County’s School Crossing Guards.

1.B -- Ms. Lynn Banister, Regional Director and State Director of Community Outreach for Senator Bill Nelson in Tallahassee

Ms. Lynn Bannister briefly addressed the Commission and stated she will be out in the lobby and available to any constituents on Federal Issues they may have; as well as to assist and/or point them in the right direction on any State issues they may have. She thanked the Commission for making the public aware that she will be available to assist.

1.C – Mr. Chris Doolin – Doolin & Associates --

Mr. Doolin briefly addressed the students from Tallavanna High School stating this is a great meeting for them to attend as they will see the relationship of the cities working together with the School District, County, State Legislature and Federal Offices and he wished them well with their education and their futures.

Mr. Doolin said the State Legislative Committee meetings have started, the Governor’s budget is out, the Legislative Hearing in Gadsden County is coming forward next Wednesday evening at 6:00 PM. He said the State Legislature has begun developing their budget and the major issues “we” will face are pension reform, impact of retirement, program cuts and local impacts. He explained that in the areas of pension reform (has not yet taken total/absolute form) is employee contribution of 5% into their retirements as well as some changes in the accrual rates for high risk employees. There is also a proposal to eliminate the cost of living adjustment in retiree’s retirement accounts. There is a proposal to limit, reduce, and eliminate the retiree health insurance subsidy. All of these are serious issues that affect local governments. Mr. Doolin said “We had thought, we had thought that because you have been contributing to your local employee retirement accounts that you would receive a bubble, so to speak by being freed up by whatever that contribution is in the Governor’s budget. He reaches into your revenue sharing and proposes to reduce your revenue sharing by the amount of the contribution that they are freeing you from paying. So, you’ve been paying into these accounts for years and now you will not benefit to the degree of not having to pay those. I know that you are concerned about retirement. This Commission has demonstrated repeatedly the concern about this community – it has high poverty, it has high unemployment – you have worked very hard to improve economic development. You have called repeatedly to protect your economic base. In the area of program cuts, the Governor’s budget has consolidated many, many programs from multiple (dozens) of line items in agency budgets to lump summing them. It is difficult at this time to determine where funding is and we are proceeding to do that. We will understand it and I am just sharing with you that in the proposal of transparency that the agency budgets have been consolidated and it is a little more difficult to see. I think the Governor is proposing accountability to the agency head to spend their money so that’s a new twist. Also there are some fiscally constrained funding – pre-trial detention funding for fiscally constrained counties – we can’t find that in the budget. There are a number of other areas that we

can't find. I suspect they are there in some fashion and we'll get back to you on that. The last thing I would like to talk to you about is protecting your economic development. There has been a 180 degree shift at the State level within the Department of Children & Family with a proposal to privatize the Florida State Hospital and other mental health institutions; also Sunland and another program for people with mental disabilities in Marianna. There's also a proposal to consolidate prisoners to vacant positions and to clearly close two prisons. We certainly want to see those prisons in other areas than rural areas in critical economics. I wanted to come over and share this with you. We are working, the community is working together and we look forward – this is just a proposal. We're very fortunate, Senator Montford, Representative Coley, Representative Williams, Representative Rehwinkel-Vasalinda, they're all working on this, but there is a sense of urgency and it is just a proposal. I've talked with the Clerk about trying to consolidate and assess the impacts on your local governments and you should receive my memo on that within the next month so in order that we can articulate to your legislative delegation how it would be if your recycling funds were cut – how much it will cost your court system on the loss of pre-trial detention for juveniles. Those issues are important; they feel it, they are concerned about it and we will win some but we will be challenged by others, but I can assure you that with all of us working together we will be in the best possible position that we can possibly be when this is over at the end of the session. You have our full commitment and we look forward to working with you."

Chair Taylor thanked Mr. Doolin for his presentation.

Commissioner Holt said this is a concern from counties all around the State – they are concerned with the level of funding – loss of some lump sum funding -- yet they (Legislature) still want the same level of services provided and what some of the counties have done in the past is bus people into Tallahassee during the Legislative Session to let the Legislature know 'if you still want us to do this we will need the funding , if we don't have the funding, we can't do it.' She said Gadsden County has never been that involved (elected officials have, but the citizens haven't), but they must figure out a way to get involved in it because when you talk about loss of programs the citizens blame the County Commission, not those individuals at the State level. She said "We need to hurry up and organize; not just us, but the communities need to do the same thing."

Chair Taylor said she agreed and explained the Legislative Program that has been adopted by the Commission and is being sent over is on tonight's agenda . She said the Legislative delegation will be coming over on February 23, 2011 to share with the County what they are seeing through some of the sub-committees – issues and concerns that the County either needs to rally around or call their representatives about; and at the same time the Commission will have the opportunity to share with the legislative delegation what the County is concerned about. She also urged the students attending today's meeting to be present on the 23rd at 6 PM and join in letting the representatives know what the County wants as well as what they want the County to do in pushing Gadsden County forward. She then stated "we will move the agenda".

1. **Clerk of Courts – Presentation of County Finance & County Clerk Issues (Nicholas Thomas, Clerk of the Courts)**

Clerk Thomas said he had received an email with some questions concerning the Cash Report. He explained that about once per month he usually files the cash report – "It is sent over and filed for the

record). First of all cash is different from the budget – you have a \$42 million dollar budget, but you don't start the year with \$42 million in hand. Revenue comes in at different points or intervals throughout the year. For instance the Ad Valorem Tax – fiscal year starts October 1st and we usually get money from the tax collector about mid-November and generally by March we have received most of the Ad Valorem tax we are going to get. Some of our State shared revenue from the State comes in about once a month. There are some State revenues that comes in; say Tier fuel money that comes in once a year. There's some revenue that you collect on a daily basis so the cash report is really a daily snapshot of what the cash is on that particular day. We categorize it by fund. Also it is segregated by use with a lot of the revenue sources only being allowed to be used for certain things. So, the cash report is broken out by fund so you can know exactly how much money you have on a particular day.” Clerk Thomas said in December they talked about fund balances and how the general fund had improved; however, in looking at the cash report there is one fund that has gone in the opposite direction which everyone knew would probably happen. According to the cash report today, The Transportation Fund has about \$142,000 in cash, but 3 or 4 years ago that would probably have been around \$2 - \$2.5 million so over the years, the fund balance in Transportation has come down. The \$2 million being referring to is in addition to the Bond money – that was not included as it was in a separate fund. So over the last few years the amount of reserves in the Transportation fund has gone down. Fund 313 (Cap Projects – Public Works) shown on the second page of the cash report indicates \$709,917.19 as of today. This fund in previous years would have around \$1 - \$2 million, and even though a lot of work has been done over the last few years, the reserves are down. The end result is the County has a \$4.2 million budget and he is not saying there is a problem with revenue coming in but in terms of having money on hand in the event of emergencies (such as a bad storm that washes out a lot of roads) that a few years ago the County was much better prepared to handle that. He said while the General Fund is in much, much better shape than it was, the Transportation Fund is in a little worse shape in terms of having money on hand for this. Clerk Thomas explained the Clerk's Office is charged with managing the cash as defined in Florida Chapter 2833 – make assessment of County's money --what will be needed right away and any surplus that can be invested. In the past many of those investments were done with the SBA. However, approximately three years ago there was a problem there (SBA) and that has not been as viable an alternative in recent years –they're currently paying less than 1%. He explained that during the past few years and with staying in line with the County's investment policies, the Clerk's Office has invested in money markets and CD's, trying to get the best rate for the County and they will continue with that until such time as the SBA becomes more viable option. No investments are made into anything that is risky – no stock market investments, etc.

Chair Taylor thanked Clerk Thomas for his report and then asked the County Administrator to move forward with the next item on the agenda.

CONSENT AGENDA:

UPON A MOTION BY COMMISSIONER LAMB AND A SECOND BY COMMISSISONER HOLT TO APPROVE THE CONSENT AGENDA AS STATED HEREIN, THE BOARD VOTED 4-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Item 3. Approval of Minutes –

January 4, 2011 Regular Meeting
January 18, 2011 Regular Meeting

Item 4. Ratification of Approval to Pay County Bills

Accounts Payables Dated February 4, 2011

Accounts Payables Dated February 11, 2011

Item 5. Approval to Apply for the Department of Health County Award Grant and Authorize Chairperson to Sign Resolution No. 2011.007

ITEMS PULLED FOR DISCUSSION-- None

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS (3 Minute Limit)

Mr. Sam Palmer had requested to be heard on the use of County Property and Chair Taylor advised Mr. Palmer that item was being brought up later in the meeting and he would be recognized at that time.

PUBLIC HEARINGS: None

GENERAL BUSINESS:

6. Adoption of 2011 Legislative Program (Mr. Charles Chapman, Public Works Director)

Chair Taylor explained the Board has had this item for some time to review and everything she has read appears to be pretty much what the Board has asked for in the past as well as being in association with what FAC is looking forward to for small counties. She then asked for any questions or concerns pertaining to the Legislative Program that the Board will be presenting on February 23.

Commissioner Holt said there are specific items shown in the report that the Board wants to try and secure funding for, but that she is also interested in over-all funding in areas the Board is not specifically looking at; especially in the grants area. She said that isn't something they would normally deal with on the legislative level but if they are out there and are hitting on the State level then the County may not be aware. She said she has asked for a grants writer several times and suggested the Board put that within their budget because what will happen is certain things will hit over at the State – the Legislature will know about it and if there is a company trying to come to Volusia County (for instance) but may suit Gadsden County, Gadsden County may not hear about it. It's not coming through the State Association and the Board needs a mechanism for going after those types of businesses. She said that is why she suggested hiring a grant writer to go after funding because "the Governor is going to cut those other areas; it's going to happen because he has the support in the Legislature".

Chair Taylor said Commissioner Holt is certainly on task with that and that is something they need to look at in their next budgeting session.

Commissioner Lamb said he would like to piggy back on what Commissioner Holt just explained; in the past the Board has suggested that the county needs a grant writer and he asked that staff consider, within the County's budget, a grant writer position for Gadsden County.

Commissioner Taylor explained for the students that these are the things the Board will be asking their Legislators to look at when they come over on February 23rd.

- That they not privatize the Florida State Hospital.
- That they repeal the septic tank law (If this law goes into effect the homeowners will have a \$3,000. To \$5,000. fee to replace their septic tanks.
- Ask that they allow Comp Plan be provided, amended and implemented by the local government – Doesn't want someone from Washington telling the Board how to run Gadsden County.
- Need funding for things like transportation, parks, infra-structure, etc.,
- Need Stimulus money to grow – A county ill die if it doesn't grow

Commissioner Holt added that the County had applied for terrorism money previously as well as disaster center funding on the Federal level. She said she isn't sure if their State Legislators will know anything about this as the County is just getting into their third year with it but at the Federal level the County had been told that before the bottom drops out, and once the County makes it past their third year (just going into the third year) they could then look at the \$23 million they had asked for on the Federal level. She said this is something the Board could consider asking the Legislators about on the 23rd.

Chair Taylor asked that Mr. Chapman add that to the list of things to discuss with the Legislators so that they can reach beyond their corpus and reach out to the Federal Government in Washington DC about the \$23 million.

Commissioner Holt added there were support letters from the Gulf counties for the disaster relief monies and she was sure they would be willing to do that again because of the hurricanes and things that happened along the coast.

Chair Taylor asked that the County Administrator work with Mr. Chapman and follow up on this.

Commissioner Croley said in his review of the 13 page report the majority of it appears to be basically the agenda of the Small County Coalition for rural counties and he asked Mr. Chapman if that, except for the portion on privatization of the Florida State Hospital (which is the largest employer in the County and some of it has already been privatized) is true, and Mr. Chapman responded affirmatively. Commissioner Croley asked what has been decided, specifically, as to how that issue is going to be approached; has there been anything from Mr. Doolin's office and Mr. Chapman said they have not had specific conversation about strategy on that at this point; that they were waiting on adoption of this document prior to moving forward.

Commissioner Croley asked, with the exception of the portion regarding the Florida State Hospital, if the document was the same as every other rural county would have and Mr. Chapman again responded affirmatively and added they felt it would be stronger to have corporate communication on these issues rather than singular.

Chair Taylor said in essence it's universal thought, but everything included in the prioritized list is what the County needs; transportation, safety, health issues, parks. She then called for a motion from the Board.

UPON A MOTION BY COMMISSIONER LAMB AND A SECOND BY COMMISSISONER HOLT TO ADOPT THE 2011 LEGISLATIVE PROGRAM, THE BOARD VOTED 4-0 BY VOICE VOTE, IN FAVOR OF THE MOTION.

7. Approval of Planning Commission Member Appointments –

The County Administrator explained there are currently four positions up for appointment or reappointment –Ms. Diane Sheffield and Mr. Larry Ganus from District 2 and Mr. Willard Rudd and Dr. Gail Bridges-Bright from District 4.

Both Commissioner Croley and Commissioner Holt stated their desire to have the Planning & Zoning Commissioners continue to serve in their respective districts and they have also confirmed the willingness of the four P&Z Commissioners to serve an additional term.

UPON A MOTION BY COMMISSISONER CROLEY THAT MS. SHEFFIELD AND MR. GANUS BE REAPPOINTED TO SERVE ANOTHER TERM ON THE PLANNING & ZONING COMMISSISON FOR DISTRICT 2, AND UPON A SECOND BY COMMISSISONER LAMB, THE BOARD VOTED 4-0 BY VOICE VOTE IN FAVOR OF THE MOTION.

UPON A MOTION BY COMMISSIONER HOLT THAT MR. RUDD AND DR. BRIDGES-BRIGHT BE REAPPOINTED TO SERVE ANOTHER TERM ON THE PLANNING & ZOING COMMISSION FOR DISTRICT 4, AND UPON A SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4-0 BY VOICE VOTE IN FAVOR OF THE MOTION.

8. Discussion of Use of County Property – County Administrator

Mr. Williams explained this had been placed on the agenda at the request of Commissioner Croley.

Chair Taylor “OK, Commissioner I’ll let you lead into this one.”

Commissioner Croley “Well, I appreciate that Madam Chair. The reason that I had requested that this item be discussed was because of some confusion with some of the not for profits that had traditionally made use of the Courthouse grounds for various functions and had apparently run into a problem this year with their application. I think that it’s important that we -- and I am disappointed that there is no background material here , or at least there wasn’t in my book, that would show the application and the current rules that would apply now to the courthouse properties so the Commission could have reviewed those, the public would have been aware of them and we could have taken any input in that would modify or improve those and I’m disappointed that that isn’t here because there is an application and stated on it are various rules, but we don’t have them.”

Commissioner Lamb “Madam Chair –to the Manager please -- Do we have materials concerning the properties in place – ‘is it here, do we have anything written? It’s not in place?’”

The County Administrator responded “Well, we have some scattered rules here and there for park usage and we have some pertaining to the Courthouse, but you can’t put --”

Commissioner Lamb “OK, I think what we need to do instead of getting boiled down on this , and I’m not disappointed in it, but give them the opportunity to give us the information and then we can have something to go by the next time we come. Let’s not get into no big discussion because it’s not here – so give him the opportunity to give it to us so we can read it.”

Commissioner Holt “This was done back in ’01. I requested the Courthouse Grounds and I was told no. I organized the AFL CIO, Steel workers and everyone else—They had a press release in Tallahassee and a press release up here on the Courthouse square and that’s how we ended up with some rules because then I ended up using the Courthouse grounds and so there is a form for it. The Courthouse grounds are already insured they’re open to the public. It is a public facility and we had a big rally and a march and everything in ’01 and we need to hurry up and get this fixed because it’s just a muck in the road and take care of it because it’s un-necessary. It’s un-necessary to have this many people upset. That’s what they’re upset about and if you tell them they can’t use public facilities you’re going to end up with problems, so basically have a simple form so that when they request it, they can fill it out – like for the Courthouse and it should be not just non-profit, but people that need to use the Courthouse grounds. It shouldn’t be a problem on whether you can use it or not, it should be can you schedule it or is somebody already using it and then go ahead and take care of it. We need to look at this later on because it is open to the public property.”

Chair Taylor “OK, it’s only on the agenda for discussion so we don’t really even have to table it so what I say to the Administrator is I’m going to echo my colleagues in saying we need to bring this back with some back up support information to move forward on it. I, too, concur that it is a public facility; those are public grounds – already paid for and maintained by tax dollars and everyone who wants to use it should have access and then you put a process in place so that it will not be misused, but used according to whatever program you want to come forward and use. So, come back with it Mr. Administrator if you don’t mind at a later date and let’s put some items in place so that we can collectively come up with a process that’s fair to all.”

Mr. Williams “I will be glad to.”

Chair Taylor asked Mr. Sam Palmer to come forward if he still wished to address the Board and Mr. Palmer responded “Not really because I think you all have handled it the way I was going to recommend that it is a public facility and should be available to the public. That was my concern.”

Commissioner Croley “To follow up on this item, I would also like to ask Ms. Minnis to take a look at those existing rules, the existing process from a legal standpoint to make sure that when we look at this again that things are done in proper legal framework.”

Chair Taylor “I’m not going to support that because every time she picks up a pen it costs the County so what I’m going to support is that the Administrator bring back to us a dace on this issue. Mr. Administrator get all of the background of what’s in place now and if we have any questions at that time then we can pull them to Ms. Minnis as opposed to her rambling in the dark trying to figure out what exactly it is that we may or may not need. Mr. Administrator , I’m going to ask that , if you can, some time in April or March if earlier that you bring back before us, that we have our discussion and then we will give direction to our County Attorney at that time.”

Chair Taylor inquired of the County Attorney if, since this item is on the agenda and has been advertised for just discussion if anything needs to be done by the Board – to table it, move it – just for Roberts Rules and Ms. Minnis responded since it was just for discussion and the Board was not going to act upon it that she doesn't think so that to simply have **a motion that the County Administrator bring the material back would suffice.**

COMMISSISONER LAMB SO MOVED AND COMMISSIONER HOLT MADE A SECOND -

There was some confusion from members in the audience concerning programs that are already planned and if they will be able to go forward with their plans (Black History Program) and Chair Taylor said those have been approved and they can go forward.

Ms. Gwen Robinson briefly addressed the Board stating there is an application that must be filled out and it is already in the Planning & Zoning Office. She said this was done by her Organization and she has no qualms with it, but simply wanted to let the Commission know there is already a form in place for all of this.

Chair Taylor responded "You got approval and Mr. Administrator you back me up on this because I don't want be over-stepping your authority – everybody is approved and ready to go for February 26th correct?"

Mr. Williams "Oh yeah."

Chair Taylor "We have a motion and second that this item be brought back at a later date per the County Administrator's discretion. All in favor let it be known by saying aye."

MOTION PASSED BY A VOTE OF 4-0 IN FAVOR OF THE MOTION AS STATED ABOVE.

9. Appointment of Committee to Review Impact of Homestead Exemption for Persons 65 and Over – County Administrator

Mr. Williams briefly explained Property Appraiser VanLandingham had previously made a presentation on this particular issue and it was suggested the Committee would be composed of County Property Appraiser, County Tax Collector, The Clerk of Courts, one County Commissioner and possibly one County staff member.

Commissioner Croley said he has discussed this with several senior citizens --t he strongly supports it being reviewed so they can be aware of the options and whether it should move forward. He said he will Move the Committee be Approved whenever the Board is ready.

Commissioner Lamb said this is the item he brought to the County Administrator to be agendaed. He also supports the Committee being approved so they can look at this and see what the impact will be on the County and let them bring back a recommendation to the Board.

UPON A MOTION BY COMMISISONER CROLEY AND A SECOND BY COMMISSIONER HOLT, TO APPROVE THE COMMITTEE AND HAVE THE COMMITTEE BRING BACK A RECOMMENDATION TO THE BOARD, THE MOTION PASSED 4-0, BY VOICE VOTE IN FAVOR OF THE MOTION.

Chair Taylor recommended the Property Appraiser VanLandingham get some additional back up information ; specific number of citizens, amount of money, etc., before he actually puts his committee together.

UPON A MOTION BY COMMISSIONER TAYLOR AND A SECOND BY COMMISISONER HOLT TO APPROVE COMMISSIONER LAMB TO CHAIR THE COMMITTEE, THE BOARD VOTED 4-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Mr. Williams recommend Mr. Arthur Lawson, Asst. County Administrator as the staff member to serve on the Committee and Chair Taylor responded that was under the auspice of the Administrator and did not require Board approval.

10. Nomination of a Board Member to the Florida Municipal Insurance Trust (FMIT) – County Administrator

UPON A MOTION BY COMMISSIONER LAMB AND UON A SECOND BY COMMISISONER HOLT TO ELECT COMMISSIONER TAYLOR TO SERVE ON THE FLORIDA MUNICIPAL INSURANCE TRUST (FMIT) , THE BOARD VOTED 4-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

County Administrator

11. Update on Board Requests (Johnny Williams, County Administrator – Yielded to the County Attorney

County Attorney

12. Ex parte Communication Ordinance, Nuisance Abatement Ordinance, Update on Various Legal Issues (Deborah Minnis County Attorney)

Ms. Minnis said the Ex-parte Communication Ordinance will be coming before the Board at their first meeting in March for public hearing; to receive public and Board input at that time. On the Nuisance Abatement Ordinance which she explained is already in place (since 1988 or 1989 and amended by the Board in early 2000), Ms. Minnis explained this Ordinance is already in place – on the books—and it does create the local administrative board to hear complaints about the Nuisance Abatement Ordinance. She said to her knowledge there have not been any members appointed to that board, but the Ordinance which is on the books allows the Commission to do so. She said she did a brief survey to other counties and has received two responses back -- one doesn't have a board at all, and the other one does have an administrative board that has had no problems with the process. This particular board would handle gang related nuisances, prostitution nuisances, and certain property type nuisances.

Commissioner Croley addressed the County Attorney stating “The question that has come up since our last meeting is about the dirt road paving priorities. The Comp Plan clearly lays out a criteria that is by Ordinance supposed to be followed and there seems to be some question as to whether or not that process has been done. So, I’m going to ask you – Those Planning & Zoning Ordinances -- Comp Plan regulations that were adopted by Ordinance, are they -- what is the legal expectation of those in terms of your interpretation?”

County Attorney “Well, as you know, any Ordinance adopted by the Commission is considered the law of the Commission and of the County. My understanding is that there was a Comprehensive Plan Amendment adopted and an Ordinance adopted with regard to paving of roads and the criteria to use in paving of roads that was based on a settlement that was done under the Department of Community Affairs and it set certain things in place that were supposed to take place every year. There was supposed to be a review and re-evaluation of roads. There was a list created so basically since that list in the Comprehensive Plan and the Ordinance is out there, that is the mechanism that is supposed to be used and the process that is supposed to be followed.”

Commissioner Croley “Ok, I’m going to come back to you with one follow-up questions, but – Mr. Administrator, has that process been used for the dirt roads that we’ve been provided with?”

County Administrator “Not during my tenure here which is less than two years.”

Commissioner Croley “Ms. Minnis, if the citizens wish that process to be followed, what is their course of relief?”

County Attorney “One avenue could be a mandamus issue; the other avenue would be whether there was any involvement by the parties to the Settlement Agreement to enforce the Settlement Agreement in general.”

Commissioner Croley “Could you explain that ‘mandamus’?”

Ms. Minnis “If I am ordered to by the Board I will explain mandamus but usually –and since I represent the Board, I don’t normally explain to people how to proceed against my client.”

Chair Taylor “You’re not ordered to by the Board.”

Commissioner Croley “Basically it’s a process whereby any citizen can go and get a order that we’re to follow the Ordinances, is that correct?”

County Attorney “That’s generally the way it’s –”

Commissioner Croley “Thank you, thank you . I’m done”

Chair Taylor “That being said, I’m going to address this particular issue real quick. There is a list of priority items but the street in question meets those prioritized items – yes there is daily traffic on that road, yes there is maintenance on that road and a few other items that that particular street does meet and it’s a dirt road. The origin of this particular Ordinance came up some years back. As the

Administrator has shared with you, we haven't even put it in place in years. The reason being there were more dirt roads than there was money and because there was more dirt roads than there was money, an engineer was brought in to prioritize paving. When they had a prioritized list Commissioners did not go by that list. Rich Bay Road was number one and the Commissioners chose to do another road which brought about the suit. This being so many years ago and there being so many dirt roads and a limited amount of money but now most of the dirt roads are paved. Money and roads now begin to match each other. When they came up with this Ordinance it wasn't even with this small road in mind. This Board has voted Mr. Administrator to move forward on it and we're going to move forward. There are other roads that have been paved – dirt roads or what have you with no questions having been asked, so bring what you may. I don't want to see this being held up. Daily activity and mail trucks going up and down that road all day – so do citizens who are working, up and down that road all day so let's pave the road. Let's move on – Discussion Items by Commissioners --Commissioner Lamb"

Discussion Items by Commissioners

13. –

Commissioner Lamb – District 1 – Discussion of Additional Patrols for District 1

"Thank you, Madam Chair. Just to speak on that situation on that road. The majority of this Board has spoken so we don't need to dwell on that anymore. The administration will carry that vote out and this should start the process. We should not labor on that anymore on this Board."

Commissioner Lamb then commended the Advisor for Tallavana School and the students for being present at today's meeting and he expressed pleasure at having the students observing the Board. Commissioner Lamb said he would still like the Board to consider trying to find some additional funds somewhere in order to add additional patrols in District 1 as they are having a lot of problems with break-ins, etc., and he said hopefully the Sheriff and the Administrator can get together and come up with something to be brought back to the Board for the Board's consideration.

Commissioner Croley, District 2 – Report and Discussion on Public Issues and Concerns Pertaining to
Commission District 2 and Gadsden County

"Madam Chair Would you give me a minute more here – maybe go to Commissioner Holt – I had a note here I wanted, and I'm having some technical problems and then I will come back?"

Chair Taylor "Yes, sir. I'll respect your request. Commissioner Holt?"

Commissioner Holt, District 4 –

Commissioner Holt "Yes, thank you Madam. That only gives me the opportunity to retaliate later and I want that to be the request."

Chair Taylor "Now Commissioner Holt, as rule of reg., if you are not called out personally I will not allow any retaliation."

Commissioner Holt "I'm talking about according to the subject, because the subject may be about me but you never know because you can always step around using the name – So I want, or I will wait on him."

Chair Taylor "I will use my discretion at that time. Commissioner Holt --"

Commissioner Holt "Well at your discretion, OK, well that is questionable. There are several things that I have on the agenda and I'm going to go over them quickly. A couple of things I wanted to know --

- The manager was supposed to give me an evaluation of the day to day operations of the Manager and what our involvement can be in there as far as his evaluation and that's a question for the attorney."

Chair Taylor "Are you familiar with the request?"

County Administrator "About evaluations?"

Commissioner Holt "I requested it two weeks ago. This is for the attorney."

Chair Taylor "Oh, you wanted an evaluation on the attorney?"

Commissioner Holt "No, the question is I asked the attorney about the evaluation -- the County Commissioners evaluation of the County Manager's day-to-day performance. I asked that at a previous meeting simply because we're getting a lot of law suits and I need to have some information on that."

Ms. Minnis "I apologize Commissioner. I didn't realize that that was an assignment for me to bring back to the Board. I remember the conversation about the evaluation or looking into the day-to-day and I apologize. I didn't understand that to be an assignment for me to bring something back to the Board."

Commissioner Holt "Right. We really need this, I think Madam Chair as this is very important to the Board because these law suits are not going to stop and --"

Chair Taylor "Yes, and let me share with you – in April it is his evaluation and I think at that time we are going to have some opportunities to discuss what is happening previous and what is happening forward --"

Commissioner Holt "I understand what you're saying but my concern is this. We need some clarification; legal clarification before then because what happens is this. Once all of this stuff is laundered out in the public it becomes a problem. It doesn't need to get to that point. The bleeding has got to be stopped somewhere so where do we stop it at? We need to be on legal standards and that's why I'm asking for an opinion from the attorney because it is costly. It's going to become very costly. Where do we have – you see a contract has two sides at least – the manager agrees to his side and the County Commission agrees to the other side. He has to perform and the Commission has to perform. Where is it that there's a lack of performance if we're in Court. So with a yearly evaluation you can call to question that, but if there are problems right along then you have to come back and see do you need to re-evaluate our process. We need to know that. So that's what I'm asking."

Ms. Minnis “So, for protocol purposes is that voted on?”

Chair Taylor “Yes, it will have to be a voted on issue and today we don’t have a full board. I understand what she is asking for and that is to just legally look at the contract and to see where performance weighs out productivity. You see what I’m saying – here’s your performance and here’s what you are producing, or here’s your performance and here’s what your cost is. So there are some issues and I think, Commissioner, you are going to be OK and what we’re going to ask is that at our next meeting that we have a full board sitting that we will go in the direction – because this is a very sensitive subject when you’re talking about the County Administrator. We will get a vote and have you to look into this a little bit more in depth and then you can get with Commissioner Holt to make sure you get her needs down once we get a majority ruling on this thing.”

Ms. Minnis “OK, and at this point it’s just a review of the contract?”

Chair Taylor “It’s just a review of the contract and just be prepared to go into depth a little bit further so that we can be able to intelligently review what’s going on in April so we probably will need to do that prior to –”

Commissioner Holt “Also concerning that, what do State Statutes say, what does State law say on that, what the Board’s obligations are.” She also said the County needs to get together to set some type of goals and objectives as to where the County is going -- because that is a concern of the citizens – they want to see what the County’s needs, goals and objectives are and they want to know about jobs – very concerned about jobs – job training, etc. She asked for an update, information on Medicaid rebilling and Mr. Price explained he is still working on this issue, is waiting on more figures and hopes to have additional information for the Board within the next month.

Chair Taylor responded to Commissioner Holt’s comments by saying that she knows the Medicaid issue is being addressed and worked on and that she doesn’t believe the dollar amount of those claims (when administration decides not to pay a claim and it is sent back, then you are dealing with 10 years of claims) will be at the magnitude that Commissioner Holt is anticipating they will be.

Commissioner Holt said she has spoken with Ms. Lombardi with the State and Ms. Lombardi has assured her \$600,000.00 probably is not going to be enough per year to cover the County’s costs.

Ms. McLendon said she is not certain of what the dollar amount will be that is forthcoming. She has given Mr. Price a printout of what has been paid out in past years and it has not exceeded \$600,000.00 since 1994. She said that is all she can tell the Board as she doesn’t know the amount that has to be re-billed at this point. Ms. McLendon asked if the bills will all be coming in all at one time, because lately they’ve been coming in a few at the time, and Commissioner Holt said in looking at the re-bills, it was her understanding from Ms. Lombardi that the last billing was just \$15,000.00 short of the \$600,000.00 and that Ms. Lombardi stated they will be going back to 2001 (rather than just 3 years as the County had anticipated). The State now has a new computer system and that is why they had not been sending the re-bills, but now their computer system is up and running. She said she is looking at the backlog and the State going back to 2001 -- if there is any type of statute of limitation on how much they can go back and charge the County – just like other counties are doing in trying to nail down an amount they

will be billed. Commissioner Holt said in doing that, the County will know how to budget for it – do we have enough to pay for it, do we need to pinch off some from somewhere and save up (which the County is not currently doing) to cover these costs? She also said Ms. Lombardi said the bills will not ever go down. Ms. McLendon explained if the State goes back to 2001 those claims will also have to be reviewed to see if they qualify at this point and she agreed with Commissioner Holt's statement that if the County does not pay, the State could take the County's tobacco/cigarette revenues, but that is only if the County should ever fail to pay.

- Commissioner Holt asked the County Administrator for numbers on what it cost the County for the preparation and care coming up to the trial on the horse; what it cost the County for the horse -- not the cost of the trial. She said she has e-mails from individuals requesting that.

The County Administrator responded he wasn't sure he has that information and that he believes it's been addressed to the Clerk of the Court before for the same information."

Commissioner Holt said she was asking him – said she was asking Madam Chair that the County Administrator give her the information she has requested. She said that would be the total it cost the County – the Sheriff's Department will also be asked for the same information.

Chair Taylor addressed the County Administrator that on the request for costs that she believes it's public information because any time County money is spent it becomes public information and that she doesn't believe Commissioner Holt's request is outlandish and Mr. Williams said he isn't sure the County actually ever spent any money.

After additional clarification and discussion as to exactly what Commissioner Holt has asked for, Chair Taylor asked that the Administrator provide the information as requested by Commissioner Holt.

Commissioner Croley – "Thank you Madam Chair for allowing me additional time to find the e-mail I was looking for, but before addressing this particular subject, I want to recognize the Tallavana school students and their instructors. Thank you for attending this morning." He said Tallavana School is in his District (District 2) and the Tallavana School's church facility has been gracious for several years now in hosting an annual Spring Report Back District Meeting – District 2 and hopes they will be able (said he is sure they will) to do it again this year; that he hopes the students will be able to attend and learn more about County government, and issues that are going on. He said the item he wanted to bring up is an item going through the Capital Regional Planning Transportation Training Program Agency that has a deadline of February 24th. He explained CRPTA is soliciting transportation enhancement applications for non-motorized transportation so it enhances opportunities used by bicycles, sidewalks; things of that nature. He explained e-mails have been sent out to all officials throughout the County, but if any one has anything in their District that they can let the County Administrator know and maybe get that in on the 24th. Commissioner Croley explained his last item as being a letter from the Soil and Water Conservation District pertaining to the roofs. He said it ties in with questions he has had before (as well as other commissioners) about roofs in critical condition, for example the Records Center that is leaking on records of the Clerk's Office, etc., -- He said all of these leaking roofs need to be addressed prior to getting into the summer monsoon season and he hopes a report will be brought back letting the Board do what needs to be done.

Commissioner Morgan, Vice Chair District 3 -- Absent

Commissioner Taylor, Chairperson District 5 – Discussion of Future Meetings with Municipalities
(Individually Regarding Lobbying Services Covering: Goals and Objectives, Growth and
Development, Public Safety and Health Issues

Chair Taylor said they need to begin scheduling community meetings with the other municipalities (City of Gretna, Chattahoochee, Greensboro, Midway, Quincy, Havana) so they can begin establishing goals as a County -- one goal going forward in establishing goals and objectives for jobs, growth, public safety and health issues; they need to know what each other is doing and what each other may need help in doing. The Chair and the Administrator will get together to work out the details and will bring it back before the Board before starting to schedule in order that everyone has an idea of the concept they will be looking at in scheduling those meetings (Agenda will be provided). She briefly mentioned the KISS Program (two or three new programs the Sheriff wants to introduce to the Community) and invitation from the Sheriff and said she hopes everyone will attend but she reminded them they need to RSVP the Sheriff. Chair Taylor addressed the roof issue and said it is imperative that the roofs be repaired and if they can't find the funds to do it that they may have to go into reserves – roofs must be fixed. She said she had attended (chaired) her first Apalachee Transportation Disadvantaged Meeting—very well organized meeting and one of their main issues is that they will need additional funding to keep the shuttle going between Quincy and Tallahassee. She said they have been doing an outstanding job in getting people to and from work, to and from school, to and from the malls, etc. and it has proven to be a need as opposed to being a want because of the ridership they have shown. She said she has asked them to come in a little later on to do a presentation and they will be looking for somewhere in the neighborhood of \$35,000 and Chair Taylor said she certainly wants to support that because it is an opportunity to bring revenues back into the County.

Chair Taylor said in the one meeting she missed in going through the budget process they took out the funding for emergency repairs. She asked that the Administrator look at and bring back some ideas (said she spoke with Co. Administrator yesterday and that Mr. Price (OMB) has identified a funding source) – She asked for a motion to have this item be placed on the agenda – For Emergency Repairs to be Agendaed for Discussion Later for putting funds from another area into Emergency Repairs to help folks that can't afford to fix floors, windows and doors.

COMMISSIONER LAMB SO MOVED AND UPON A SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Chair Taylor said the County's Constraint funds are in the County's coffer -- \$189,000.00 has arrived.
CHAIR TAYLOR MOVED TO HAVE THIS ITEM AGENDAED SO DIRECTION CAN BE GIVEN TO THE COUNTY ADMINISTRATOR ON HOW HE IS TO MOVE FORWARD ON WHAT THE BOARD COLLECTIVELY WANTS TO DO WITH THOSE CONSTRAINT DOLLARS AND UPON A SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Chair Taylor briefly addressed concerns over issues that have gone into the community on various law suits, etc., and she stressed the importance of working together. She said "One thing I would like to say to my colleagues -- creating them and influencing citizens to file for them does not stop at just you or

just us. Any time we create a law suit by walking or stepping outside of our authority as Commissioners we cost the people that are sitting in front of us money. Any time we motivate people to file law suits it does not stop at you. It costs the citizens. Every time we create this obstacle for this Board and for this County it costs the people that we are representing, so to all of my colleagues sitting on this Board, I have preached from day one, let's work together. Mr. Administrator, there are five commissioners that must be respected at all times. Not one, not two, not three, but five of us so any time we reach beyond our authority and our authority as we walk out there on our daily journey is nothing. We are no more than commissioners – we can't move anything, we can't recommend anything, we can't tell anybody anything. We are power in numbers and that's the five of us and that's the only time that we have authority. Anything outside of that causes concerns and issues for this County; for the 49,000 plus citizens that we represent. We need to be mindful before we take these actions. Please, let's try and work together. I pray for every one of you all during the week that our minds and our hearts think of the 49,000 plus before we think of ourselves."

Receipt & File

14.

- a. For the Record – Letter to Leon, Calhoun and Liberty County regarding Florida State Hospital Lobbying Cost
- b. For the Record – Letter to DOT Regarding Safety Enhancement Lighting Improvements at Gretna Greensboro and Chattahoochee Interstate 10 Interchanges

February Meeting – Tuesday February 22, 2011, Joint BOCC/GHI Board Meeting at Hospital 5:30 PM

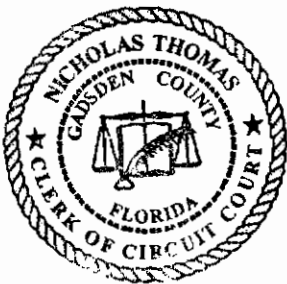
March Meeting (s)

March 1, 2011, Regular Meeting 6:00 PM

March 15, 2011, Regular Meeting, 9:00 AM

Motion to Adjourn

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD AT THIS TIME, CHAIR TAYLOR DECLARED THE MEETING ADJOURNED AT 10:45 AM.



Sherrie Taylor
SHERRIE TAYLOR, CHAIRPERSON

Michael Strang

February 15, 2011

AT A JOINT MEETING OF THE BOARD OF COUNTY
COMMISSIONERS AND GADSDEN HOSPITAL, INC.,
HELD IN AND FOR GADSDEN COUNTY, FLORIDA ON
FEBRUARY 22, 2011, AT 5:30 PM, GADSDEN
CAMPUS OF CAPITAL REGIONAL MEDICAL CENTER,
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ

PRESENT BOARD OF COUNTY COMMISSIONERS:

Commissioner Sherrie Taylor, Chair
Commissioner Gene Morgan, Vice-Chair
Commissioner Brenda Holt
Commissioner Eugene Lamb
Commissioner Doug Croley
Nicholas Thomas, Clerk of Courts
Johnny Williams, County Administrator
Mike Glazer, Assistant County Attorney
Jean Chesser, Deputy Clerk

PRESENT GADSDEN HOSPITAL INC.,

Craig McMillan, Chair
Herb Sheheane, Vice-Chair
Dr. Charles Kent
Senator Fred Dudley
Scott Whitehead
Jimmy Suber (Participated via Conference Call)
Absent: Ms. Shelia Atkins

The meeting was called to order by Board of County Commission
Chairperson Sherrie Taylor at 5:40 PM with a quorum from both
Boards being present.

Chair Taylor read the agenda into the record stating this is a
Joint Meeting -- being a Special Meeting of the Board of County
Commissioners of Gadsden County and the Regular Meeting of the
Board of Directors of Gadsden Hospital, Inc.

Chair Taylor asked for any amendments to the Agenda and GHI Chair McMillan requested Item # 5 be heard first as Dr. Santana (EMS Director) has to go back to Capital Regional concerning some patient issues and will need to leave shortly but he would like to briefly discuss EMS Protocols and answer questions either of the Boards (BOCC/GHI) may have.

V. DISCUSSION OF EMS TRANSFER PROTOCOLS - Dr. Jose Santana, EMS Medical Director - Don Crum EMS Chief

Dr. Santana introduced himself as being the EMS Medical Director since December of 2010 and briefly explained issues which they have addressed and been able to change during the past several months -

- Reviewed all EMS protocol for Gadsden County
- Have been able to amend/change some of the medications used on the ambulances
- One of the ambulance medications that has been changed is a less costly nausea medication which causes less problems through an IV and much easier to use.
- Developed an educational curriculum for EMS.

Dr. Santana will hold a three hour lecture on Strokes that will basically be a full education on everything - Stroke, Transient Ischemic Attack (TIA or Mini stroke) and an interactive educational experience also. He will be explaining Virtual Neurology to EMS personnel (a very innovative process that is being used by CRMC and will be used at the Gadsden facility) -- patient comes in with obvious signs of a stroke and through the virtual neurology process with a specific group, it brings hospital medical staff the capability of having a neurologist specifically trained in strokes to evaluate the patient within minutes of presenting at the emergency department. Dr. Santana explained this is a process used throughout the United States; something that can deliver thrombolytics and then possibly transfer that to another facility. He said this is just starting up in the Gadsden facility; thus the reason for the educational training. Dr.

Santana also briefly reviewed the **2.17 Patient Transport Protocol for EMS** -- **Code 1** very basic transport for minor problems - toothache, cold/flu symptoms, minor injuries, minor MVC - **Code 2** transport of patients who are thermodynamically stable with minor possibility of change. Should Paramedic determine there is beneficial reason to go to a Tallahassee based hospital (i.e. past medical history, doctors at other facilities, gravity of disease, pregnancy, psychiatric etc?) Should request for by-pass be requested from patient because of previous conditions, etc., paramedic will immediately contact the EMS supervisor on duty for further clarification, instructions **Code 3** - Patients that are determined by paramedics to be unstable need to go to the closest appropriate hospital that can handle that particular patient's needs. Should a situation arise over the transport destination the paramedics will immediately contact the EMS supervisor on duty for further clarification, instructions - **Code 4** Patients that are in cardiac/respiratory arrest must be taken to the closest hospital at the time of the medical arrest - **Code 5** If transporting a patient that is already under the care of a physician and the physician has ordered the patient be taken to a specific local hospital then the patient will be transported to the specified hospital as requested by the physician.

Dr. Santana also explained that the Gadsden County EMS supervisor on duty can override a patient request to go to a Tallahassee hospital or divert an EMS transport unit from going to a Tallahassee hospital for the following reason - Gadsden County EMS is down to its last transport truck in the County. This will ensure that Gadsden County EMS does not deplete its resources for County Wide 911 Emergency Response.

Commissioner Holt inquired as to how a patient could handle a dispute over the type of code made by EMS classifying a patient while on the ambulance and Dr. Santana said those disputes would have to be handled on a case-by-cases basis and the patient should contact Chief Crum; said he and Chief Crum would review/handle any such dispute.

Chair Taylor thanked Dr. Santana for his presentation as there have been questions about how patient conditions are determined - whether they will go locally or whether they will go to Tallahassee and that Dr. Santana's presentation has cleared up a lot of those concerns and issues and that his report does indicate that at times the EMS supervisor could over-ride a code and that being in the event of a limited number of trucks available and they are needed back at the operation. Chair Taylor said this information needs to be put where everybody can learn, understand and know what the procedures are and that will help defray some of the phone calls they have been receiving.

Dr. Santana said not much has really changed with respect to the Patient transfer protocol other than just more of a clarification that this is a facility that is present, available, functioning and it's hard to by-pass a place when it can serve the needs of the area.

Mr. Maximo Martinez of the Health Council asked if Dr. Santana could provide the same type presentation, and/or information to the Health Council as he felt it would be very beneficial to them and Dr. Santana responded affirmatively.

II. AMENDMENT TO ARTICLES OF INCORPORATION AND THE BYLAWS OF GHI, INC. - Mike Glazer, Assistant County Attorney

Mr. Glazer explained the process both the GHI Board and the Board of County Commissioners will need to follow concerning the Articles of Incorporation and the Bylaws. If changes are acceptable they will first be presented to GHI, Inc. for a vote and if approved, they will then be presented to the Board of County Commissioners for a vote. He said all of this basically began when Finance Director Connie McLendon advised they had received an inquiry from the County auditors about a provision that has been in the Articles of Incorporation for some time and one that nobody has really paid much attention to; a requirement that annually Gadsden Hospital, Inc., will do an audited financial statement. Mr. Glazer said in reality all of the financial affairs of Gadsden Hospital Inc. are

really rolled into the County's books anyway, but the original Articles required a separate audit. Particularly given the very limited role that GHI has with the County it seemed to make sense to save the County money that they abolish the requirement to require an audited financial statement annually. If circumstances change and the County still wants to do one the Board of County Commissioners certainly has the authority to do one, but it seemed prudent as a cost-saving measure to simply get rid of the requirement for a separate annual audited financial statement for Gadsden Hospital, Inc. Mr. Glazer also explained other proposed fairly minor changes to the Articles and the Bylaws.

Chair Taylor called for any questions or comments regarding the proposed changes to the Articles of Incorporation as explained by Mr. Glazer.

Senator Fred Dudley, GHI Board Member, raised questions concerning page 2 of the Articles with regard to all of the 'powers' and given the fact that GHI no longer holds the lease if it would be better to say "as designated or delegated by the Board of County Commissioners". He asked as an example if he had the responsibility as a member of the GHI Board to operate and/or maintain a hospital; said he thinks not under the current arrangements yet these by-laws give him the power to do that and he has always thought that when you have the power to do something, the responsibility is right behind it. He said it would give him some comfort to say 'these are our powers but they must be triggered by something from the County' and he asked if this is something that could be looked into.

Mr. Glazer said it is something they could certainly look into and he then explained his thoughts being that GHI has always had a bunch of powers that they have never exercised and that he was trying to make as little change to that as he could, with the idea being to preserve the powers in the event that should ever become necessary. He said if Senator Dudley was asking if they could make it more clear that they don't have to do it unless delegated then the answer would be

"Yes, you could", but frankly GHI has had that issue from day one.

Senator Dudley responded not really, because GHI had the lease of that property from the County and had been exercising ownership subject to the County's rights. GHI was exercising that option and they could have stepped in here, operated and maintained a hospital.

Mr. Glazer responded that was true during that period of time but prior to that, they didn't have that option. He said he is pretty comfortable with the way it is now, but is open to any direction from the Boards.

Senator Dudley "If you are telling me on the record that I don't have a legal responsibility to operate or maintain this facility then I'm good enough with that."

Mr. Glazer "It's my opinion that you don't."

Senator Dudley "Okay."

Commissioner Croley asked exactly what role is contemplated for the present GHI Board.

Mr. Glazer responded there really is not a whole lot for GHI to do at this point, but urged that the Commission remember there was a period of years when they basically did nothing.

Commissioner Croley agreed and stated there was also a period of years when the County Commission didn't necessarily do all that it should have done either or perhaps they wouldn't have gotten into the situation that they found this facility in. He said his concern is that he wants to avoid that ever happening again if at all possible and in that regard he would like to know how that position will relate back to the changes Mr. Glazer is proposing. He said he sees it as being very important that the GHI Board be actively involved in the over-sight of working with the Capital Regional Medical Center people, giving them support and being an advocate in a

lengthy communication between Capital Regional, the community and the Board of County Commissioners so that there is no repeat of just saying 'well you guys are on your own and we hope you are successful'. He said the GHI Board should be actively engaged in some way.

Mr. Glazer explained the changes he has proposed will do what Commissioner Croley suggested because at one point the GHI Board was basically one dimensional which was running a hospital; but the proposed changes more clearly recognize that their role may be a little bit different and ultimately it will be up to the County Commission to decide what they want to ask the GHI Board to do.

Commissioner Croley briefly addressed the desire to reduce the cost by removing the financial statement requirement. He said an audited statement is probably inappropriate, but if there are any public monies going into the hospital then some sort of audit could be done - may be nothing more than a review or a calculation.

GHI Chairman McMillan responded to Commissioner Croley that this came up by a call from Connie McLendon, Finance Director. He said all of GHI's records and any monies GHI had went through the County's audit -- He said it is getting audited and there was no reason for GHI to go out and do a separate thing when it's already going through the County's audit.

Clerk Thomas said in the County's Audit being prepared now, they have taken all of GHI's financial transactions and prepared a trial balance and financial statement which will be fully incorporated into this year's (FYE ended 9/30/10) County Audit. He explained the Auditors are basically saying GHI is a dependent unit of the County because the County did give GHI a significant amount of money which is pretty much their sole source. Clerk Thomas said he is comfortable with the proposed change as explained by Mr. Glazer.

There was some discussion concerning page 6 of the Articles - Article XI which names Clerk Thomas (by name) as the Registered Agent and Mr. Glazer explained that when this was originally set up a person had to be designated and when this was written on day one, Clerk Thomas was the Clerk. Mr. Glazer said if the Boards so direct, that can be changed to simply reflect "the Clerk", or whomever they wish to make the Registered Agent. Mr. Glazer said the fact of the matter is, if Mr. Thomas wasn't the Clerk any longer, they would come back and name someone else.

Chair Taylor said she feels it should remain as stated on page 6 of the Articles because Clerk Thomas is the Registered Agent for the County; she asked Mr. Glazer if that was correct and Mr. Glazer said he believes that is correct - and he is for other purposes.

Chair Taylor said with the State, a person (by name) is shown as the Registered Agent and that way if anything comes up they have a name and not just the position. The name is filed as the Registered Agent. She said it is Okay as is.

Commissioner Holt said she is in favor of an independent audit for GHI, even if the Board decides not to do it later on they need at least one to just seal it off that they aren't running any more independent audits and then be through with it. She said it shouldn't be included in the County's audit and that she feels pretty strong about an independent audit. She also addressed the Chief of the Medical Staff being required to be on the GHI Board and she asked if there is a Chief of the Medical Staff of the Emergency Room.

Mr. Glazer explained Capital Regional has a Chief of Medical Staff, but they have no connection to the County.

Commissioner Holt said the Chief of the Medical Staff of the Emergency Room needs to be on the Board - somebody that sits on the Board and deals with this facility that can say 'this is what's going on' - needs to be on the Board and meet with

the Board whenever they meet and that she has no problem with it being someone from CRMC. She said since this is a hospital board, you should have more people that deal with medicine on the Board and they can look at things from a different point of view and that should be a requirement.

In dealing with the financial audit, Senator Dudley suggested as a possible compromise stating in the Articles "We shall annually report to the County any income and expenditures we have realized which shall be audited by the County". He said that way if GHI has any public monies they have to tell the County all about it, and the County gets to audit it just as they would any other activity and if there is a problem then it comes back to GHI. Commissioner Holt agreed with Senator Dudley and said she feels that should be a requirement.

Mr. Glazer responded that problem may actually be resolved in Article 8 Operations, Section 8.4 Annual Budget, Page 16-17 Bylaws -- Remove the requirement for the audit but leave the requirement in about the budget, if the County so chooses. He explained a budget, by definition, would be required to go through the County so that may already be there to the Boards' satisfaction because it will be in the Bylaws.

Commissioner Holt raised questions concerning sovereign immunity and asked if GHI was not able to get an insurance policy, if there was a policy for GHI and GHI Chair McMillan explained GHI is covered under the County's umbrella.

Commissioner Holt said, "If I remember correctly, we decided they would be a separate Board. Some of the Board members said they wanted to be separate and at that particular time is when an insurance policy should have been got."

Chair McMillan "They're covered under the County's umbrella through the Florida Association of Counties Trust Program. You could buy another policy but why would you do that when they're already covered; just like any other board - the zoning board or any other board?"

Commissioner Holt "Yeah, I know about those, but what I'm saying is then there is no reason for sovereign immunity."

Chair McMillan "Yes there is and it was Thornton Williams who was very specific about trying - making sure there was sovereign immunity there because then it limits the liabilities. There's a bunch of us who serve on this Board and if we don't have sovereign immunity then just disband me. It's just like with ya'll if ya'll don't have sovereign immunity."

Mr. Glazer said the GHI Board is being treated no differently than any of the other boards; they have sovereign immunity which covers part and the County's insurance covers the rest.

There was additional discussion as to whether every board appointed by the County has sovereign immunity and Chair Taylor said they will let the discussion stay right here about sovereign immunity for the GHI Board and will direct the County Administrator to look at all of the other boards to make sure they are all covered.

Chair Taylor briefly addressed Article XIII of the Articles of Incorporation and said she agreed with Commissioner Croley's earlier comments that they are spending State dollars, tax dollars so there needs to be some kind of trail - not an audit but just to make certain that all of the revenues and expenses go through the Clerk's Office.

Senator Dudley said he doesn't think the problem is with the first paragraph of **Article XIII** (page 7 of Articles of Incorporation) because all it says is the County has to give GHI a budget so if the County doesn't give GHI a budget it shouldn't trigger anything, and he then suggested the second paragraph be replaced with the following language: "If the County approves a budget for GHI, then all expenditures and income must be included in the County Audit". He also said they may also want to leave the first paragraph in rather than striking it, because that way if the County does give

GHI a budget all of the GHI records will have to be turned over to the County so paragraph one would be appropriate.

Mr. Glazer said when they are ready to vote on the Articles that he would like someone to make a motion on that effect if that is the Board's wishes. He then reviewed the GHI Amended and Restated Bylaws as being a more detailed document than the Articles of Incorporation and a broad outline of what the powers of GHI are. He went through each of the proposed changes.

Clerk Thomas clarified for the Board that GHI has been determined by Purvis Gray to be a dependent unit of the County; that basically the former auditors should have been auditing GHI and Purvis Gray has said they will audit this organization regardless, and the County will have to pay Purvis Gray to do the audit - He said they could have a separate audit, but he wanted to make sure the Boards understand that GHI will be audited by the County's Auditors Purvis Gray.

Mr. Glazer responded to the Clerk's comments concerning the audit and the proposed changes to the Articles and Bylaws (**Section 8.4 Annual Budget and Audited Financial Statements**) and that based on those comments, the proposed changes may not need to be made because it's going to happen.

Commissioner Croley said he would like to see at a minimum, an annual report to the Board of County Commissioners from the Hospital Board regarding their oversight and partnership in working with Capital Regional for the operation of the Gadsden facility. He said he would like to know that Capital Regional has a 'support mechanism' so that if they have needs that may not be getting to the Board that they have an intermediary that can bring those things that may need to be considered to the attention of the County Commission. He said he also wants to know that at least once a year in some capacity that the Hospital Board is looking at the performance and quality of care being provided by Capital Regional so that the citizens here are well served. He said

he is well satisfied with what Clerk Thomas has said concerning the financial matters as it sounds like they are going to be audited; that his concern is he wants (inaudible) to have that support and that he isn't sure he is getting that from these Bylaws and he doesn't understand --

Mr. Glazer said there is not a requirement for an annual report and suggested Commissioner Croley may want to ask the GHI Board about that but he did explain that in the lease with CRMC they are required to make certain reports to the Board of County Commissioners; tonight being one of those but that actually doesn't affect GHI.

Commissioner Croley asked if they don't have anything constructive for the Hospital Board to contribute then why they would even exist.

Chair McMillan said that was an excellent question and one of the reasons they are here tonight - to find out what they are going to do next, or not do anything --

Commissioner Croley said he wanted to state "The GHI Board is a group of citizen volunteers who have given freely and countless hours of your personal time for the benefit of the citizens of this County." He explained how much he and the other Commissioners appreciate the GHI Board's hard work on behalf of the citizens of Gadsden County, but they need to have something constructive for the GHI Board to contribute.

Commissioner Holt said she likes the idea of having an annual meeting but one of her main concerns is who from Capital Regional will be reporting on issues at the facility. She said she needs a direct place (name) to refer citizens to when they have concerns or issues. On the annual report on the budget that she understands that, but not saying that it's suggested by the GHI Board, but saying being required by the Commission so that it is the Commission requiring it.

There was further discussion concerning Sovereign Immunity and Mr. Glazer explained he has not changed the essence of what Thornton Williams originally wrote, and when it was originally written it was that GHI had the authority to do this and has sovereign immunity for this. Now it is recognized that GHI may have a more expanded role and it is important to make certain that GHI will have the same sovereign immunity as they have always had and will be protected in performing these expanded roles if/when they come up. (Example - Having the responsibility of doing an annual report, or some sort of recommendations to the Commission about the rest of the building, etc; whatever tasks the Commission assigns them). Mr. Glazer said when it was originally written it was envisioned that GHI would do only one thing and now GHI needs to be a little more flexible and they need to be protected as they have always been.

Commissioner Morgan said he has learned a lot from this meeting and personally feels they should simplify as much as they can in order to be effective. He said "I believe we should minimize any requirements we feel should be in place for the GHI Board because, essentially none of us are in the hospital business. HCA and Capital Regional are in the hospital business; they know that business. There is a need to have this (GHI) Board. To what degree we don't know right now; five years from now it may look completely different and I think it's essential that we have and that the community understands the local connection of this Board with Capital Regional whether that means a joint meeting with Capital Regional once a year or whatever they work out to be appropriate. I think the audit that we're going to have through the County is going to be sufficient. I think the cost will be minimized if we let the current auditor do that."

Senator Dudley "I don't have any heartburn over any of these changes and I'm prepared to support them, but I do have heartburn over what I'm supposed to do in the future and what the Hospital Board is supposed to do in the future. I'm not sure this ought not to be simplified to the point where you

have a Hospital Advisory Board that reports to you quarterly, that you direct to meet with the management here on your behalf because you are the landlord. Frankly I just have trouble saying I serve on Gadsden Hospital Inc. Board when we have massaged the legal issues and the management issues to a point where, for today at least they're resolved. Now tomorrow that may change and tomorrow you may need a very active hospital board to step in and run, manage, maybe lease to us, but I'm concerned; and again my heartburn is not about these documents. It's about what am I supposed to do from now on." He explained he is not concerned about his legal liability; his only concern is for the citizens. He said if the Board has no responsibility to the community or to the Commission except as given by the Commission day-to-day, and if that is the case then say that. He doesn't believe they need Articles of Incorporation or Bylaws but if they do the Commission needs to tell GHI what they are expected to do; if it's quarterly meetings he will be happy to do that - sit down and report back to the Commission what GHI feels could be improved, what they think is good - the good, bad and ugly. Senator Dudley said the GHI Board is very capable of doing that, but he would like something that tells him what he is supposed to do.

Commissioner Lamb said they need to keep everything as simple as possible, that the GHI Board has worked very hard and the Commission shouldn't give them any more responsibilities than they have to and that the Commission does need to let them know specifically what their duties are.

Chair Taylor said it is very obvious the entire Commission is well pleased with what the GHI Board has done because they've brought the County to this point - the hospital is open and is operating but there is still much to be done. "This Quarterly report put that down as one of your duties to be done. We need to be able to have a sounding board in arm's reach and that is you, Craig. I might not be able to get the CEO as quickly as I can you on an issue that may come up, so the Quarterly Meetings, Yes. And in that meeting you may also want to have some budgetary items to discuss as well as how the hospital is

doing, if we're progressing and so forth." She said only 1/3 of the hospital has lighting fixtures and there is still 2/3 of it that needs work to be done and that she wants to lean to GHI's expertise and outreach abilities to finish building out this hospital and getting people in. She said 'operating as an Emergency facility is what we have been doing thus far, but we are also trying to get specialists in here and that would not be part of this Boards direction; it would be on the shoulders of someone else so there is more to be done. We can come up with a list of items to keep the GHI Board going because as each Commissioner has said 'You've done a yeoman's job'-- it's not time to stop now as there is still work to be done. The Clerk has indicated an audit will be done and it won't be an excessive cost so somewhere in the Bylaws and the Articles of Incorporation there needs to be a reflection - you may not use the term shall, you may use the term may and that obviously keeps you from the fire but it's still in there, but there needs to be some terminology to go ahead and clean that up in regards to an audit being done."

Mr. Glazer said his suggestion would be that the GHI Board and the Commission decide whether they want to vote the changes up or down as he has proposed tonight and if there is some part of it that they are not comfortable with, that can be changed. He said they do need to remove the requirement for a separate audit; that they could tell him to go back and change absolutely nothing but removing the audit, they could approve the changes as suggested, and Chair Taylor agreed with Mr. Glazer and said for him to take out the term independent audit because the Commission has gained knowledge that it will be included in the County audit.

Chair Taylor asked that they move forward with this item and GHI Chairman McMillan called for a motion from the GHI Board on the Articles of Incorporation.

UPON A MOTION BY GHI BOARD MEMBER DUDLEY AND A SECOND BY GHI BOARD MEMBER SHEHEANE TO APPROVE PROPOSED CHANGES AS PRESENTED TONIGHT AND REFLECTED IN THE ARTICLES OF INCORPORATION, THE BOARD VOTED 6-0 BY VOICE VOTE IN FAVOR OF THE MOTION.

GHI Chair McMillan called for a motion from the GHI Board on the Bylaws and Mr. Glazer noted for the record this would require a five affirmative vote on the Bylaws.

UPON A MOTION BY GHI BOARD MEMBER WHITEHEAD AND A SECOND BY GHI BOARD MEMBER SHEHEANE TO APPROVE THE REFLECTED CHANGES TO THE GHI BYLAWS AS PRESENTED TONIGHT, THE BOARD VOTED 6-0 BY VOICE VOTE IN FAVOR OF THE MOTION.

Mr. Glazer then advised BOCC Chair Taylor it would be appropriate at this time for consideration by the Commission.

A MOTION WAS MADE BY COMMISSIONER CROLEY AND A SECOND BY COMMISISONER LAMB TO APPROVE THE ARTICLES OF INCORPORATION.

Question: Commissioner Holt said she wanted the GHI Board to know she feels they are doing a good job but that she does have a problem with some of the items - said the Audit she is happy with, thinks the idea of an Advisory Board is great and that she feels they would be doing a lot more in that capacity and still (inaudible) by the Bylaws.

There being no further comments, Chair Taylor called for a vote.

THE COMMISSION VOTED 4-1 BY VOICE VOTE IN FAVOR OF THE MOTION.

Motion Carried by County Commission with Vote Recorded as:

In favor Of Motion - (4)

Chair Taylor, Commissioners Lamb, Morgan, Croley.

Against Motion (1) -

Commissioner Holt.

UPON A MOTION BY COMMISSIONER LAMB AND A SECOND BY COMMISSIONER CROLEY TO APPROVE THE BYLAWS AS PRESENTED TONIGHT, THE COMMISSION VOTED 4-1 BY VOICE VOTE IN FAVOR OF THE MOTION.

Motion Carried by County Commission with Vote Recorded as:

In favor Of Motion - (4)

Chair Taylor, Commissioners Lamb, Morgan, Croley.

Against Motion (1)-

Commissioner Holt.

Senator Dudley suggested Chair Taylor direct the Assistant County Attorney and the County Administrator to get together at their convenience in the near future and discuss what the County and the Hospital Board would like to have here by way of direction and let them both report back to their respective Boards. He said what he believes the GHI Board would recommend is that the Chair and the County Administrator be a part of whatever the GHI Board is specifically directed to do.

Chair Taylor stated Senator Dudley's point is well taken and then suggested that she and the Administrator meet, that they will have input from the other commissioners and come up with perhaps a list of things the Commission would like to see the GHI Board take up and make it part of the GHI agenda; that they be allowed the opportunity to meet and report back hopefully within the next 15 - 30 days.

Chair McMillan said that is one of the main reasons they are here tonight for the Commission to give GHI some direction on what they want GHI to do and if a lot of this can be hammered out tonight that will give the GHI Board a flight plan because right now the GHI Board is out here in limbo.

Chair Taylor said she certainly appreciates the urgency but in fairness and due process that maybe they will give each Commissioner the opportunity to think about this and then within the next 15 - 30 days they will have a well oiled plan for GHI to go forward. She said she didn't believe anyone on the Commission wanted to see the GHI Board dismantled because they have brought the County too far and there is still much to be done.

**III. UPDATE ON CAPITAL REGIONAL MEDICAL CENTER - GADSDEN
CAMPUS - Bud Wethington, CEO, CRMC**

- Mr. Wethington gave an update on the Gadsden Campus operations and began by saying from the time the facility opened last June 14th through the end of December approximately 9,300 patients were seen at the facility; approximately 4,500 came through for diagnostic tests, labs, x-rays CT's and Ultrasounds. He said there are a lot of people in the community seeking health care and CRMC is delivering that care. He said they get satisfaction reports and the Gadsden facility is running at approximately 98% at all times with satisfied customers; there will always be some that will never be satisfied with CRMC's care or any other hospital throughout the Country for that matter but CRMC does seek to do that. He said they have contacted people and have tried to rectify if they were not happy with their care and they will continue to do that.
- Mr. Wethington said he believes somewhere between 15,000 - 16,000 patients will be seen through the Gadsden Campus ER during 2011. They have worked with EMS very well, and when all of this came about one of the plans was to try and save the County about \$1 million a year through cost savings on transportation costs, employee costs, etc., and Mr. Wethington said he believes that has happened. An ambulance/truck is now (as of November 1st) located at the facility which has helped a lot - keeps all the other trucks available with runs up and down the highways within the County and only one running back and forth to Tallahassee vs. two or three, and no longer is the County being left bare of vehicles.
- Mr. Wethington said everything they see going on at the facility is working. CRMC likes being here, they are working in the red which he said they knew they would be and that's Okay because they knew in coming out here that it was going to be a gamble and it still is. He said they need the community support to take care of CRMC and to take care of the public more every day as there are still people seeking health care in other directions and

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those patients need to come to this facility if they can, to be taken care of. Mr. Wethington explained Dr. Santana is Boarded, actually 'double Boarded' and is a better Medical Director for this County there has been in some number of years so CRMC is bringing assets to the County that they have not had before.

- Mr. Wethington said in reference to what the future holds "We cannot operate a hospital as you're asking for Madam Chairman the way it is today and it's kind of because there are no specialists to take care of the patients; the ER physicians in a hospital cannot take care of patients in acute beds. As much as we would like to do that there are not physicians available to do that, and as Dr. Kent will tell you, most of the physicians have migrated to the larger cities. We're trying desperately to get physicians to come back out here, so we are daily - almost daily talking to physicians trying to get them to come back out here to work and provide the specialist care." He said they are having these discussions over and over with physicians; that process is underway, but it is hard to do and this community needs more physicians and if they can do that it would be great. He said with the hospital having been shut down for about five years, interest left so they are now having to try and rekindle that interest to make it happen.
- Mr. Wethington said the virtual neurology equipment they have purchased and placed on three of the units here in the County for patients having a stroke will be able to transmit the information directly to Capital Regional onto a computer screen for the ER physician and nurses and they will know 20 minutes out if a patient is actually having a stroke and the hospital will be fully ready when the patient arrives so it's better care because in a situation such as a stroke, time is critical.
- Mr. Wethington asked that the Board consider the installation of a sprinkler system in the front of the hospital for landscaping purposes to keep the facility looking appealing just as the other CRMC centers.

Commissioner Croley said he would certainly like to support getting the sprinkler system installed because keeping the facility looking attractive is important. In reference to a lack of specialists, he asked Mr. Wethington if he was familiar with the Rural Broadband (internet services for medical broadband in rural communities) effort which was funded by the Federal government and should give them a great resource for getting this facility in touch with specialists and what the Commission could do to help turn this into a valuable information resource - communicating data to specialists in other areas.

Mr. Wethington said the specialists would need a place to go to practice today and that space (ready to move into) is not available at the facility at this time. He said CRMC has been talking with the GHI Board for months now about the possibility of a time-share and the urgent care area was discussed. He said if they are successful in attracting physicians to come here, those physicians will want some where to practice.

Commissioner Croley also inquired if the helicopter pad would be an influence with physicians considering coming to this facility and Mr. Wethington said it would be a big influence and certainly a service that is definitely needed.

Commissioner Morgan asked if the projected 16,000 patients to be seen at the facility during 2011 meets/surpasses what CRMC had projected and if their operational costs were in line with what they had thought they would be.

Mr. Wethington explained when the hospital shut down they were seeing approximately 16,000-17,000 patients and he believes it will be about the same flow for the ER patients. In the beginning they weren't really sure what to expect so they had projected 26 patients per day; however, last Sunday (Sunday is not normally one of the busiest days in an ER) they saw 70 patients. He also responded to Commissioner Morgan's question as to the breakdown of patients being seen and the percentage covered by insurance-paying patients saying he doesn't have

an actual break down but the projections are right in line with what they had initially thought. He said there have been comments made that CRMC is taking care of a lot of indigent patients at the Gadsden facility and that is not true as they see about the same percentage of indigent patients at CRMC in Tallahassee as they do at this facility; that the mix of patients through the ER is about the same. He said they do try to collect co-pays because if they didn't chances are they would never see that patient again. Mr. Wethington said CRMC does not turn any patient away.

Commissioner Morgan said he didn't believe that was talked about enough, that he didn't think it was general knowledge in the community or outside of the community. He also asked how long Mr. Wethington thought it would take to overcome the skepticism due to the hospital having been closed for such a long period of time and how he would see the Gadsden facility in three short years and what services may possibly be offered that are not being offered now.

Mr. Wethington said he doesn't know how long it will take to overcome the skepticism other than to see the facility flourishing every day. When they see EMS coming and going every day they realize the facility is back up and going which is critical and anything the County can communicate to the citizens in the community that the facility is doing well will certainly help. As to Commissioner Morgan's question regarding three years from now he said he wouldn't be able to guess -- couldn't speculate, there are a lot of changes being made now on both the State and Federal levels so it wouldn't be fair to speculate where the facility will be in three years and again stated the community needs many more doctors.

Commissioner Morgan said he feels the Board needs to see how they can better promote the facility because everyone he talks to is very satisfied with the services they receive and the atmosphere. He feels it would be a good investment on the County's part to try and further promote the facility in the community and in the surrounding counties.

Commissioner Lamb thanked Mr. Wethington for coming out and praised CRMC for what they are doing for this community. He also agreed with Commissioner Croley that the sprinkler system is needed; that he had spoken with staff very early on that a sprinkler system is needed and he said they will get it.

Commissioner Holt said she, too, has heard good things about the facility and she asked if it is difficult to recruit residents that agree to work in rural communities for so long a period of time to help pay their expenses of going through medical school. She said she didn't know if that is something that could be considered to help get some of those residents out here.

Mr. Wethington said CRMC has not recruited any of them, that he doesn't know how difficult it is and Dr. Kent added that it is very difficult to do and even though the physicians see the need it is difficult in small rural communities because of the economic situation.

Mr. Marlon Hunter, Administrator of the Gadsden Health Department said the Department of Health works with communities all around the State in helping to identify medical professionals in healthcare shortage areas and Gadsden County is designated as one of those areas. For example, if a dentist comes to Gadsden County through that program, he gets an additional \$35,000.00/year for up to four years to come to Gadsden County. Mr. Hunter said he isn't sure if that is in place for doctors or nurses, but that it is for dentists. He said he will be glad to check into it to see if it is available to physicians as it would be a good incentive for getting them to come to Gadsden County as it would give them additional earnings to help pay for their student loans.

Mr. Wethington responded to Mr. Hunter's question as to the statistics on number of patients seen in the ER for non-emergency type issues and those who are using the ER as their source of primary care to help minimize those costs- for instance a patient goes to the Health Department for service and the cost may be \$475.00, but at a hospital it may be

\$1,475.00 with the difference being what the taxpayers pay to use this facility in a non-emergency type situation. Mr. Wethington said with CRMC Medicaid pays on percents and they would get paid about ten cents on the dollar so if they charged \$1,000.00 they may get \$100.00 so charges in today's environment really are not relevant; it's what you get paid. He said at CRMC about three (3%) percent of their patients pay 'charges' and the rest of it is on some type of discounted program - Medicare, Medicaid, HMO, etc.

Mr. Maximo Martinez, Executive Director of the Gadsden County Health Council expressed excitement at what CRMC is doing at the Gadsden facility and especially excited about them having Dr. West who also sits on the Health Council's Board of Directors. He said Dr. West keeps the Health Council updated on what is happening at the hospital and that is a good forum as the Health Council has over forty community based organizations and when those organizations hear good news they put that information out in the community. He said the Health Council had been marketing the hospital in a very positive way even before CRMC got here.

Mr. Howard McKinnon serving as Chairman of the Gadsden County Health Council explained they are aware of the \$400,000.00 that had been accumulated on the Healthcare Surtax, some of which is being spent for the helicopter pad. He said they would like to put out on the table for further consideration by the Commission the \$200,000.00 needed for a mobile unit for the Health Council - he said the bottom line is they are negotiable, but the need is there.

Chair Taylor said Mr. Martinez and Mr. McKinnon brought up good comments about the future and the dollars they are talking about but there are some other ideas as well, so that will have to be another round table discussion on the dollars that will be left over after the helicopter pad. She said she has heard an amount but doesn't have an official amount at this time. She then asked the County Administrator to look at placing this item on an agenda for discussion on the balance of that money. She also said they will have to have some

legal terminology, as well, as to what they can and cannot spend those dollars on. Chair Taylor said one of the things was to do something with the urgent care area to make it conducive to new physicians to come in but according to the description of what those dollars can be used for, they may not be able to use those funds there. She said they will not get into that tonight; it is an issue for another meeting. Chair Taylor thanked Mr. Wethington for everything CRMC is doing at the facility and agreed with Commissioner Morgan on the need to get the facility promoted throughout the community. She suggested to the County Administrator and the GHI Board that this may be another task of theirs - come up with ideas to keep this out there before the community. Need to keep going, keep advertising, and get it out to the public.

Mr. Wethington said he would like to let the Commission be aware that they are having a picture of Dr. Jesse Furlow framed and the photograph will be hung in the Gadsden facility.

IV. USE OF THE FORMER URGENT CARE SECTION AND OTHER UNUSED SECTIONS OF THE GADSDEN MEMORIAL CAMPUS BUILDING - Mr. Mike Glazer, GHI Chair Craig McMillan

Chair McMillan said their real reason for tonight's meeting is to get direction from the Commission on how they want the GHI Board to go on this issue. He said he asked David Gardner with the Chamber of Commerce to be part of this because he does marketing for the County and in tracking doctors to come to Gadsden County, the Chamber needs to be involved and if the Commission would give the Chamber a little bit of money, they could probably do something like that for them.. He said they would like for the Commission to tell them what direction they want to see them go and said they can't really talk about anything without talking about the money issue. He said currently he thinks there is approximately \$400,000.00 out there that has not been used from the Indigent Care Tax, with approximately \$140,000.00 being used for the helicopter pad, leaving about \$260,000.00. He said Clyde Collins has some information on what it would take to renovate the urgent care

facility sufficiently to be able to try and attract some physicians to a time share that Mr. Glazer and Mr. Wethington alluded to. The question is that some of the costs are pretty extensive GHI needs direction from the Commission on how to proceed.

Mr. Glazer explained this is a joint venture, but the ultimate decision on the use of County property belongs to the County Administrator, and determinations about the money belongs to the County Commission. He said he and Chair McMillan have talked to several physicians with varying levels of interest but the bottom line is no one is going to come into that space the way it looks. They don't want their Gadsden County patients to feel like second class citizens; if they have a nice office in their main office then they want a nice office here. He said if the Commission desires to go that route they need to recognize they will be looking at spending a fair amount of money and will have difficulty recovering all of it so they will not be able to charge enough. He said it will take time to even attract enough people to fill it so the Commission needs to balance those things because if they are looking at it being something that will be a "profit center" that will be very hard to do. Mr. Glazer said any hospital has a medical office building associated with it and if they look at the remaining third of the Gadsden facility building as potentially a medical office building ultimately and based on Florida Statute, the County Administrator makes the ultimate decision as to how the building gets used, but how it's funded makes a huge difference obviously so the question is how does the Commission want to go about that.

Chair McMillan said there had been some discussion on moving EMS into the urgent care location, but if that is going to be done the County will have to find the money somewhere else and he believes Mr. Glazer would point out that none of that (\$400,000.00) could be used for anything for EMS, but it can be used for a facility for a physician and Mr. Glazer responded that is correct and he explained that is different than just having the one truck that is posted at the facility.

Chair Taylor said the upfront costs, the lack of revenue that would be generated, the recurring monthly costs to take care of a building which are associated with the time share, all of that limits her wanting to go forward. She said she has always wanted to see EMS back there as she feels it is a long range cost reduction for the County to have them here at the hospital. She asked for comments/suggestions from the Commission.

In response to Commissioner Holt's question, Mr. Glazer explained the time share concept is where a place would be fixed up as a basic medical office; the people would come in and use it for a day or half a day with the County granting it to them on that short term basis. The County would provide the space, the electricity, a phone line, and internet line and the janitorial services, but if they needed any supplies they would bring those with them, if they needed a computer they would bring possibly a lap top with them. They would be responsible for their scheduling, their own insurance to cover their activities - they would rent it for a short period of time; something like a day or so every two weeks and then they would leave and the next person could come in.

Commissioner Holt said in looking at hospital plans initially, the wing of doctor's offices was covered under the first contract with the concept that the doctors would pay a lease which would generate some money, but that is not in the time share and Mr. Glazer said if a physician should want to lease a space on a full time basis it could be leased, but there doesn't appear to be any interest in that. He said in the time share scenario it could be terminated quickly - example, three doctors using a space for a total of 10 days per month and one of them decided their practice is going great and wanted to move their practice and lease the space full time then the County would have the ability to give the other doctors notice that they were terminating their time share and then the space could be leased full time.

Commissioner Holt said it is difficult for her to say on a time share or a lease for renovating that part of the building

if there isn't any interest; where are the doctors, where is the interest -

Chairman McMillan said Commissioner Holt is absolutely correct and that is the quandary GHI is in at this time. He said they have talked with two different specialists but no one seems to want a space full time; everyone wants it a day a month, or a couple of days a month, etc.

Commissioner Holt said before a decision can be made on this that it needs to be researched more, she would like to see some numbers with everything on the table and then be able to make a decision. Marketing needs to be done first to see if they can get physicians in and then look at these options.

Commissioner Croley said his thoughts parallel those of Commissioner Holt and that he can't make any decision without first seeing a business plan. Needs to see and be able to evaluate the expenses for outlays against what the Health Council's needs are. This is where it may be more innovative later on to charge the GHI Board to take on some of these tasks; look at some of the things that are going on at the Federal level with the Broadband, and he agreed with Chair Taylor and would like to see EMS out of the facility they are currently in and get them into a facility closer to the hospital. He said if the commission could see a business plan that meshes these issues together then the community could better understand it and the Commission would be in a better position to make the decisions that need to be made for the betterment of medical services in the County. He said he wants to hear more back from the GHI Board and Mr. Glazer as to what they think -- he wants to see something in black and white.

Commissioner Morgan said it may behoove GHI to talk with other hospitals in the area on this issue; if they have faced it, how they embraced it, what are some of the possibilities they saw, etc. He said he believes the County may be in a better position on this particular topic to consider a bit more risk than normally they would want to do because they are going to have to invest in this facility in order to see it grow. It

isn't going to get any cheaper to build out a section of the facility and that if he was a physician and couldn't see the finished product it would be awfully hard to commit to coming out here and giving it a try. He said he would lean more to going ahead and considering finishing it out. It is a risk but he said he feels they need to play it out and see how it works; that hopefully they will see it as a good move. If it's not, then they'll have a finished out area of the hospital they can possibly find a use for in the future. He said they have a certain amount of money now and they know what the costs will be (approximately \$125,000 according to Clyde Collins). He said they also need to consider in addition to that, the irrigation system -- which they need to prioritize how they want to invest the money. He said he agrees with the other commissioners that they would like to see more numbers, information, putting the County out there for less risk but that he isn't sure they are in a position to do that on this one item.

Chair Taylor said to sum it up that it is obvious the Commission is asking for more information - is it more cost efficient to bring EMS to the facility and look within the County's coffers to re-do the urgent care area - will they save? There is still one-third of the facility that could be used to build offices for physicians and a portion of those dollars could be used to do that. There's quite a bit of opportunities out there but she said they need to have a long-range plan - how do they save - is it on utility costs as the current location, is it on fuel costs going from current EMS center to hospital - All of this concerning EMS and how or if they save. She said as so clearly stated by Mr. Glazer and Mr. McMillan on the cost share, no one is knocking down their doors - there have only been two potentials but no one has signed on the dotted line and talk is about \$90,000 - \$120,000 to get that area ready so there are still a lot of questions to be answered.

Chair Taylor said she hopes to get support of doing something with EMS and then possibly doing something else with that building. She explained that although having specialists at

the hospital is important, she understands Commissioner Croley's comments on virtual medical assistance as opposed to having physicians coming here physically; they are just there in front of a camera, on screen - standing there talking to the patient. Is Gadsden County ready for this? Chair Taylor said she didn't know but they could be if it eliminates that physician from having to come over here, but still having the services. She said this is an idea that they need to look into "based on the fact of where we are, the space that we have and the amount of money that needs to be put into it so there's still a lot of questions."

Chair Taylor told the County Administrator that the Board will need some costs that would involve maybe moving EMS, need to see some more concrete costs as to what it will cost to do renovations (urgent care area) it's \$125,000 for AHCA - don't need AHCA so what will they be looking at \$80,000 - \$75,000, and they need more specifics from the Health Council on what they are asking for.

Mr. Martinez said he had asked Mr. Ed Fever, Administrator of the new Gadsden County Healthy Start Coalition to attend this meeting as the Coalition is looking for office space. Mr. Martinez asked if space is readily available in the facility because there are people (Breon Organization) looking to locate to Gadsden County. He said these are organizations that come to the Health Council and he doesn't have answers for them - is there space, can they move right now, what is available, what will the lease be - these are organizations that have State dollars to pay. Mr. Martinez said he is here because he's bringing ideas and has brought someone (Mr. Fever) who is interested in and looking for space to lease.

Chair Taylor said of course the County would be interested in anyone who can pay for space but the Commission is not over the hospital and they cannot make those determinations so that brings in GHI. She said they (GHI/Health Council) need to work out the details and bring a recommendation to whomever makes the decision about who can lease space because that is not within the Commission's authority anymore because they

leased out the building and Mr. McMillan explained the Commission still has authority over that part of the building as to who can lease space, as long as Capital Regional is in agreement with it. Chair Taylor asked Mr. Martinez to put a plan together and she stated there needs to be another meeting because they don't have enough information at this time. She then asked Dr. Kent for his opinion.

Dr. Kent said it is very difficult to get specialists to come out here. He said in the 27 years he has been here they've had cardiologist, dermatologist, urologist and podiatrist come out from Tallahassee; they all enjoyed coming out, they could see the need but for various reasons they went back to Tallahassee and they are all still practicing in Tallahassee and serving the Gadsden County residents. He said it's difficult, it's a challenge and it all boils down to economics. Dr. Kent said if they want to recruit physicians to come here it would be great to have a couple of general surgeons and internists that want to do more intensive type care and then that could potentially expand the hospital because the minute a general surgeon comes here and begins looking around the Tallahassee group will get wind of it and will want to recruit that surgeon themselves. If they come here they basically are on call all of the time, but if they join the group in Tallahassee they will be on call about every fifth or sixth time and it's hard to compete against that. He said he doesn't know how the economy will play into all of this as there are a lot of gray areas.

Chair Taylor asked the Clerk if the \$400,000.00 they're talking about is a one-time set of money or if it is being replenished.

Clerk Thomas responded that at a point in time last year (about mid-summer) all of the money that was coming in began to go out on a monthly basis per their contract with Capital Regional, the Bond debt and the Health Council. He said prior to last summer money was collected and some of it was given to GHI, some went to Urgent Care and some was set aside for one year of debt service which was approximately \$400,000.00

because as of mid-summer everything that comes in is going out - approximately \$66,000/month for debt service on a monthly basis and whatever is left half of that goes to Capital Regional and the other half to the Health Council so 100% goes out at a certain point so this is prior to that. So, you had about \$400,000 left after covering all of your obligations and that set aside.

Clerk Thomas explained the Court had approved a certain amount (\$4,000,000.00) to be used for the hospital and approximately \$3.3 million has been used and -

GHI Chairman McMillan asked to speak to that saying that money was authorized for purchasing equipment and to open the hospital facility. He said he doesn't know that they can utilize that money anymore; they originally thought it would be \$4 million and they spent a little over \$3 million. He asked Mr. Randy Popel and Mr. Richard Bass of the Capital City Trust Department to give a brief explanation as to where they stand at this time with the Trust.

Mr. Popel said as of yesterday the Trust breakdown has \$7.6 million, they have stayed conservative and basically the funds that were not spent stays very short term because as he understands, there are some more requests coming in. He said their next step is to empower the Investment Committee that has been assigned and appointed so everyone can understand a clear direction in going forward. Mr. Popel stated the reason the money is not more is because they were very conservative for a period of time with the money and that they probably invested at the right time because from August of 2010 through the first of 2011, they've had a nice little front. He also explained that just the estimated annual income portion from the Trust prior to any fees is about \$130,000.00 and there is also approximately \$840,000.00 in capital gains embedded in the portfolio at this time. The Income portion opportunities will probably move up a little bit if they get to a point where the funds don't have to be held short term because they can then move them into some sort of bond that will be paying a little higher.

Commissioner Croley asked Clerk Thomas what the \$130,000.00 (investment income) is earmarked for.

Clerk Thomas explained as part of the County's Agreement with Capital Regional, 100% of the interest or investment income (approximately \$130,000.00) goes to them. In addition to that, Capital Regional also receives a portion from the half-cent sales tax.

Mr. Glazer added separate of any expenses; expenses come out of that. He also responded that it is his belief that none of the money from the Half-Cent Sales Tax can be used to renovate the facility here for EMS purposes.

Commissioner Croley asked if an outside, private EMS service came in wanting to lease space at the facility could that be done and Mr. Glazer responded affirmatively but said County money could not be used to renovate the space. Commissioner Croley said he understood that and asked wasn't it correct that money from the Half-Cent Sales Tax could be used for a private medical firm coming in from the outside and Mr. Glazer said as he understands it now, all of the money coming off of the Half-Cent Sales Tax is already spoken for and the only thing left in the Half-Cent is the \$400,000.00 less the cost of the heliport pad.

Commissioner Croley then asked why that wing/space couldn't still be renovated as an EMS facility, even if the County had to rent the facility and Mr. Glazer said they could renovate that space for EMS if they could find another source, but it is his belief they can't use the Half-Cent tax to do it. When Commissioner Croley explained further that he's asking if some of the \$400,000.00 could be used to renovate the area for an outside, private EMS service - then Mr. Glazer said he had misunderstood the question and that it is his belief it couldn't be used for a private EMS service either.

Clerk Thomas said it has to be for use by the hospital and Mr. Glazer added there was also discussion in the plan about specialty healthcare and specialty physicians.

Commissioner Holt said in the plan there had been discussion about renovating space for lease to physicians and to the medical agencies and she asked if Mr. Glazer could bring the Board something that would show why it couldn't be used for EMS; said she understands it is Mr. Glazer's opinion but would like something that she can read stating that it can't be used for EMS.

Mr. Glazer said in the plan done at the time of the original Ordinance that passed the Half-Cent Tax had absolutely no mention of EMS anywhere in it; there is special mention of the hospital, of physician specialty care - mention of a number of things, but nowhere did it mention EMS. He said the plan has basically expired and the County could consider (said he didn't want to commit to this) another plan but that is something they would really have to think through.

Clerk Thomas left the meeting at this point.

Commissioner Holt said she would not be in favor of that at all; if you tell people you are going to do something through a referendum, you are suppose to stick to it and if you change it, you should put it back on the ballot and let them vote for it. She then suggested the Commission may want to entertain talking with Ron Sachs (Advertising firm that did advertising for getting hospital open as well as being on the Tourist Development Council) on advertisements for physicians etc., as he knows a lot of people and is very good in his profession.

Commissioner Morgan said he sees the benefit of having EMS on site at the hospital and he would also like to see it at the hospital facility, but he doesn't think it should be at the top of priorities as they basically are in a paid for building (County owns building outright) and because of the County being faced with some other expenses here, that EMS may need to go on the back burner for a little bit.

GHI Board Member Dudley left the meeting at this point.

Chair Taylor said there needs to be additional discussions on what will happen with the urgent care area, there are no true directions that can be given to GHI at this time; more information needs to come forward for the Commission so they can be together in knowing what directions to give GHI. She said she thought they could come together tonight and give some of those directions but there is still more information that needs to be put before the Commission before they can make a sound judgment. She said in Mr. Glazer's discussion of the referendum that she feels there may possibly be some way of being able to get EMS located at the facility. She thanked Dr. Kent for his input concerning difficulty of getting physicians to come to this County; it doesn't appear they will be getting anyone here any time soon on the time share so the Commission needs to look at every aspect of what is best for the community - where can they get the most for their dollars and the best quality of services for the citizens.

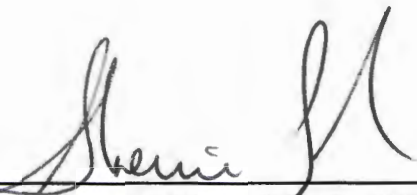
7. ANESTHESIA MACHINE LEASE EXTENSION (GHI Board only) Craig McMillan

GHI Chair McMillan explained an anesthesia machine (owned by County) is currently being leased to TMH for \$200.00 per month and THM has expressed a desire to have the lease extended for an additional year at the same \$200.00 monthly rate.

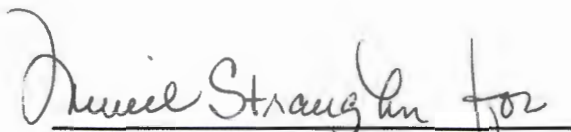
UPON A MOTION BY GHI BOARD MEMBER SHEHEANE AND A SECOND BY GHI BOARD MEMBER KENT TO APPROVE THE EXTENDED LEASE FOR ONE ADDITIONAL YEAR AS REQUESTED BY TMH, AT THE RATE OF \$200.00 PER MONTH, THE GHI BOARD VOTED 5-0, BY VOICE VOTE IN FAVOR OF THE MOTION.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARDS AT THIS TIME, CHAIR TAYLOR DECLARED THE MEETING TO BE ADJOURNED AT 8:00 P.M.





SHERRIE TAYLOR, CHAIR PERSON
GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS



Jean Chesser, Deputy Clerk

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON MARCH 1, 2011 AT 6:00 P.M.,
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

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

CALL TO ORDER

Invocation, Pledge of Allegiance, Roll Call

Chair Taylor called the meeting to order then led in a prayer followed by the pledge of allegiance to the U.S. flag.

The roll was called by Deputy Clerk Muriel Straughn with all being present as noted above.

The chair then made announcements regarding the use of cell phones and speaker requests forms. She called for all parties to demonstrate a mutual respect for each other throughout the proceeding and asked all speakers to address the chair and not individual commissioners.

AMENDMENTS AND APPROVAL OF THE AGENDA

A MOTION WAS MADE BY COMMISSIONER HOLT TO ADD THE TERMINATION OF THE COUNTY ADMINISTRATOR TO THE FRONT OF THE AGENDA. THE MOTION DIED FOR LACK OF A SECOND.

A MOTION WAS MADE BY COMMISSIONER HOLT TO ADD THE INDEFINATE SUSPENSION OF THE COUNTY ADMINISTRATOR TO THE FRONT OF THE AGENDA. THE MOTION DIED FOR LACK OF A SECOND.

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

AWARDS, PRESENTATIONS AND APPEARANCES

There were no awards, presentations or appearances.

CLERK OF COURTS

1. Presentation of County Finance and County Clerk Issues

Clerk Thomas addressed the board. He introduced a brief financial schedule which showed the amendments made to the budget to date. It totaled \$1,000,015.00 - added to the budget from

fund balances of the various funds. He said that he felt he should comment on it because there seems to be a pattern developing. He cautioned them to be mindful of the legislative actions going on at the State Capital that can affect Gadsden County. He said, "After tonight, I seriously request that you appropriate no more of your fund balances from any funds."

Commissioner Holt asked, "Why after tonight?" The clerk responded, "You have things on the agenda tonight that are up for your consideration and I am simply saying that after tonight that you don't do anymore ... unless there is some dire emergency... The state revenue sharing is cut back, so the money in our fund balances are going to be needed to cushion the blow."

CONSENT AGENDA

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT: (Items 2-5)

2. Ratification of Approval to Pay County Bills:

Accounts Payables Dated	February 18, 2011
	February 25, 2011
Payroll Dated:	February 24, 2011

3. Approval of Resolution 2011-008 Approving the State Housing Initiatives Partnership Program (SHIP) Local Housing Assistance Plan FY 2011-2012, 2012-2013, and 2013-2014

4. Board Approval to Renew EMS Consultant Agreement for Ambulance Claims and Authorize the Chairperson to Sign

5. Approval of Change Order Number 1 to the Contract with North Florida Construction Inc. for Drake Acres Park Renovations

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

Floyd Banks, 400 Foxfire Court, Quincy, FL - He asked to yield his time to his brother Sam Palmer.

The Chair declined to allow him to yield his three minutes.

Helen Robinson, 282 Dogwood Trail, Quincy, FL – She asked to relinquish her time to Sam Palmer.

The chair declined to allow her to yield her time.

Leonard Robinson, 282 Dogwood Trail, Quincy, FL – He asked to relinquish his time to Sam Palmer. He stated, "It seems to be the kind of rule here that you don't check your mics out before your meeting. The Clerk here, none of us heard what the Clerk had to say. He is not just supposed to give his report to you. He is supposed to give his report so that everybody in the room can hear it. This is the second time that I have come to a meeting here where I could not hear the Clerk. I know that I am a little old, but I am not deaf. Thank you."

Chair Taylor assured him that the mics are checked before the meeting. But she said, "You are very right. He is very soft spoken, but we will ask in the future that we get his mic tested. But all mics are tested before the meeting. We do apologize for any inconvenience."

William Chukes, 902 Conyers Street, District 1 – He addressed problems with the administration of the county. He concluded by saying, "The people need some answers and they need some answers soon."

James Palmer, 329 South Adams St. Quincy, FL – He asked to lend his time to his nephew, Sam Palmer.

The chair declined to allow him to yield his time.

Sam Hawkins –He referenced all the law suits which have been filed against the county because of actions taken by the administrator. He said, "He orchestrated a court battle that the judge threw out. My question to you is, "Why is he still here? You know that this man is not working for the best interest for this county."

His other concern dealt with policy. He said, "County policy dictates that no employee can bring a handgun on county property. Why does the county manager carry a hand gun on county on county property, yet he fired the individual that made the report? I am sending this to the FDLE.

The next one, Madam Chairman, the 2008 election that you were in- individuals were paid and votes were bought. That is my concern.

My next concern is why do these commissioners sit here and allow him to sit in office and persecute and fire blacks simply because they are black. We will not tolerate it as citizens. I fought this commission for two years, actually 8 years, for what is right. Nothing you have done in the last four years is right. It has been orchestrated by a few commissioners on this board who helped buy votes and who are under investigation. I ask them, "Remove yourselves and save the county the embarrassment of doing it for you."

Sam Palmer, 1225 Berry St., Quincy, FL. "Commissioners, my concern is that when a violation occurs and you go along with the violation, you are just as guilty as the person who did the violation. I am sure that we remember Shirley Shirrard. Somebody just accused her racial discrimination. The boss asked her to park her car and resign. Her termination was just that serious. So, if Johnny Williams has all these allegations and we also have lawsuits saying that person discriminated. If these allegations come up and the county commission goes along with it, then you are just as guilty as Mr. Williams. Our executive committee has passed a resolution that I want to read to you and put into the record.

"Resolution of the Gadsden County Branch of the lead NAACP unit directing the citizens of Gadsden County and the association to take direct action in a form of a protest rally and sit-in at the March 1," 2011 Board of County Commissioners meeting, demanding that the county

commissioners suspend the county manager, Johnny Williams and that County Commissioner Doug Croley take a leave of absence pending the resolution of a civil case No. 11000151 CAA filed in the Second Judicial Circuit Court in Gadsden County for the role of discrimination practices against citizens in Gadsden County.

Whereas, the Constitution of the Association as a basic fundamental guide, the Association specifically charge under Article II Objective to seek enforcement of federal law securing civil rights to take lawful action to execute actions of Constitutional rights of persons and take any other lawful act in the furtherance of the objective listed in Article II of the Constitution, and

Whereas, the Gadsden County Branch of the NAACP was approached by David Frank, legal counsel for Ms. Bouie and Mr. Southerland and Bouie and Southerland individually, and

Whereas, a pattern of discriminatory action by both Croley and Williams clearly identified specific intention to discriminate against Bouie and Southerland and other citizens of Gadsden County which include wrongly influencing the outcome of an election, participated in discrimination in public practices
(Timer sounded)

Chair Taylor:

You may give your resolution to the clerk for the record.

Palmer:

I will give it to her.

Thank you.

Bishop Willie C. Greene:

Thank you Madam Chair, my name is Willie C. Greene. I live at 296 Bradwell Road in Quincy, FL. I am a minister of the gospel and noticeably long winded, so I will read my statement so I can get it under the time limit.

I am here as a member of the NAACP, a concerned citizen and as a community leader. I was a teenager in high school in 1970 when I wrote a letter to our principle demanding that all prejudiced teachers who were obviously discriminating against students of color be removed from the classroom. The principle assured me that he would work to resolve the problem and he did. Gadsden County and America has made a lot of progress in race relationships in the 40 years since that incident. That is why it is hard for me to believe that this county commission would allow Gadsden County to take a step backwards and tolerate blatant racial misconduct against Gadsden County employees and Gadsden County citizens through official acts of the county manager, county employees and county commissioners.

I am here tonight to ask you to exercise your civic duty on the behalf of citizens of this county who elected you to an office of sacred trust. Tonight, I ask you to do four things. First of all, I ask you to denounce publicly to denounce all acts of racism that have occurred in the halls of Gadsden County government.

Secondly, I ask you to restore the fired and/or demoted employees to their positions and apologize to them.

Thirdly, I ask you to terminate or suspend the contract of County Manager Johnny Williams. This will send a strong message to him and everyone else in Gadsden county and around the county that Gadsden County will not tolerate racist acts from anyone acting in an official capacity.

Finally, I believe that the county commission should ask the governor to take the appropriate actions against any and all commissioners who were involved in these acts of blatant discrimination.

Remember Dr. King's words. He said, "Injustice anywhere is a threat to justice everywhere." Please do the right thing. If the citizens of Egypt can demand that a tyrant president be removed from office, I think it is appropriate for citizens of Gadsden County stand up along with your support, our elected officials, to demand that you do the right thing and relieve this gentleman of his duties as the county manager and take appropriate actions.

Thank you very much.

Dale Landry, 1949 (inaudible) Tallahassee, FL

I am here on behalf of the president and executive committee of the Florida State Conference of the NAACP. I want to comment on – I was sitting back there contemplating on what I wanted to say. I have to admit that it was a little sad and a little sickening starting with the pledge of allegiance. One of the things that the NAACP stands for is in support of people and against discrimination. I am a retired United States Army soldier. I fought and defended that flag. I swore an oath and obligation every time I enlisted to defend my country against enemies foreign and domestic. I am in Gadsden County now to deal with a domestic enemy called racism. I stand proud because there are some things and events that are unfolding that are not happening here. I took pleasure when I first found out about what was going on, especially about the fraud involving elections, or the alleged fraud, and the folks who have come forward and started testifying. The good thing about this is – I am the one and I want you to have a face. The NAACP at the state level directed me to take certain action, which I did and I feel proud about it. We went out and took it to the Federal Bureau of Investigation.

There is a wind coming folks. There is a whirlwind coming and it is going to sweep this room. Justice is coming. I pray tell that you all get voters in place. The concern that I have also about what is going on in Gadsden County that is sickening is how much the Gadsden County Tax Payers is getting ready to be paid out to all these people who were wrongfully discharged under this man.

I stand here because I want you to know and I want you to put it on the record – March 17th, the President of the NAACP will be in Gadsden County. We are coming to mobilize this county. We are going to declare war on racism in the State of Florida, in this County. This County is where the battle is going to start. We are going to fix this. Some of ya'll here know better. Some of

ya'll know better and you know what I mean and you know what we are getting ready to do. So, we are ready to mobilize and I am just letting you know. Just get ready. I talked with the State President today. I want to note this, too. It is not just there, it is at the national level of the NAACP. You all are now on the chart.

We've got a lot of things that we need to be dealing with. We don't need to be dealing with this foolishness, but we will come deal with it because we've got to eradicate it. So, I just want to make that note and let you know and say thank you for allowing me the time.

Joseph Wright, 4873 Lake Mark Drive, Tallahassee, FL

I come to you tonight as President of the Southern Christian Leadership Conference for this region as well as former member of the Florida Ethics Commission. I am here tonight to truly support the citizens of this county. One of the things that I am concerned about, although I do support the lawsuit that was filed a few weeks ago. There is a more global picture here than just those persons who were fired. When I pulled your stats up, there are over 206 persons employed by the county. Less than 3 of those persons who are serving in supervisory capacities are African Americans. I think that is a problem. When you think about that in 2009, the county population was somewhere around 47,474. With 55%+ of that African Americans, certainly this county commission and the employees ought to reflect the demographics of the community. So, we certainly have a problem. It seems like from my prospective that we are dealing with another Apartheid system in Gadsden County. I am very, very much concerned about it.

Madam Chair, thank you so much for you allowing me to speak and we will be seeing you again in the future.

Thank you very much.

Vivian Jackson Mitchell, 65 Bell Loop, Quincy, FL, District 2

I had some real concerns about information that was shared with us at the last meeting I attended. The county manager informed us that the Sheriff's office had \$800,000 plus that had not been touched. Research of that, I found that the money had been used, part of it, by the Sheriff. The other part had been used for the hospital.

Now, my concern is number 1 – I think that the county manager is paid entirely too much money to make that kind of mistake. I would assume that he receives information on accounts of the county and has that information available to him so that when constituency is provided information, we are provided adequate, correct information. That was really a problem for me.

The other problem occurred this afternoon when I was told that the county manager said that we would not be allowed to have a rally and we would not be allowed to come together on his property, on his grounds. I have been in this county most of my life. I am 64 years old. It took me back a long ways and I am not going to go back and I don't think anybody else in this county who has come as far as we have come in Gadsden County is going to go back. No one can tell us if we are going to come together in a peaceful rally that we can't do it. So, I have a real concern about the authority invested in the county manager.

Thank you.

Clarence Tennell, 722 West King St. Quincy FL

Most of you know that I was born here in Gadsden County. Because of circumstances, I left the city and I was away for almost 50 years. I came back with the notion and the hope that things would be better. And, to a certain extent, they are. But, what has gone on, what I have been told of some of the things that are going on now, it brings my mind back to the point when my dad couldn't buy a new car because if he did, he would lose his job. I couldn't work on the tobacco farm that I wanted to work on because the man that my dad worked for owned a farm and I had to work on that farm.

I think in this day and age, things could be better. Quincy and Gadsden County is a beautiful place and we, as individuals and as citizens, to work and strive to make it be all it can be, not only for a select few, but for everyone. So, therefore, if we are going to have people come in, we are going to hire people who are going to try and take us back to the 50's and the 40's – I think it is wrong. He needs to be replaced and put someone office who will work for the betterment of this community for all of the citizens.

Thank you.

Pastor John Battles was not present when his name was called even though he had completed a speaker request form.

Jermal Rolle, 1510 Wallace Way, Tallahassee, FL

It is honor and pleasure to speak stand here today. Commissioners, on behalf of the residents of Gadsden County, they are at a point now of unrest, and as the constituents, the commissioners are the people in whom we put our trust and our faith. We must ride through storms without understanding direction, we have to trust in those people who sit in your positions. When the citizens cry out to the heels from which they yield their power, they would expect not just a timely response, but a response that would coincide with their cries. We do not believe in bypassing the due process. I stand as an individual and I say this from my heart. Every man deserves to go through the justice process. Every man deserves legal process. But, in that process, there is still a way to administer to the cries of the citizens. I do not believe a man should be removed from office immediately without pay, but I do believe that what the citizens are asking is that during this investigation, it would show that you have their best interest at heart if he was removed from office, but still paid. Then, economically, he would not be impacted. Then, it would not be unfair. That is the middle ground for both parties to decide upon. Everybody deserves their day in court. Everybody deserves justice. No one should be tried in the courts of the citizens, but by the law. But until the law decides that he is right or wrong, he should still be paid, but he should not be able to sit in the same seat. If he is cleared, then the citizens can look to the heels to which they yield power and find encouragement. There we can see justice. There we can see that you have the interest of the citizens of Gadsden County at heart. Gadsden County makes up so many minority backgrounds. What Gadsden County has stood for is more than what it stands and shows Florida that it is today. This is not the great county that was that was built. I am not here to say he was right or wrong, but until

we determine that he was right or wrong, we are asking that he leave his position and be paid to the fullest until the law decides. That is fair.

Thank you, Ma'am.

Lucas Milton:

This is the United States of America. Injustice will not be tolerated. Individuals can have their personal opinions. They can feel how they want to feel. They can actually do what they want to do, but once those actions and once those feelings cross the line of right, those individuals must be sanctioned. In this instance, Mr. Douglas M. Croley must be removed. It is an absolute shame that 40 years after the civil rights movement in this country, an individual has the audacity to arrogantly be racist.

Chair Taylor:

Mr. Milton, you will, excuse me, sir, you will maintain a professional tone in this chamber. You are out of order and at this time I am going to relinquish your time.

Milton:

Thank you.

Taylor:

Remember, remain professional and we will get through this process. Is this Mr. Louis Baptist? Am I mispronouncing it? I apologize if I am.

Louis Baptist:

Madam Chairman, Board of Commissioners. You said the name right. I am Louis J. Baptist. I reside at 5064 Wanish Way, Tallahassee, FL. I am here today because injustice has occurred not one time, but several times. Like the good Reverend said, injustice anywhere is a threat to justice everywhere. We cannot allow injustice to continue. Justice must prevail. It must. The great citizens of Gadsden County have spoken. You guys are elected officials. Any government is for the people, by the people. When did we forget the people we serve? When did we allow for it to be O.K. for commissioners, for attorneys, for administrators to go around having racist thoughts and discriminate openly. When did that become o.k. in the United States of America? My colleagues echo. The civil rights movement was not fought for nothing. My ancestors lay their backs in this country. My forefathers laid their back into this country and they did it because they wanted justice, not just 'cause, not just because I am a commissioner, not just because I am an administrator. Not just because I am an attorney, but just this. Justice must prevail. Justice must prevail. The people of Gadsden County have spoken. They have spoken loud. I heard it in Tallahassee, FL. I heard it on the highest of seven hills. I heard the residents of Gadsden County crying for help.

I am not an elected official in Gadsden County, but I am a black man. These are my people. I represent them. You were elected to represent them. I am not asking you to move mountains. I am not asking you to go against any values. I am just asking you to do your job. Do what these great people elected you to do. Do not allow injustice to prevail. Stand up. Take a stand. It is your duty whether you like it or not. It is your job to take a stand for what is right and what is

just.

Martin Luther King died for it. Malcolm X died for it. Malcolm X said that if you don't stand for something, you will fall for anything. These people have stood for something. These people have stood up and they said what they want. They refuse to fall. They refuse to fall. It is your job. It is your civic obligation to hold them up. It is why they elected you. How can you forget?

I am asking you to become humble. Maybe it is the arrogance. Maybe it is the title. Maybe it is the values that makes you guys think that you can run around making decisions having racist thoughts and dehumanizing my people. You cannot. That is not why we sent you here. We sent you here to perform justice, to appropriate budgets, to manage to help the welfare feed these people. Not those people. Not those people. These people in this room. These people are on the streets in Gadsden County and the Town of Quincy. It is your job, your civic obligation to stand up. If I am wrong, then I am wrong, but I am not wrong. There are people standing beside me. Your people stand by me. Why won't you stand by your own people? Do what is right and just.

Thank you.

Taylor:

That ends all of the requests to speak at this moment. Let me say, first of all, to say thank you for the professionalism that you have shown tonight in respecting our decorum. Let me also say to you that what you have said tonight has not fallen on deaf ears. This government has a process. It has a due process. Because of that process, it stops anarchy. We do know the reason for why we are here. We do know that we are here because of you and your quality of life in this county. It is our priority, but there is a process, ladies and gentlemen that we will follow.

Again, thank you for being professional. Do know that your concerns have not fallen on deaf ears. Everything. Everything in its due time and in its due season and in due process. Please appreciate and respect that.

Holt:

Commissioner Taylor, may I ask you what that process is? They don't know the process.

Taylor:

Commissioner Holt, the process is simple. We abide by our statutes and we will look at what issues and concerns are there and this board will come together collectively and discuss this issue in due time. We are not going to address this any further.

Holt:

You don't have to, but this is what they are waiting for. This is the process. The board, a commissioner makes a motion, it is seconded or not. If it is seconded, it becomes open for discussion. Then we will decide whether we will keep the manager or not, but this is the venue where you discuss it. It doesn't have to be agendaed.

Taylor:
You are absolutely right.

Holt:
What I am saying is, "Tell them that you are not going to vote on it." If the commissioners are not going to vote to get rid of the manager, just say so.

Taylor:
Mr. Administrator, public hearings, Itme number 6.?

6. Public Hearing - Adoption of Ordinance Number to Implement the Provisions of Section 286.0115, Florida Statutes Relating to Ex Parte Communications Involving Non-Quasi Judicial and Quasi-Judicial Local Land use Matters

Chair Taylor announced the opening of a public hearing and she would call for public participation at the appropriate time.

Minnis:
Basically, this item is, as the county administrator indicated, an opportunity for the commissioners to adopt an ordinance dealing with the provisions in chapter 286.0115 of Florida Statutes. Basically, what the ordinance does is remove the presumption of prejudice and unfairness in dealing with ex-parte communications between commissioners and constituents. It doesn't indicate that they can't have such communications, it just sets down the process whereby if any communication of that nature goes on, if certain disclosures are made about the communications or if copies of any documentation has been received by the commissioner from the constituent, it is made a part of the record that any presumption of prejudice would fall away from the communication that has gone on between the commissioner and the individual.

Holt:
Did ya'll understand that?

Taylor:
Deborah, I am going to ask you to share that in terms that we can get everyone to totally understand what is being discussed here so that if there any input, that the people will feel comfortable in doing so.

Minnis:
Absolutely.

Taylor:
Get a little closer to your mic.

Minnis:
Basically, this is a statute that will allow for the removal of the presumption, basically. In some instances, if a commissioner has an ex-parte communication – meaning that the conversation took

place with just the constituent outside of the hearing of other commissioners outside the meeting process – if they have a conversation with a constituent about an issue that involves the constituent or that constituent’s property or other things that are involved with a particular citizen – Normally, there is a presumption or a thought that the conversation could be unfair in some way. What this particular ordinance does is that it removes that presumption or thought of unfairness and allows for the commissioner who may have had that conversation with the citizen to disclose the fact that they had the conversation or if they got a document from the citizen’s issue of concern, make that a part of the record. When that is done, then the thought of presumption that the interaction between the commissioner and the citizen was unfair goes away.

It does not prohibit the citizens from talking to their commissioners. It doesn’t prohibit commissioners from talking to the citizens. It clarifies that particular area and says, “If you disclose in this way or make the document a part of the record, then any concern that your conversation was unfair or prejudicial in some way, will not be there.”

Taylor:

Again, this is a public hearing. If any of you wish to comment on this particular item, you may do so at this time.

Please give you full name and your current address.

Hawkins:

Sam Hawkins, 5251 Greensboro Highway, Quincy, FL. Now, I am trying to understand. If any citizen talks to a commissioner, this commissioner must disclose that conversation to eliminate any act of prejudice. Correct?

Minnis:

That is what the statute allows for, yes.

Hawkins:

And that is State Statute?

Minnis:

Yes.

Hawkins:

Well, it seems like it deters a citizen from communicating with his commissioner. If they want to have a private conversation, they are going to leave it there with the commissioner, they do have a right to privacy. If their comment is off the record, then it does not become a part of public record. Am I correct?

Minnis:

It depends on whether the commissioner feels the need to disclose it. All this statute says,

Hawkins:

But, that –

Minnis:

May I finish my point, please.

All this statute says and all this ordinance says is that if the commissioner discloses that they have had the conversation, it removes the assumption that the communication was unfair in some way.

Hawkins:

But, what is says –

Minnis:

There is nothing in this statute or nothing in the ordinance that says that citizens can't ask their conversations be private. It just says in order to remove the assumption that the conversation that he had was unfair, you should disclose it.

Hawkins:

Yeah, but what it says, what you are saying is if that citizen does not that to become public record and asked that it not become part of the record, that citizen's request must be honored by that commissioner.

Minnis:

All I am saying is that this statute does not speak to that.

Hawkins:

I read the statutes.

Minnis:

O.K. that is fine. The statute does not speak to that.

Hawkins:

It was interpreted by –

Minnis:

Sir, may I finish my point, please because I think it is getting confusing for everyone.

This statute does not speak to that in one way or the other. It doesn't say that a citizen that a citizen can't ask that their conversation with the commissioner be kept in confidence. It doesn't to that. It just says, all it says is that sometimes these conversations come with an assumption that they are unfair. If the commissioner discloses, "I have had this conversation," during the meeting or whenever they are considering it, it removes that assumption. That is all the statute says, that is all that is in the ordinance.

Hawkins:

I understand that. After the meeting, I will show you the other part of that statute that does address that.

Thank you.

Minnis:

I have read the entire statute, but thank you.

Taylor:

Yes, ma'am. Will you state your full name and your current address, please.

Laslie:

My name is Marion Laslie, 5 Dante Court, Quincy, FL. I guess I have some questions and concerns about this ordinance. Item Number 1 in Section 1 states, "A local public official is any elected or appointed public official." I wonder if you can give me a quick list of who those people might be. Who an appointed official especially might be.

Minnis:

I don't – this is basically taken from the statute. I don't know that you have appointed officials here, but in the event you have some appointed officials, then this ordinance would be applicable to those persons as well. That is the only thing I can tell you about that. The statute wants to cover as broadly as possible. In that instance, as I said, that language was pulled in. Of course, this is a public hearing and if the commission decides that they want to narrow the language or they don't like that language, then that can be done because the ordinance has not been passed at this point.

Laslie:

To clarify that, that does not include the planning and zoning director?

Minnis:

Well, if that person is appointed, arguably it could be that person. I could be. I guess we could see if they want to include those people. I think deals more with property issues, so it could be planning and zoning. Actually, it could be any member of the planning and zoning board if you look at it as appointed officials.

Laslie:

Would you consider the county manager also on this?

Minnis:

I don't think the county manager is appointed. I think he is hired by contract. I don't think he is an appointed official.

Laslie:

O.K. Then Number 2 of Section 1 states that the following items are relating to matters other than quasi-judicial proceedings. Then number a, b, c and both a and b refer to quasi-judicial. To me, there is not much in here dealing with non-quasi-judicial actions. Then Number 3 below seems to refer to the following list of things relating to quasi-judicial. So, it doesn't seem to make a whole lot of sense to me.

Minnis:

This language is really basically taken directly from the statute itself. I think the concern is more with the quasi-judicial types of situations because that is more when they are acting in a quasi-judicial. When they are acting more on an individual basis with the citizen rather than when you are doing comprehensive planning, which by its nature, you are going to have a lot of public hearings and it is more legislative and they are more setting policy than they doing issues for individual citizen. So, the statute does kind of make a distinction between the two areas. Basically, the language in here is the language found in the statute.

Laslie:

Again, my point is, I don't see any reference to non-quasi-judicial actions. If you read 2A, and B, they both refer to quasi-judicial. So, the only thing that is non-quasi-judicial is "A local public official may read a written communication from any person."

Minnis:

That is because that is the way the statute says it. So.

Laslie:

Look, I am just asking.

Minnis:

I am just trying to be responsive.

Laslie:

But you are writing an ordinance that is supposed to do something.

Minnis:

But I can only write the ordinance in the way that the statute permits. I can't go outside the statutory authority in creating an ordinance. So, I have to follow what the statute says in drafting the ordinance because this is the statute that gives the county commission the authority to write this ordinance. If I go outside the statute, then basically, I have gone beyond the authority that the Legislature has granted in this particular statute. So, that is why the ordinance is written the way it is. It is written to track with the statute.

Laslie:

So, In 2C, I am assuming that county commissioners are prohibited by statute from getting together and meeting. Is this correct?

Minnis:

No. That 2C, I am looking at 2C and it talks about conducting an investigation and site visits. Is that what you are looking at?

Laslie:

That is it exactly.

Minnis:

This doesn't talk about commissioners getting together and meeting as a body. All this says is that if

a citizen calls a commissioner and says, "I want you to come over and look at my property and I want to show you what is going on" and they do a site visit or an investigation, this just says that if they do that, there is no prohibition one way or the other. They can if they want to. If they don't want to, they don't have to. The statute doesn't control that. But if they do that, the assumption of unfairness and prejudice will go away if that site visit or investigation is disclosed. That is what "C" talks about.

Laslie:

O.K. Can all five county commissioners go to one site together?

Minnis:

No. That is a separate issue.

Laslie:

In a quasi-judicial action?

Minnis:

That is a separate statute. That deals with the public meeting law, which says that if you have more than one commissioner going to any area and looking at a situation that may come before them as a body, that it has to be public noticed that it is going to happen. So, the correct answer is they can if it is noticed as a meeting or a special meeting.

Laslie:

O.K. I can accept that answer.

Then it seems to me that the next sentence in that is that "expert opinion" is given a little more weight it seems than public input. Is that true?

Minnis:

I don't think that is what that means. Basically, it just says that "Such activity shall not be presumed prejudicial to the action if the existence of the investigation site visit or expert opinion is made a part of the record." For example, if they go to the citizen's property, they look around and the citizen says, "Oh, by the way, I had an engineer to come out and look at this and this is what my engineer has said. This is the report that he has given me." Then they can look at that. But they disclose that they have looked at that. But it doesn't say that "expert's opinion" is more important. It just says that if you get an expert opinion while you are doing a site visit or investigation, that if you disclose that, then the assumption of prejudice for being engaged in that outside the arena of a meeting of the body, will go away.

Laslie:

The major impact of these things are major land use changes. My concern is that expert opinion and the major land owner will meet separately with all the commissioners and be able to present much more of a case for their project that the public will ever be able to do in a public hearing.

Minnis:

Well, all I can say in response to that ma'am is that that is not prohibited at this time anyway.

Basically, what this ordinance will do is that it will say if that commissioner discloses that they have received this information, or have had this kind of interaction with the citizen, then it will remove that assumption of unfairness and prejudice. There is nothing in the statute that tells us that a commissioner can't communicate with the citizen or a constituent on any issue. So, that is not what this statute is for.

Laslie:

O.K. The next one is number 'D' and it says that disclosures must be made before or during a public meeting. I guess my concern is what does "before a public meeting" mean. Will the public actually be informed that meetings went on with various commissioners with the applicants that they were not privy to?

Minnis:

Well, if it says that disclosure before or during meeting, then other than reiterating what that says, if a commissioner wants to have the county administrator or staff member put out a notice that says, "I want you to know that I have gotten this documentation on this issue." Or let the Planning and Zoning Commission know when they post their meetings that, "I have gotten information on this issue," or if they are in a meeting on a particular issue and they disclose before the meetings, the issue comes up and when they are getting ready to make a decision on it, they disclose, "I want you to know that I have had this conversation," then that basically that says what this is about.

I don't know whether that answered your question, but this particular statute doesn't deal with whether commissioners can or cannot talk to citizens or whether commissioners can or cannot get information on Land Use and Comprehensive Planning issues from citizens. That is not what this deals with. It deals with - if you do certain disclosures, then the assumption that the communication was prejudicial or wrong or unfair goes away. That is all this statute or ordinance is meant to deal with.

Laslie:

I am just concerned about - I don't want it to be made, a statement made somewhere where it is not available. So, other than 2 a & b relating to quasi-judicial when it is under the heading of matters other than quasi-judicial. That is all I wanted to say.

Thank you.

Taylor:

Commissioners?

Oh, I am sorry. Please come forward.

Battles:

Commissioners, my name is Arrie Battles and I live at 919 Harden St.

Ms. Minnis, I want to ask a question. If I have a development going up and say that I talk to my commissioner, who is Commissioner Taylor, and she doesn't bother to disclose that we have had this conversation, who is to enforce the ordinance if it is passed tonight?

Minnis:

I guess what you need to understand is that what that means is that communication that you had with each other – if it is learned that the communication went on and there was no disclosure, there could be an assumption that somehow there was some unfairness to the process because that communication happened and it wasn't disclosed.

Battles:

Isn't there something like that on the books now? I remember under you, Commissioner Lamb, people coming up here and you would say, "I talked to that person in my district and we have had this conversation."

Minnis:

They may have been, the commissioners may have been voluntarily releasing that information, but there was no ordinance on the books that spoke to it directly.

Battles:

If you put it on the books now, who is to say that it is going to be enforced?

Minnis:

Well, there is a mechanism if they make it an ordinance and it becomes their rule. There is a way to enforce the ordinance because there is a mechanism to do that, but it is a really interesting statute and it is an interesting ordinance in that it doesn't forbid the conversations, it talks about whether the conversation would be looked at as being unfair or prejudicial.

Battles:

Pacify me and tell me how we would enforce this. I want to know because if I talk to Commissioner Taylor and I've got a project going on and I know that three other commissioners are going to vote against me and I have talked to Commissioner Taylor to try and get the majority vote, I am not going to tell and surely she is not going to tell, so how are you going to enforce it?

Minnis:

As I indicated, what would happen in that situation is if it was determined that you had that communication,

Battles:

I am not going to tell, though.

Minnis:

I know that she is not going to tell, but there may be other ways that somebody finds out that you had that you had that conversation. There are a lot of ways that people can find out that conversations go on. So, even if it is not disclosed, there may be some way that they find out. If it is found out, then the other people, for example, if there is someone on the other side of you issue that doesn't want to see the development go through, they may come before the board and argue - "Well, she has had private conversations with this particular commissioner and I think it is unfair. I don't think you should consider what this commissioner is saying to you about the project because

they have been prejudiced by her. “ That is what this ordinance would try to prevent. If she discloses, then it takes that assumption away of fairness away.

Taylor:
Alright. Are there any others?

(No response.)

Commissioners, I am going to hear from each of you at this time. I am going to start with Commissioner Croley.

Croley:
I just want to make a point of order because I may have misunderstood what Attorney Minnis was saying in that this is only relating to land use matters. Is that correct?

Minnis:
That is my understanding of the statutory provision. I am looking at the statute now. It says, “Access to local public officials on quasi-judicial proceedings in local government land use matters”- that is the title of the Statute.

Croley:
That was my point. Early in the discussion, it sounded like it was pertaining to other areas, but it was my understanding that it is only regarding local land use matters. So, this is just a point of order.

Taylor:
Thank you, sir.

Any other commissioners who wish to discuss this particular item?

Holt:
Yes.

Taylor:
Commissioner Holt.

Holt:
Thank you. I am kind of interested in what Ms. Battles was saying. I understand what you are saying Attorney Minnis that it falls on the commissioner to disclose. But, as I said, If I met with someone and they are going to have a development and I tell them, “You need to talk to the other commissioners,” cause I will tell them how I feel about it. “Now, you need to talk to everyone else. Everyone else.” And they do that. When I get into the meeting and I don’t say that he talked to me, but he talked to those other commissioners. If there any type of punishment?

Minnis:
There is no punishment meted out in the Statute.

Holt:

That is what she is asking about.

Minnis:

Like I said, all this ordinance does is it tries to foster disclosure so the assumption of unfairness will go away.

Holt:

I understand that. But, they want to know what do you do and what happens. That is all that they were really interested in. I just looked at it and whenever the State Statute says that you can discuss anything with anyone. You can go out and look and everything. We just always – When I first started on the commission, we always had this practice – Commissioner McGill and several and several others, especially Commissioner Dixon used to yell about it. Make sure you tell people that you talked to them. It just solves the problem. You come up here and say, “I talked to them.” “Look, I talked to Mr. Baker about his property out there.” Mr. Baker came before us and it made sense to do it. If we need an ordinance that we don’t have to enforce and it doesn’t cost us – How much did this one cost us?

Minnis:

I don’t have that information with me.

Holt:

That is my only problem with doing all this stuff. We are doing stuff that cost us.

There is no number here to tell us what it cost us to write this ordinance. The clerk just said that we need to save some money.

Ladies and Gentlemen, if we are going to save money, if we are going to do this, let’s do it and keep going. This right here, to me, was unnecessary. We didn’t have to worry about this one. We can go ahead and vote on it and be through with it because it is just a waste of money.

Minnis:

I think, as I indicated to the commission before, it will only take a couple of hours and it is my understanding that that was all it took. So, the cost was, well, I don’t want to guess because –

Holt:

Just guess how much.

Minnis:

I don’t want to guess, but I can tell you that it was under \$1,000. It wasn’t anywhere close to that. I Don’t want to guess because people will come back later and say, “Well, you said it was so and so.”

Holt:

I don’t have any problems with that. I wouldn’t want that. But, what I am saying is when we ask you to go and do research, we should ask, “How much is that number going to be?” What is happening is, to me, Commissioners, when you take that oath, you are disclosing and I just think this

is unnecessary.

Thank you.

Taylor:
Commissioner Morgan?

Morgan:
Thank you, Madam Chair.

Commissioner Holt, I agree with you in that we should be very aware of our legal costs. As a matter of fact, we averaged about \$550,000 per year a few years back. That is one of the reasons that brought concern to me. But we have brought that down by 70%. So, I am glad of that. I do think, Madam Chair and Commissioners, I understand the concerns from the public because what we don't want to imply is that we are limiting any kind of communications that would cause our constituents to think that they can't come and speak with us. If I understand the intent here, it is simply, through disclosure, to be fair for everybody involved through that disclosure and give us the opportunity to go out and be even more involved in an issue. We are always better off when we have more education – personally, I am – about a particular issue. If I had the Rowans for example, out on Sycamore Road, in a zoning situation, I would want to go out there and look at that and I would want to have input from those local folks out there. I would want to have that in my thought process while I am making a decision. I do understand the intent and I think that it is very important that we can do that.

One question I do have for the attorney – Ms. Minnis, what about specific communications and discussion or disclosure of discussion if there are any between a commissioner and a sitting planning and zoning member about a particular issue? Will you clarify that if at all?

Minnis:
I wouldn't want to guess. It is not a part of this particular statutory provision. My concern with that because they are appointed by you to deal with certain issues, there may be some concern about having those individual communications, but, as I said, this statute does not deal with that. I have not looked to see if that would present a problem. I can tell you for certain that commissioners cannot speak to each other about it outside of this arena.

Morgan:
Correct. Correct. I think some clarification there would be helpful because if we are, in fact, allowed to do so, I know it would have been helpful in the past if I could speak specifically with a member of planning and zoning or meet them at a venue where we could discuss an item. I just want to make certain that it is o.k. to do that for the future reference, please.

Minnis:
As a protocol, if there is a vote by the board, I will definitely do that.

Taylor:
Commissioner Lamb?

Lamb:

The only thing I would say about that, Madam Chairman, is that this particular board that is here, there are guidelines there for us to follow. It is not a tough ordinance or anything, it will be easy to follow, but it is something that we really could have looked over as Commissioner Holt has stated. But, it is here, it is in place, let's move forward on it.

Taylor:

We try our best to make it so that everyone can understand it. If Ms. Battles calls me, I am going. And, I am going to listen and I am going to lend my best advice. When we come to this venue to vote on it and discuss it, I am going to say that I spoke to Ms. Battles about it because I don't want nothing to hinder it. I don't want nothing to stop it. We want to put everything in the proper prospective so that agendaed items can move forward. As long as I say, "We discussed it," and I have disclosed that, and now her project does not get held up because someone comes up here and says, "Well, ya'll talked about this" when I voted to support it. So, it really protects you and it doesn't get held up because people are protesting it or against an item that you want to see come into fruition. That is what it does. I know, right now, things are probably a little suspect of everything that happens here, but again, it is for the betterment of our citizens that we look at these things clearly.

Now, I agree with the young lady who came up here just a few minutes ago and said that some of the language might need to be a little bit more tailored toward this county. But, what the attorney was saying is that she copied state statute and brought it before us. The state statutes is being used as the guideline. We have taken some of their wording, but we still need to put in some of our own and tailor it a little bit more toward this county.

So, Commissioners, with that being said, we might not want to vote on it right now. We might want to send it back and I am going to lend to you on this particular idea. We might want to send it back and have some of those items that we discussed earlier be reflected in this ordinance going forward.

Minnis:

I will note that Option Number 3 is to give instruction to the counsel or me on the ordinance or further instructions for changes that may be needed.

Taylor:

So, we need to get a motion for Option No. 3.

Commissioners?

Lamb:

That is what you want?

Taylor:

That is what we need. I think Commissioner Morgan has some additional ideas and from public input. That is why this is a public hearing with public input. There are some concerns with the

way the ordinance is written at this time, so I would like to see it brought back to us with some of these issues and items reflected in the ordinance going forward. So, in order to do that, we will have to put in a motion for Option Number 3.

Lamb:

I offer a motion to approve Option # 3.

Taylor:

There is a motion.

Morgan:

I will second it, but I do have a question.

Taylor:

There is a motion and a second.

Question, sir?

Morgan:

I just want to make sure that I understand what we are doing here and I agree with that. I want to make sure that we do not stray in any way, shape or form from Florida Statutes just to meet the conditions that we would feel more comfortable with.

Minnis:

I will assure Commissioner Morgan that whatever changes I make, I will make sure that they meet with the constraints of the Statute and I will make sure that I get down what those concerns are and if I don't have them, I'll check with Ms. Straughn to make sure that I have those items.

Taylor:

There is a motion and a second for Option # 3. Are there any more questions or concerns?

There being none, all in favor of this motion, please make it be known by saying, "Aye."

Motion carried 5 – 0.

7. Public Hearing – Adoption of Ordinance for Comprehensive Plan Text Amendment(s) to Policy 1.1.5(D) Neighborhood Commercial

Chair Taylor announced the opening of a public hearing.

Growth Management Director Anthony Matheny briefly explained the ordinance. He commented that it was transmitted to DCA and a response was received from them without any objections or concerns.

Chair Taylor called for public comments.

Marion Laslie, 5 Dante Court, Quincy voiced concerns regarding:

Concern with definition of “road” (local road, minor collector road, etc.)

Item 2 Page 1 – it states that neighborhood commercial must be within a half mile of an intersection of paved arterial and a collector or two collector roadways. She would like a more specific definition of Intersection - a full intersection and not a T intersection. - She would like to see the definitions to be more specific.

When will a local road becomes a minor collector road?

Will neighbors be notified when Special Exceptions will be granted?

Chair called for other public remarks.

Mr. Matheny responded to some of Ms. Laslie’s questions:

Definitions are addressed in other parts of the plan.

Notification of special exception is 1,000 ft. (It could be changed to make it encompass a larger range for notification.) Special Exceptions can be denied by the BOCC.

Discussion followed among the board members.

This type application would be considered a special exception and the notification requirement would fall under the Citizens Growth Management Bill of Rights. It was not readily determined that it would require a super majority vote of the commission.

Commissioner Holt contended that this ordinance will be counter productive to the economic development efforts of the county. She was opposed to the ordinance saying, “We need something that will promote growth. This will hinder it.” She suggested that they begin to focus on having workshops to do things to promote economic growth, not hinder it.

She asked, “What is the recourse is there for a citizen who makes an application, but the board vote is 3 – 2 rather than a super majority vote for the approval of their project?” Ms. Minnis answered that the recourse would be to file a suit in Circuit Court.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 4 – 1, BY VOICE VOTE, TO APPROVE THE ORDINANCE. COMMISSIONER HOLT CAST THE LONE DISSENTING VOTE.

GENERAL BUSINESS

8. **Approval of Naming the Shelfer Park Project as the Eugene Lamb, Jr. Community Park at Richbay**

Public Works Director Charles Chapman reported that a steering committee for the development of Shelfer Park has proposed that the park be renamed as the Eugene Lamb Jr. Community Park at Richbay.

Ms. Nell Cunningham addressed that board on behalf of the steering committee.

She stated, "When people work tirelessly to get something done, they ought to be recognized while they are still alive and can enjoy the recognition. No one has worked more than Eugene Lamb to help us get a park in Havana. We desperately need something for our children. You know yourself if children aren't busy doing something good, they are busy and it is usually not good. Eugene has really worked to help us get that park. 90% of the people who voted in Havana for the naming of this park, voted for it to be named either Eugene Lamb or for it to be named Richbay. So, it was a wonderful solution to name it the Eugene Lamb Park at Richbay. I certainly encourage all of you to vote and respect our wishes."

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO NAME THE NEW PARK THE EUGENE LAMB, JR. PARK AT RICHBAY.

9. **Discussion of the Fiscally Constrained Amendment 1 Distribution**

Chair Taylor asked the commissioner to voice their pleasure for how they would like to use the additional fiscally constrained funds coming from the state. .

Commissioner Holt – Lewis Lane Paving; Youth Summer Jobs

Commissioner Lamb – Public Safety – additional sheriff's deputies; Youth Summer Jobs

Commissioner Morgan – add to the fund balance and save the money

Commissioner Croley – opposed to spending the money except for one time expenditures; would rather use it to build the fund balance

Chair Taylor – Summer Youth jobs (\$75,000) administered by the County; remainder to fund balance

Administrator Williams – save and put into fund balance

Staff was instructed to bring this issue back on the next agenda for a vote.

10. **Discussion of the Sheriff's Request for Three (3) Deputy Positions**

Major Shawn Wood, Gadsden County Sheriff's office addressed the board to answer questions. He reported the following in response to commissioners questions:

- Burglary crime has increased drastically in Districts 1 & 2
- The Sheriff would like to implement more direct patrols in isolated areas
- The burglars seem to be jumping between Gadsden, Leon and Decatur Counties
- The Sheriff would like to decrease the patrol officers area to smaller zones as preventive maintenance measure – it would add a more visible presence.

Commissioner Croley asked if the Sheriff had a plan to sustain the additional officers in the years that will follow. What is it that we are funding these deputies to do?

Captain Robert Barkley addressed the board in response to Commissioner Croley's questions. "Commissioner Croley is exactly right, we should have a plan and we do have a plan. What we see now in Gadsden County is that there have been lots of crimes which have happened over the last 3 – 4 months. What we have done is structure the Sheriff's Department to be more proactive. The last 2 – 3 real serious crimes, we feel like we can prevent them if we had more officers on the streets. What we want to do is be more proactive, identify the prisoners when they get out of jail, we want to identify those on probation, we want to identify those who have been released from prison. We feel like that if we can do that, we can prevent some of those crimes like the the last two tragedies that we had. The two major crimes that we have had in the last couple of months – statistics tell us that those guys would commit those kinds of crimes. So, we want to focus on those guys. If we can get more officers on the streets, we can focus on prisoners who have been released, released from jail. More proactive.

We also want to be more proactive on domestic violence. We know by statistics that a person that commits domestic violence, they will go back together within 1 – 2 months. We can keep the female from being hurt or committing suicide. We had a suicide about two months ago where the male had been constantly a problem with this girl. If we had a person who could have targeted that person and counseled that male, we could have prevented that from happening. Statistics show that the people who commit crimes are the ones who continue to commit crimes. What we want to do is focus on those individually.

That fellow that committed that crime out Madison Street just got out of prison. He had committed crimes like that before. The man that got killed out here of Flat Creek Road – that gentleman had just gotten out of prison. We want to focus on those individual. We feel like with enough man power, we can do that."

Questions and Answers from Commissioner Morgan to Major Wood:

Is there a higher priority in the Sheriff's office than getting three more deputies? I think that we have such a large trend on their side of the county. I would like to sit up here and tell you that

we really are short staffed. But, we realize that there is not a lot of money. That is what we are saying. We are trying to really focus on these two areas where we have had a large percentage of crimes.

I understand that the crimes have gone up, but are you aware of any higher priority in the Sheriff's Department in finding a way to fund three more deputies? No, Actually, we have worked really good as far as the generator and I guess we are moving forward on that. We seem to be chipping away at things between the Sheriff's office and the board and we have made a lot of progress. It is just right now, we find ourselves in a situation where we really do need to put a couple more people out in that area. Right now, that is our number 1 priority.

How many deputized employees do we have right now? When you say deputized, you have to realize you have court services, civil and the jail and they are all deputized. Right now, there are 21 people who answer calls on the road. We have 7 people who are in investigations, and we have 8 people at the courthouse (only six of them are sworn.) We have 23 at the jail. That is outside of command staff or other individuals.

What consideration has been given to maybe shift one of these individuals from 3 other areas in order to have three road deputies? We have actually shifted people over into those areas for the next few months. We started a special operations which will start targeting those areas and they are our more experienced people. We are looking at the ones who are going out into the high drug crime areas, the violent offenders. We have actually committed a five man team to do that. The problem is that, in turn, we ave to put your lower level income people, which is cheaper, to the positions that are out there taking the everyday calls.

Have you recently moved three individuals into three road deputy positions? No, we have moved people into the special operations group.

Where did they come from? We pulled them from investigations and different areas. Patrol for one. We redesigned our investigation department and that is how we came up with the five people.

To what degree can you guys meet us to try and accomplish this? How much can you help with this? We have been doing other things. We have been working with the city leaders and the police departments. We've been looking at more task force type things, sharing of communications. I hate to get ahead of them before they have a chance to talk to their leaders, but we are looking at how we can consolidate IT and communications. We are going down that road. We realize that has to come and we will be talking to them and we are in the process of talking to them. You won't have secondary costs when you actually double up. That is the number that we felt like we need. I think Mr. Williams has some other breakdowns.

Would it be fair to ask for each of us to meet half way to try to meet those goals and meet the needs of the citizens? It may put some things on the back burner for us, but we might could shift some things around to meet this immediate need. I think we are asking. It is up to you. If you all give it to us, then we get them. If you don't, then we can't, but we appreciate you all listening to us.

Commissioner Lamb stated that he wanted it to come back on the agenda for board action. He viewed it as a “need” and not a “want.” He encouraged the other members to be supportive.

Commissioner Holts comments: “This is a no-brainer. You need the deputies, we need to give you the deputies. The two commissioners with the higher population seem to need the deputies...Let them figure out what shifts they need the deputy for and let’s give them the money and be done with it. There is no need to argue this. ..The citizens deserve something back and safety is one...We can do that. I am in favor of giving them at least one...We cannot protect people and keep them safe without it...We have to do that one.

Commissioner Croley stated, “Let’s not restrict this to just two deputies. I am not opposed to five deputies if I can see a plan to go with it. I would ask that a plan be included with it, this motion, so that we will know what we are really funding.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, TO PLACE AT THIS MATTER ON THE NEXT AGENDA FOR BOARD ACTION TO FUND AT LEAST TWO DEPUTIES WITH A REQUEST THAT THE SHERIFF PROVIDE A PLAN TO SUPPLEMENT THE REQUEST.

11. **Review of Medicaid**

Mr. Jeff Price reported that he has talked to the State and they are in the process of auditing Medicaid claims for the past 10 years and they will be re-billing counties for Medicaid costs. No one knows how much it will be, but it could be considerable. There has been no re-billing for the last three years at all. He also stated that he is monitoring it and will inform the board as information is made available. He pointed out that it will be prudent to budget for that additional cost in the 2012 budget. When and if the final bill arrives, the county will be given a length of time in which to pay it.

Commissioner Holt stated that her concern is that Gadsden is not budgeting adequately as a matter of routine.

Questions raised by Commissioner Morgan to Mr. Price:

What is the cause of the re-billing? A lot of missing information. Addresses, Medical Insurance and that type of thing.

Information that who did not provide? I would say the patient or the hospital.

Is there a manner in which the county can challenge the responses from the state saying that we owe this money? Yes.

So, potentially, this is not a valid concern? (laughter) Maybe not 100%. There will always be challenges to it. We may win and we may not win.

Is it possible that we may have overpaid Medicaid? I am assuming that there is always that possibility, but I haven't heard of any.

We do know in the worst case scenario that we could owe a couple hundred thousand dollars?
Right.

There was no action taken but staff was instructed to continue to monitor the Medicaid re-billing.

12. Discussion of Emergency Housing Repairs

Chair Taylor asked that the board restore some funding for the emergency housing repairs.

Commissioner Morgan asked that that some contact be made with faith based organization and perhaps utilize summer youth to do this type of emergency repairs as opposed to actually funding it with tax dollars.

UPON MOTION BY CHAIR TAYLOR AND SECOND BY COMMISSONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO AGENDA THE EMERGENCY HOUSING REPAIRSFUNDING REQUEST FOR BOARD CONSIDERATION AT THE NEXT MEETING.

13. Discussion of the Governor's Proposed Budget for Fiscal Year 2012

Mr. Williams reported on how the Governor's proposed budget could impact Gadsden County if it is passed by the Legislature.

- Requiring employees to contribute 5% toward their retirement plan.
- \$1 Billion reduction in property taxes
- Reorganization and consolidation of some departments
- Reduced Medicare Spending
- Privatization of some services (such as Florida State Hospital and prisons)

Clerk Thomas called attention to some of the figures in the handout. He said that the budget does not contain many of the revenue sources that the county has traditionally depended on such as Revenue Sharing . He stated that the document is disturbing.

COUNTY ADMINISTRATOR'S AGENDA

14. Update on Board Requests

No items.

COUNTY ATTORNEY'S AGENDA

15. Update on Various Legal Issues

No items.

DISCUSSION ITEMS BY COMMISSIONERS

16A. **Commissioner Lamb, District 1**

Commissioner Lamb thanked the board for the action taken on the Sheriff's request for deputies.

16B. **Commissioner Croley, District 2**

Commissioner Croley reminded the commission of the goal that was adopted by the majority of the board. "Develop and maintain sound financial policies. Requires specific goals and objectives of the county's annual operating budget with emphasis on building partnerships, public and private. Enhance and build reserves. "

He asked the commission to bear those goals in mind.

16C. **Commissioner Holt, District 4 – Paving of Lewis Lane**

Commissioner Holt stated that the county is continuing to maintain Lewis Lane which is located near the Georgia Line. She went on to say that it cost a lot to mobilize the units and equipment and send the public works crews to do the maintenance over and over again. It is for that reason that Lewis Lane is ranked one of the top roads on the dirt road paving priority list. She asked that it be brought back for discussion on the next agenda.

Charles Chapman confirmed that the road has been on the road paving prioritization list for at least two years.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO PUT THE PAVING OF LEWIS LANE ON THE EARLIEST POSSIBLE AGENDA.

Former Employee Complaints

Holt:

Only one other item. As I said earlier, I am going to bring this back. I am not going to belabor this, but I am going to say some things and I am not going to get upset about it because I confess that I have been pretty upset about it.

Those individuals who were in here earlier, they are upset with us, but they have valid reasons to be upset with us. We had two really, really good managers, Mr. McKinnon and Mr. Brown. They were really good at what they were doing. But, we had to, it wasn't this difficult to get rid of them. That is my opinion. That doesn't mean that anybody else thought so. I am saying this - when your employees are upset and your constituents are upset and they are coming in here because of the legal actions being taken against this county, they are upset. When you look at

the fact that they are upset also because of how those individuals were terminated. It wasn't just that they were terminated, but they were terminated after not giving them a sixty day notice. I put in a motion for a sixty day notice. They couldn't get that. I put in a motion for a two week notice. They couldn't get that. Then, after the meeting that day, they were informed that day that they had to go home. As I said then, those individuals had families, they had jobs, they used to have jobs until they got fired. They had mortgage payments, they had children to take care of, and I kept saying that. What we are looking at now, some of these individuals don't even have their homes anymore. We are talking about economic development and saving money. It wasn't done like it should have been done and they are upset. That is the same thing that I am upset about. We can say what we want to, but those individuals out there in the street and they are going right now, I am sure they are wearing the phone out, and they are e-mailing and they are twittering each other. They are upset about this and they are upset, too, as to how we are doing things.

If we were interested, if this board wasn't interested in firing the manager tonight, so be it. But a suspension should have been something that would have given us time to look at it between now and the time that his contract ends. His contract ends next month and that would have given us something to look at it. We are giving them a deaf ear and that is how they felt when they left here. They are upset about it.

They are especially upset about the lawsuits. They are saying, and I called the attorney and I spoke with her and she said that this was not a large number of lawsuits, per se. I have never seen this many and I have been here since 2002 and I have never seen this many lawsuits. I have never seen this many complaints. I am telling you, the lack of knowledge and the lack of supervisory skills is what is causing the problems. It is not necessarily that you had to cut back, it is how you do it. That is why they are upset and that is why I am upset about it and I will continue to be. And every two weeks until we terminate the manager, I am going to put the motion up. I will continuously do it.

One other thing that came up just recently was that discrimination and that racism thing is what caused people to want to fight. Those are fighting terminologies that are being used. They are upset about it. So, why cause the division among the races in the county? There is no reason to perpetuate it. It is already here, but there is no reason to aggravate them anymore. You are going to get young people that are going to start doing things that they shouldn't be doing. That makes all of us to have to go out and say, "Sweetheart, don't do this. Let's try this." And we are talking to them consistently. You have given us a little bit too much work to do when you are doing that.

Economically, we have not provided any jobs. Mr. Bradwell came in here and he tried to bring 15 jobs in here. We had some \$50,000 and we should have helped Mr. Bradwell to get that restaurant open. We didn't do that. That was 15 jobs.

Now, if we are looking at putting another deputy out there, and I think we need a bunch of them just like you said, Commissioner Croley if we can afford them. But even when they get out of jail, they don't have jobs. They are going to take from those that have jobs. It is going to happen. Where is our economic plan? I expect for us that we are doing our own jobs on the commission

and we expect the manager to be the quarterback. The quarterback has to take control and make sure that everything is done correctly.

I move that we remove the manager tonight. That is my motion.

Thank you Madam Chair.

Taylor:

The motion dies for lack of a second.

Minnis:

I don't normally do this, but I would like to put my comments in context. I had one discussion with Commissioner Holt. My comments to here were with regard to the number of suits filed was based on my experience in the labor and employment area, which is part of my expertise. I have been working in that area for over 20 years. My comments were based on percentages compared to the number of staff. We have a number of staff that were affected by the layoffs and reduction in the workforce. My knowledge, generally, other entities and employers and other groups that are having to make the same types of decisions and the fact that other counties and cities and private companies are getting litigation as a result of reductions in force.

Holt:

She did acknowledge that to me when I spoke to her.

Thank you.

Taylor:

Commissioner Morgan.

16D. Commissioner Morgan, Vice Chairman, District 3

Commissioner Morgan commended Chair Taylor for her professionalism and how she had conducted the proceedings at this meeting .

Morgan:

Commissioner Holt, you had mentioned about economic development and I am so glad, again, I must say, that we are starting to focus on that. I have been doing that since I have been up here. I do want to correct the record on the fact that our largest private employer, the Mushroom Plant, went out of business the year 2008. They are now back and employ a little more than 200 folks. Hopefully, they will get back up to the goal of 500, which they had before. We have also had several other small businesses that have opened in the recent year and a half to two years. We've got a restaurant that employs 40+ people that is going strong out there on the west end of Highway 90. I certainly don't want to say the name of it, but I think that will give you a clue. They do have a grill and they are on the west end. But, they are doing well and I am glad to see that.

There are others. I had dinner this evening in a business that opened up a year and a half ago. So, we do have a productive working effective relationship with the Chamber of Commerce and others, not just here, but regionally because we have focused on those efforts to do that. We solidified a number of relationships that will help us to foster continued growth if we continue to focus on that in the right way and fund it where it needs to be funded. So, I am glad that we are having those discussions. I think it is very healthy.

With that in mind, we need to, as a body, to understand the importance, in my opinion, of establishing a working relationship with this Legislature. One way to do that is to help them to understand how we recognize the current economic conditions and the impact that it is having, not only the rural counties, but across our state and our nation. I think the way we do that is to communicate with them very professionally and very often that we understand needs versus wants. That there is give and take and that everything can't be funded that we would love to be funded. I think we do that by understanding that just because there are dollars that are budgeted don't, in fact, need to be spent. In fact, by saving, it can help us to serve. There may be a time that we don't have those dollars and we might need them. I just want to say that I have compassion for some of these things that we are asking to be funded and I understand their importance, but we do need to focus on prioritizing that, in my opinion, and to understand that by saying, "No," now, we might be able to say, "Yes," in the very near future. And, when we do say "Yes," like the need that we have in the Sheriff's office, let's ask that department to meet us half way. That way, we both have skin in the game in finding a solution. I think that is a positive and productive way to do that.

That is all I had to say. Thank you.

Opposition to Privatizing Florida state Hospital Resolution Number 2011-009 - no report was given.

Update on the DOT Lighting at the Chattahoochee and Gretna Exchanges – no report was given.

Code Enforcement Issues – No report was given.

16E. **Commissioner Taylor, Chairperson, District 5**

Taylor:

Let me just say that we all went through a really trying time tonight. There were some verbal attacks, there were some aggressions, but I want to commend you on still maintaining professionalism around this board.

The manager has a little quote in his booklet that says, "This is why we get paid the big bucks." That simply means that we have to endure sometimes when what is being said at that podium is not (inaudible). Sometimes we don't appreciate some of the comments, but we still have to remain cordial and keep in mind that we work for them. We work for the citizens and we do, Commissioner Holt, Commissioner Morgan, Commissioner Croley and Commissioner Lamb, we

do listen to our constituents and we do react. So, what was said tonight did not fall on deaf ears. We understand the concerns. We live in this community so we are not immune to what the folks concerns and issues are. But, then again, as I said earlier and I say it again, it is a process.

Attorney Bills

Now, my understanding is, Commissioners, that there have been too many contacts by individual commissioners to the attorney on items. This is the board's attorney and you need to be mindful that a lot of these items need to be either be approved by the manager and then sent on to her or this board. Now, the manager was supposed to discuss this item tonight. We have almost 16 separate billings from one commissioner. We don't need to get into the rut of putting down what happened some years ago and here we are doing the same thing causing a huge attorney bill. We must follow the process. If there is an item, Madam Attorney, that you know has not been discussed at this board, send that item back to the administrator and then bring it to this board. That is how it is supposed to be done. We do not have an individual attorney. We are supposed to do this as a board. This is the board's attorney.

I don't have anything else other than to say, "Thank you all for your time." I apologize for the lateness of the hour. We did the best we could.

Motion for adjournment?

Lamb:
So moved.

Discussion of Future Meetings with Municipalities (Individually) Regarding Lobbying Services

This item was not discussed.

Goals and Objectives, Growth and Development, Public Safety and Health Issues

This item was not discussed.

Receipt and File


17.
 - a. For the Record: Letter from the Clerk of the County Court Regarding Fund Summary Financial Statement
 - b. For the Record: Letter from the Clerk of the County Court Regarding Cash Report
 - c. For the Record: Letter from the City of Gretna Regarding Voluntary Annexation of Parcels into the City of Gretna

March Meeting(s)

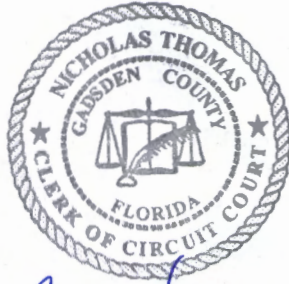
- March 15, 2011, Regular Meeting, 9:00 a.m.

ADJOURNMENT

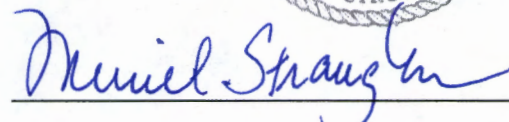
THERE BEING NO OTHER BUSINESS BEFORE THE BOARD THE CHAIR ADJOURNED THE MEETING AT 9:00 P.M.



Sherrie Taylor, Chair



ATTEST:



Muriel Straughn, Deputy Clerk

1

GADSDEN COUNTY BOARD OF COMMISSIONERS
BUDGET AMENDMENTS RECAP FOR 2010-2011

BEGIN BALANCE			\$42,873,427.00		UPDATED 2/10/11 Sent to State – BOCC Apprv'd 9/21/10 RESOLUTION #
DESCRIPTION	FUND #	AMOUNT	AMEND. #		
Gen Fund 001 Reallocate funds from 3 iv/create Hosp. Maint Budget	1	0.00	1100001		Res 2011-001
Gen Fund 001 Alloc funds for WAW Ctr Emergency Generator.	1	0.00	1100002		
158 Grants - County Award – EMS Co. Grant	158	4,341.86	1100003		Res 2011-001
344 Cap. Projects - Parks --Carry forward funds for 2 Parks Drake Acres & Shelfer Park	344	109,089.97	1100004		Res 2011-001
344 Cap. Proje Shelfer Park to complete park	344	0.00	1100005		Res 2011-001
1215 - Bldg Ins cost of budget permit tech position	1215	20,154.00	1100006		Res 2011-001
001- Gads. Co. increase funding for Health Dept	1	0.00	1100007		
1215-Bldg Insp cost of new position (BA 100006)	1215	0.00	1100008		Res 2011-001
313 Cap. Proje Frank Smith Rd/place in Separate Div.	313	0.00	1100009		Res 2011-001
			1100010		
			1100011		
Gen Fund 001	1	0.00	1100012		Res 2010-050
Fund 112 Equipment from Balance Forward	112	239,000.00	1100013		Res 2011-001
112 Co. Transportation Public Works to correct Math Error	112	0.00	1100014		Res 2011-001
Gen Fund 001 to Allocate Funds to help pay for Cold Weather Shelter	1	0.00	1100015		Res 2010-049
344 Cap. Projects/Parks to increase funding for Shelfer Park to Complete	344	75,000.00	1100016		Res 2011-001
001 Gen Fund To purchase Prop Appr/Tx Collector oProperty	1	372,491.00	110017		Res 2011-006
			110018		
			110019		
313 Cap. Proj/F Blvd Project & place in Separate Div.	313	0.00	110020		
313 Cap. Proj/PW break out funds for Fortune Blvd Project	313	0.00	110021		
313 Cap. Proj/PW To fund Joe Knight Street Project from Bal. Forward	313	87,000.00	10022		Res. 2011-006
005 Court Facilities -- Appropriate from Fund Balance to Courthouse Fac to Repair Roof Guy Race Building	5	108,000.00	110023		Res 2011-006
		42,873,427.00 + 1,015,076.83 =			
		ADDS	1,015,076.83		
		Combined	43,888,503.83		
		BUDGET	43,888,503.83		IN BALANCE 2/10/11

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 of Courts
SUBJECT: Ratification of Approval to pay County Bills
DATE: March 1, 2011

Please ratify your approval for the payment of County bills as reflected in the following warrant vouchers:

Accounts Payables Dated: February 18, 2011
February 25, 2011

Payroll Dated: February 24, 2011

BOARD OF COUNTY COMMISSIONERS
Agenda Request

Date of Meeting: March 1, 2011

Date Submitted: February 10, 2011

To: Honorable Chairman and Members of the Board

From: Johnny Williams, County Administrator
Clyde Collins, Director
Phyllis R. Moore, SHIP Administrator

Subject: Approval of Resolution No. 2011-008 Approving the State Housing Initiatives Partnership Program (SHIP) Local Housing Assistance Plan FY(s) 2011-2012, 2012-2013 and 2013-2014

.....

Statement of Issue:

This agenda item seeks the Board of County Commissioners (BOCC) approval of the following:

1. Approve Resolution No. 2011-008 adopting the SHIP Local Housing Assistance Plan for Fiscal Years 2011-2012, 2012-2013 and 2013-2014.
2. Authorization for Chairman to sign certification documents related the LHAP submission.

Background:

Gadsden County is a participating local government in the State Housing Initiatives Partnership (SHIP) Program established by Section 420.907-420.9079, et seq., Florida Statutes, Chapter 67-37, Florida Administrative Code and administered by the Florida Housing Finance Corporation. A requirement for the receipt of SHIP funds is to develop a Local Housing Assistance Plan (LHAP) adopted by resolution and sets forth strategies for administering the SHIP Program. The Local Housing Assistance Plan (LHAP) is intended to increase the availability of affordability of affordable housing units by combining local resources and cost savings measures into a local housing partnership and use public and private funds to reduce the cost of housing.

Analysis:

The need for affordable housing for the extremely low, very low, low and moderate income households is addressed in the County's Comprehensive Plan. SHIP funds will provide the financial vehicle for affordable housing and thereby lower the cost to income-eligible and credit qualified residents. The Local Housing Assistance Plan (LHAP) will become effective July 1, 2011 following adoption by the Gadsden County Board of

County Commissioners and subsequent approval by the Florida Housing Finance Corporation. The plan in for FY(s) 2011-2012, 2012-2013 and 2013-2014 and all amendments will be made with the input of the Partnership and the approval by the County Commissioners.

The Local Housing Assistance Plan (LHAP) is intended to increase the availability of affordability of affordable housing units by combining local resources and cost savings measures into a local housing partnership and use public and private funds to reduce the cost of housing.

Fiscal Impact:

NONE

Options:

- Option 1: Approve and sign the State Housing Initiative Partnership (SHIP) Local Housing Assistance Plan for Fiscal Years 2011-2012, 2012-2013 and 2013-2014.
- Option 2: Authorize Chairman to sign certification documents related to the LHAP Submission. (Exhibit D)
- Option 3: Disapprove and not sign the State Housing Initiative Partnership (SHIP) Local Housing Assistance Plan for Fiscal Years 2011-2012, 2012-2013 and 2013-2014.
- Option 4: Provide other direction.

Recommendation:

- Option 1: Approve and sign the State Housing Initiative Partnership (SHIP) Local Housing Assistance Plan for Fiscal Years 2011-2012, 2012-2013 and 2013-2014.
- Option 2: Authorize Chairman to sign certification documents related to the LHAP Submission. (Exhibit D)

Attachments:

1. SHIP Local Housing Assistance Plan
2. Exhibit A: Administrative Budget
3. Exhibit B: Timeline of Activities
4. Exhibit C: Delivery Goal Charts
5. Exhibit D: Certification of Florida Housing-LHPA and SHIP Funds (Chairman Signature Required)
6. Exhibit E: Resolution No. 2011-008
7. Exhibit F: SHIP Information Sheet

GADSDEN COUNTY

State Housing Initiatives Partnership (SHIP) Program SHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP)

FISCAL YEARS COVERED

2011-2012

2012-2013

2013-2014

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G. ORDINANCE (NO CHANGE)	

I. PROGRAM DESCRIPTION Chapter 67-37.005 F.A.C. and Section 420.9072, F.S.

- A. Name of the participating local government and Interlocal if Applicable:**
Section 420.9072 (5), F.S.

GADSDEN COUNTY

Interlocal: Yes _____ No X

Name of participating local government(s) in the Interlocal Agreement;

A copy of the Interlocal Agreement is attached as **Exhibit H.**

- B. Purpose of the program:** Section 420.9072, F.S. and Chapter 67-37.005(3), F.A.C.
Creation of the Plan is for the purpose of meeting the housing needs of the very low, low and moderate-income households, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing.

- C. Fiscal years covered by the Plan:** Chapter 67-37.002, F.A.C.

X 2011/2012
X 2012/2013
X 2013/2014

- D. Governance:** Chapter 67-37.005(3) and (5)(i) F.A.C. and Section 420.9071(14)F.S.
The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37, Florida Administrative Code. (F.A.C.). The SHIP Program furthers the housing element of the local government Comprehensive Plan, Cities and Counties must be in compliance with these applicable statutes and rules: Section 420.907-9079,F.S. and Chapter 67-37, F.A.C.

- E. Local Housing Partnership** Section 420.9072(1)(a), F.S.
SHIP Program encourages building active partnerships between government, lenders, builders and developers, real estate professionals, advocates for low-income persons and community groups.

- F. Leveraging:** Chapter 67-37.007(1)(b)(c), F.A.C. and Ssection 420.9075(1)(a) and (1)(b3, and (1)(c), F.S.
The Plans are intended to increase the availability of affordable residential units by combining local resources and cost saving measures into a local housing partnership and using public and private funds to reduce the cost of housing. SHIP funds may be leveraged with or used to supplement other Florida Housing Finance Corporation programs that's not providing down payment and closing cost assistance, and to provide local match to obtain federal housing grants or programs. The program also works with USDA/Rural Development. Rural Development has partner with SHIP

to combine programmatic money to stretch program assistance. Rural Development also provides first mortgage at below mortgage rate to first time homebuyers, whereby SHIP provides down-payment and closing cost assistance. SHIP funds may be leverage with the **County general fund and USDA /Rural Development Rehabilitation Loan/Grant Program.**

G. Public Input: *Chapter 67-37.005(3), F.A.C.*

Public input was solicited through face-to-face meetings with housing providers, social service providers and local lenders. Public input was solicited through the local newspaper in the advertising of the Local Housing Assistance Plan and the Notice of Funding Availability.

H. Advertising and Outreach: *Chapter 67-37.005(6)(a), F.A.C.*

The county or eligible municipality or its administrative representative shall advertise the notice of funding availability in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods, at least 30 days before the beginning of the application period. If no funding is available due to a waiting list, no notice of funding availability is required.

I. Discrimination: *Section 420.9075(3)(c), F.S.*

In accordance with the provisions of ss.760.20-760.37, it is unlawful to discriminate on the basis of race, creed, religion, color, age, sex, marital status, familial status, national origin, or handicap in the award application process for eligible housing.

J. Support Services and Counseling: *Chapter 67-37.005(5)(g), F.A.C.*

Support services are available from various sources. Available support services may include but are not limited to:

Pre-Homeownership Counseling

Credit Counseling.

Foreclosure prevention counseling

Home maintenance for residents who have received home rehabilitation

K. Purchase Price Limits: *Section 420.9075(4)(c), F.S. and Chapter 67-37.007 (6) F.A.C.*

The sales price or value of new or existing eligible housing may not exceed 90% of the average area purchase price in the statistical area in which the eligible housing is located. Such average area purchase price may be that calculated for any 12-month period beginning not earlier than the fourth calendar year prior to the year in which the award occurs. The sales price of new and existing units, which can be lower, may not exceed 90% of the median area purchase price established by the U.S. Treasury Department or as described above.

The methodology used is:

☐ Independent Study (copy attached)

☒ U.S. Treasury Department

☐ Local HFA Numbers

The purchase price limit for new and existing homes is shown on the Housing Delivery Goals Charts.

L. Income Limits, Rent Limits and Affordability:

Chapter 67-37.005(5)(e), F.A.C. and Section 420.9071(2), F.S.

The Income and Rent Limits used in the SHIP Program are updated annually by the Department of Housing and Urban Development and distributed by Florida Housing Finance Corporation. Affordable means that monthly rents or mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071 (19), (20) and (28), F.S. However it is not the intent to limit an individual household's ability to devote more than 30% of its income for housing, and housing for which a household devotes more than 30% of its income shall be deemed Affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30% benchmark and in the case of rental housing does not exceed those rental limits adjusted for bedroom size.

M. Welfare Transition Program *Chapter 67-37.005(6)(b)(7) F.A.C.*

Should a eligible sponsor be used, **Gadsden County** has developed a qualification system and selection criteria for applications for Awards to eligible sponsors, which includes a description that demonstrates how eligible sponsors that employed personnel from the Welfare Transition Program and Workforce Development Initiatives programs will be given preference in the selection process.

N. Monitoring and First Right of Refusal: *Section 420.9075(3)(e) and (4) (f), F.S.*

In the case of rental housing, the staff or entity that has administrative authority for implementing the local housing assistance plan assisting rental developments shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides the same monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility. However, any loan or grant in the original amount of \$3,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements. Tenant eligibility will be monitored for at least annually for 15 years or the term of assistance whichever is longer unless as specified above.

Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons.

O. Administrative Budget: *Chapter 67-37.005(6)(f)3, F.A.C..*

A detailed listing including line-item budget of proposed Administrative Expenditures is attached as **Exhibit A**. These are presented on an annual basis for each State fiscal year submitted.

Gadsden County finds that the monies deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan. The SHIP Administrator is responsible for administration of the SHIP program for fiscal

year(s) 2011/12, 2012/13 and 2013/14. In accordance with Chapter 67-37, Florida Administrative Code, the cost of administering the plan does not exceed 10% percent of the total SHIP allocation will be authorized for administrative expenses each year, as approved by the Board of County Commissioners-attached resolution. **Exhibit E** Should the amount of funding increase or decrease administration will remain at 10% of total funds allocated.

A County or an eligible municipality may not exceed the 10% percent limitation on administrative costs. The cost of administering the program may not exceed 10% percent of the local housing distribution plus 5% of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(17), and eligible municipalities receiving a local housing distribution of up to \$437,152.00 may use up to 10% percent of program income for administrative costs.

Exhibit E.

P. PROGRAM ADMINISTRATION:

Administration of the local housing assistance plan is the responsibility of the city/county. Should a third party entity or consultant contract for all of part of the administrative or other functions of the program provide in detail the **duties, qualification and selection criteria.**

Q. Essential Service Personnel

Define in accordance with Rule Chapter 67-37.002(6) F.A.C. and Chapter 67-37.005(8), F.A.C. and Section 420.9075(3)(a) FS. Persons in need of affordable housing who are employed in occupations or professions in which they are essential to the county as referenced in Chapter 67-37.005(8), F.A.C. and Section 420.9075(3)(a), F.S.

R. Green Initiatives: Section 420.9075(3) (d). F.S.

Gadsden County will monitor compliance with chapter 11 of the 2007 Florida Building Code for Residential development regarding Energy Efficiency. To reduce the costs of maintenance, by using materials such as high density insulation, vinyl siding, vinyl windows, that exceeds "Energy Star" requirements, energy efficient lights, and 13 SER HVAC systems. The County is committed to production of energy efficient housing for long term affordability. The County shall adhere to all energy requirements of HUD and the State of Florida Energy Efficiency Code for Building Construction. The County will encourage the homeowners to purchase Energy Star rated appliances, after rehabilitation or New Construction throughout Gadsden County. Also the County will allow the Contractor to save and re-used existing building materials.

II. LHAP HOUSING STRATEGIES: Chapter 67-37.005(5), F.A.C.

A. Name of the Strategy: Purchase Assistance Program for New Construction

a. Summary of the Strategy:

The Purchase Assistance Program assists eligible first time homebuyers with

down payment and closing cost to purchase a newly constructed home, not to exceed **\$140,000.00** for the use as their principle residence, purchaser of a new constructed home will be assisted with only the amount required to reduce the purchase price (Principle Reduction) in order to make unit affordable.

b. **Fiscal Years Covered:** 2011/12, 2012/13, and 2013/14

c. **Income Categories to be served:** Extremely Low, Very Low, Low, and Moderate Income Families.

d. **Maximum award amount:** Assistance shall not exceed **\$10,000** for Moderate Income Applicants and up to **\$13,000** for Extremely Low, Very Low to Low income Applicants.

e. **Terms, Recapture and Default:**

Subsidy provided will be in the form of a ten (10) year deferred payment loan. The loan amount will depreciate at a rate of 10% per year. The Deferred Payment Loan will involve a security agreement (lien) placed on the property. Repayment of the loan will be required only if the homeowner sells or transfers ownership of the home, ceases to use the home as his/her primary residence or fails to maintain the property to the standards as set forth by Gadsden County Zoning Standards within the ten (10) year period.

f. **Recipient Selection Criteria:**

Prior to applying to Gadsden County, applicants must complete the Gadsden County homeowner class conducted by the Gadsden County Extension office. Applicants possessing a certificate of completion will be assisted on a first come, first qualified, first ready basis.

Applicants must be first time homebuyers. First time homebuyer is defined as: an individual who has not owned a home within the last three years, displaced individuals due to a divorce, and families who own mobile homes but not the property owner nor pay property taxes. All other cases will be reviewed on a first come, first-ready-to-close basis by the administrator and approved by the Affordable Housing Advisory Committee and the Board of County Commissioners. All applicants must be able to obtain first mortgage financing, with fixed interest rates.

g. **Sponsor Selection Criteria:** Not Applicable

h. **Additional Information:** SHIP assisted applicants can only benefit once from the program with exception to those affected by a disaster.

B. Name of the Strategy: Purchase Assistance Program for Existing Homes

a. Summary of the Strategy:

The Purchase Assistance Program assists potential homeowners with the purchase of an existing home less than ten (10) years of age and shall not exceed \$120,000.00. For the use of their principle residence. Potential homebuyers must hire a private home inspector to insure that the unit currently meets State and Local Building Codes.

b. Fiscal Years Covered: 2011/12, 2012/13 and 2013/14

c. Income Categories to be served: Extremely Low, Very Low, Low, and Moderate Income Families

d. Maximum award amount: Assistance shall not exceed \$10,000 for Moderate Income Applicants and up to \$13,000 for Extremely Low, Very Low to Low Applicants.

e. Terms, Recapture and Default:

Subsidy provided will be in the form of a seven (7) year deferred payment loan. The Deferred Payment Loan will involve a security agreement (lien) placed on the property. Repayment of the loan will be required only if the homeowner sells or transfers ownership of the home, ceases to use the home as his/her primary residence or fails to maintain the property to the standards as set forth by Gadsden County Zoning Standards within the seven (7) year period. Also the loan is forgiven in full at the end of the seven (7) period.

f. Recipient Selection Criteria:

Prior to applying to Gadsden County, applicants must complete the Gadsden County homeowner class conducted by the Gadsden County Extension office. Applicants possessing a certificate of completion will be assisted on a first come, first qualified, first ready basis.

Applicants must be first time homebuyers. First time homebuyer is defined as: an individual who has not owned a home within the last three years, displaced individuals due to a divorce, and families who own pre-1985 mobile homes, but wish to purchase a new or rehabilitated site-built home. All other cases will be reviewed on a first come, first-ready-to-close basis by the administrator and approved by the Affordable Housing Advisory Committee and the Board of County Commissioners. All applicants must be able to obtain first mortgage financing, with fixed interest rates.

g. Sponsor Selection Criteria: Not Applicable

h. Additional Information:

SHIP assisted applicants can only benefit once from the program with exception to those affected by a disaster.

C. Name of the Strategy: Emergency Repair

a. Summary of the Strategy:

Repairs considered an emergency will be available only to owner/occupied households. Emergency situations may vary from a leaking roof, plumbing repairs or replacement, installation of ramps, or handicap accessible bathrooms which require immediate attention to faulty wiring. In general, any situations that endanger the health and safety of the family will be considered an emergency repair.

b. Fiscal Years Covered: 2011/12, 2012/13 and 2013/2014

c. Income Categories to be served: Extremely Low and Very Low

d. Maximum award: \$ 7,000

e. Terms, Recapture and Default:

Subsidy provided will be in the form of a two (2) year deferred payment loan. The Deferred Payment Loan will involve a security agreement (lien) placed on the property. Repayment of the loan will be required only if the homeowner sells or transfers ownership of the home, ceases to use the home as his/her primary residence or fails to maintain the property to the standards as set forth by the Gadsden County Zoning Standards within the two (2) year period.

f. Recipient Selection Criteria:

Applicants will be assisted on a first come, first qualified, first ready basis following annual advertisement of the availability of SHIP funds. Priorities may be given according to the initial determination of assistance in an effort to accommodate SHIP expenditure requirements. If a waiting list exists and the projected wait time for assistance is more than two years, the strategy will be closed until all applicants on the list have been assisted.

Applicants must provide evidence that property taxes are paid current and Mortgage (if applicable) also paid current.

g. Sponsor Selection Criteria: Not Applicable

h. Additional Information:

SHIP assisted applicants can only benefit once from the program with exception to those affected by a disaster.

D. Name of the Strategy: Owner Occupied Rehabilitation/Replacement Program

a. Summary of the Strategy:

Assistance will be provided to homeowners whose homes are not in compliance with the State and Local building codes or Section 8 Minimum Quality Standards. **In lieu of rehabilitation when the home is deteriorated to the extent that repairs is unfeasible due to unreasonable costs or extensive structural problems, a replacement will be granted. The county will encourage the incorporation of energy efficiency features, green building and design techniques into rehabilitation or construction projects for long term affordability.**

b. Fiscal Years Covered: 2011/12, 2012/13 and 2013/14

c. Income Categories to be served: Very Low and Low

d. Maximum award: \$60,000

e. Terms, Recapture and Default:

Subsidy provided will be in the form of a five (5) year deferred payment loan. The loan amount will depreciate at a rate of 20% per year. The Deferred Payment Loan will involve a security agreement (lien) placed on the property. Repayment of the loan will be required only if the homeowner sells or transfers ownership of the home, ceases to use the home as his/her primary residence or fails to maintain the property to the standards as set forth by the Gadsden County Zoning Standards within the five (5) year period.

f. Recipient Selection Criteria:

Applicants will be assisted on a first come, first qualified, first ready basis following annual advertisement of the availability of SHIP funds. Priorities may be given according to the initial determination of assistance in an effort to accommodate SHIP expenditure requirements. **If a waiting list exists and the projected wait time for assistance is more than two years, the strategy will be closed until all applicants on the list have been assisted.**

Applicants must possess a clear title to the property, although it may be jointly owned and mortgaged. Applicants must provide evidence that property taxes are paid current and mortgage (if applicable) also paid current.

g. Sponsor Selection Criteria: Not Applicable

h. Additional Information:

SHIP assisted applicants can only benefit once from the program with exception to those affected by a disaster.

E. Name of the Strategy: Foreclosure Prevention

a. Summary of the Strategy:

The Foreclosure Prevention Program will provide assistance on a first-come served basis to eligible applicants who are delinquent in their mortgage payments, but whose home have not yet had a foreclosure sale date set. Applicants requesting assistance must be able to prove that their financial situation is temporary and due to circumstances beyond their control, such as military deployment or job loss, loss spousal support, personal injury, or unanticipated emergency expenses, as determined by the jurisdictions SHIP program. Eligible expenses will include delinquent mortgage payments, attorney's fee, recording fee, and late fees.

b. Fiscal Years: 2011/12, 2012/13 and 2013/14

c. Income Categories to be served: Very Low, Low and Moderate

d. Maximum Award Amount: \$3,000

e. Terms, Recapture and Defaults:

Subsidy provided will in the form of a three (3) year deferred payment loan. The loan will depreciate at rate of 33.33% percent per year. The deferred payment loan will involve a security agreement (Lien) place upon the property. Repayment of the loan will be required only if the homeowner rents, sell, or transfer ownership of the home, ceases to use the home as his/her primary residence or fails to maintain property to the standards as set forth by Gadsden County Zoning Standards within the (3) three period.

f. Recipients Selection Criteria:

Persons previously assisted with SHIP funds will be eligible for assistance through this strategy. Applicants will be selected on a first-come first served basis.

g. Sponsor Selection Criteria: Not Applicable

h. Additional Information: SHIP assisted applicants can only benefit once from the program with the exception to those affected by a disaster.

F Name of the Strategy: Disaster Relief

a. Summary of the Strategy:

The Disaster Relief Strategy provides assistance to households following a natural disaster as declared by the President of the United States or Governor of the State of Florida. This strategy will only be implemented in the event

of a natural disaster using any funds that have not yet been encumbered or additional disaster funds issued by Florida Housing Finance Corporation.

SHIP disaster funds may be used for items such as, but not limited to:

- (a) purchase of emergency supplies for eligible households to weatherproof damaged homes;
- (b) interim repairs to avoid further damage; tree and debris removal required to make the individual housing unit habitable;
- (c) construction of wells or repair of existing wells where public water is not available;
- (d) payment of insurance deductibles for rehabilitation of homes covered under homeowners insurance policies;
- (e) security deposit, rental assistance for the duration of Florida Office of the Governor Executive Order 04-182, for eligible recipients that have been displaced from their homes due to damage from the storm;
- (f) other activities as proposed by the counties and eligible municipalities and approved by Florida Housing.

b. **Fiscal Years Covered:** 2011/12, 2012/13 and 2013/14

c. **Income Categories to be served:** Extremely low-Very low- and Low

d. **Maximum Award Amount:** \$5,000

e. **Terms, Recapture and Default:**

All SHIP funds provided to eligible households will be in the form of a Deferred Payment Loan at 0% interest for a period of 3 years and are contractually subject to recapture. Should the owner move, vacate, rent or sell the home before the (3) three years have passed; the balance of the SHIP loan will be immediately due and repayable to the county.

f. **Recipient Selection Criteria:**

Application will be reviewed for eligibility and approved on a first come first served basis. Applicants must own and occupy the home. Mobile homes are not eligible.

g. **Sponsor Selection Criteria:** Not Applicable

i. **Additional Information:** SHIP funds at all times must be used for eligible applicants and eligible housing. SHIP disaster funds may not be used for the purchase or rehabilitation of mobile homes.

III. LHAP INCENTIVE STRATEGIES

Section 420.9071 (16), F.S.

A. **Name of the Strategy:** Expedited Permitting

Permits as defined in s. 163.3164(7) and (8), F.S. for affordable housing projects are expedited to a greater degree than other projects.

a. **Established policy and procedures:**

Permits as defined in S.163.3164 (7) and (8) for affordable housing projects are expedited to a greater degree than other projects. Expedited permitting process for affordable housing projects. Gadsden County permitting process shall remain as it exists. However, if affordable housing projects begin to experience delays beyond the normal permitting time frame and not related to developers changes, or are more than four weeks on any phase of the permitting process, then such affordable housing projects will be processed ahead of other projects to be considered. For the purpose of expedited permit process, affordable housing projects will be indentified as those projects assisted with state or federal funds.

B. **Name of the Strategy: Ongoing Review Process**

An ongoing process for review of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption.

a. **Established policy and procedures:**

The Administration staff continues to review the local policies, ordinances, regulations, and plan provisions. Recommendations are provided to the Board of County Commissions on an as needed basis.

IV. **EXHIBITS:**

A. **Administrative Budget for each fiscal year covered in the Plan. Exhibit A.**

B. **Timeline for Encumbrance and Expenditure: Chapter 67-37.005(6)(d) and (f) F.A.C.**

A separate timeline for each fiscal year covered in this plan is attached as **Exhibit B.** Program funds will be encumbered by June 30 one year following the end of the applicable state fiscal year. Program funds will be fully expended within 24 months of the end of the applicable State fiscal year.

C. **Housing Delivery Goals Chart (HDGC) For Each Fiscal Year Covered in the Plan: Chapter 67-37.005), F.A.C.**
Completed HDGC for each fiscal year is attached as **Exhibit C.**

D. **Certification Page: Chapter 67-37.005(7), F.A.C.**
Signed Certification is attached as **Exhibit D.**

E. **Adopting Resolution: Section 420.9072(2)(b)2, F.S.**
Original signed, dated, witnessed or attested adopting resolution is attached as **Exhibit E.**

F. **Program Information Sheet:**
Completed program information sheet is attached as **Exhibit F.**

- G. Ordinance:** *Section 420.9072(3)(a), F.S.*
If changed from the original ordinance, a copy is attached as **Exhibit G.**
- H. Interlocal Agreement:** *Section 420.9072, F.S.*
A copy of the Interlocal Agreement if applicable is attached as **Exhibit H.**

ADMINISTRATIVE BUDGET FOR EACH FISCAL YEAR

Exhibit A

67-37.005 F.A.C.

Exhibit A Admin Budget

Fiscal Year 2011-2012		
Salaries and Benefits	\$	38,000.00
Office Supplies and Equipment	\$	1,000.00
Travel Perdiem Workshops, etc	\$	3,715.00
Advertising	\$	1,000.00
	\$	
	\$	43,715.00

Fiscal Year 2012-2013		
Salaries and Benefits	\$	38,000.00
Office Supplies and Equipment	\$	1,000.00
Travel Perdiem Workshops, etc	\$	3,715.00
Advertising	\$	1,000.00
	\$	
	\$	43,715.00

Fiscal Year 2013-2014		
Salaries and Benefits	\$	38,000.00
Office Supplies and Equipment	\$	1,000.00
Travel Perdiem Workshops, etc	\$	3,715.00
Advertising	\$	1,000.00
	\$	
	\$	43,715.00

Based on a distribution of \$437,152

TIME TABLE FOR STATE FISCAL YEAR 2011 - 2012

Name of Local Government: GADSDEN COUNTY

Exhibit B

Ms. 001
6/3/2005(1) F.A.C.
Effective Date: 11/09

Program Activities	2011/2012												2012/2013												2013/2014												2014/2015																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
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Directions: Type in the applicable years across the top line.

List Program Activities down left hand side. Type in an "X"

on applicable activity line under month and year the activity will be initiated or completed.

At a minimum the following activities should be included:

- 1) Advertise availability of funds and application period
- 2) Encumbrance of funds (12 months following end of State Fiscal Year)
- 3) Expenditure of funds (24 months following end of State Fiscal Year).
- 4) Submit Annual Report to FHFC (September 15th)

HOUSING DELIVERY GOALS CHART#2002

3-19

Phase 1 Yr. Closeout:	
Phase 2 Yr. Closeout:	
Phase 3 Yr. Closeout:	
Phase 4 Yr. Closeout:	
Phase 5 Yr. Closeout:	
Phase 6 Yr. Closeout:	
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Phase 100 Yr. Closeout:	

1

Total

\$62,000

\$14,000

\$0

3	1	
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4075 000	

[illegible]

8HP Dollar

\$0

\$0

\$0	
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[illegible][illegible]

1

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

Income Tax

1

3-19

FLORIDA HOUSING FINANCE CORPORATION														Housing Goals Application Form, RFP #2002-000	
-------------------------------------	--	--	--	--	--	--	--	--	--	--	--	--	--	---	--

CERTIFICATION TO FLORIDA HOUSING FINANCE CORPORATION

Name of Local Government: GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS

- (1) The local government will advertise the availability of SHIP funds pursuant to Florida Statutes.
- (2) All SHIP funds will be expended in a manner which will insure that there will be no discrimination on the basis of race, creed, religion, color, age, sex, familial or marital status, handicap, or national origin.
- (3) A process for selection of recipients for funds has been developed.
- (4) The eligible municipality or county has developed a qualification system for applications for awards.
- (5) Recipients of funds will be required to contractually commit to program guidelines.
- (6) The Florida Housing Finance Corporation will be notified promptly if the local government (or interlocal entity) will be unable to comply with the provisions the plan.
- (7) The Local Housing Assistance Plan shall provide for the expenditure of SHIP funds within 24 months following the end of the State fiscal year in which they are received.
- (8) The plan conforms to the Local Government Comprehensive Plan, or that an amendment to the Local Government Comprehensive Plan will be initiated at the next available opportunity to insure conformance with the Local Housing Assistance Plan.
- (9) Amendments to the approved Local Housing Assistance Plan shall be provided to the Corporation with in 21 days after adoption.
- (10) The trust fund shall be established with a qualified depository for all SHIP funds as well as moneys generated from activities such as interest earned on loans.
- (11) Amounts on deposit in the local housing assistance trust fund shall be invested as permitted by law.
- (12) The local housing assistance trust fund shall be separately stated as a special revenue fund in the local governments audited financial statements, copies of the audits will be forwarded to the Corporation as soon as available.
- (13) An interlocal entity shall have its local housing assistance trust fund separately audited for each state fiscal year, and the audit forwarded to the Corporation as soon as possible.

Page 2
Certification

- (14) SHIP funds will not be pledged for debt service on bonds or as rent subsidies.
- (15) Developers receiving assistance from both SHIP and the Low Income Housing Tax Credit (LIHTC) Program shall comply with the income, affordability and other LIHTC requirements, Similarly, any units receiving assistance from other federal programs shall comply with all Federal and SHIP program requirements.
- (16) Loans shall be provided for periods not exceeding 30 years, except for deferred payment loans or loans that extend beyond 30 years which continue to service eligible persons.
- (17) Rental Units constructed or rehabilitated with SHIP funds shall be monitored at least annually for 15 years for compliance with tenant income requirements and affordability requirements or as required in Section 420.9075 (3)(e)
- (18) The Plan meets the requirements of Section 420-907-9079 FS, and Rule Chapter 67-37 FAC, and how each of those requirements shall be met.
- (19) The provisions of Chapter 83-220, Laws of Florida has or X has not been implemented.

[Signature]
Witness

[Signature]
Chief Elected Official or Designee

[Signature]
Witness

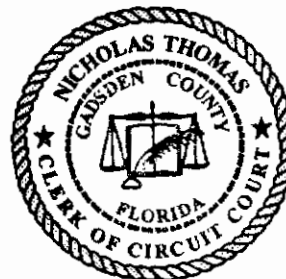
SHERRIE D TAYLOR, CHAIRMAN
Type Name and Title

3/1/2011
Date

OR

[Signature], Deputy Clerk

Attest:
(Seal)



Adopting Resolution No. 2011-008

A RESOLUTION OF THE BOARD OF COUNTY COMMISSION OF THE COUNTY OF GADSDEN FLORIDA APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, the State of Florida enacted the William E. Sadowski Affordable Housing Act, Chapter 92-317 of Florida Sessions Laws, allocating a portion of documentary stamp taxes on deeds to local governments for the development and maintenance of affordable housing; and

WHEREAS, the State Housing Initiatives Partnership (SHIP) Act, ss. 420.907-420.9079, Florida Statutes (1992), and Rule Chapter 67-37, Florida Administrative Code, requires local governments to develop a one-to three-year Local Housing Assistance Plan outlining how funds will be used; and

WHEREAS, the SHIP Act requires local governments to establish the maximum SHIP funds allowable for each strategy; and

WHEREAS, the SHIP Act further requires local governments to establish an average area purchase price for new and existing housing benefiting from awards made pursuant to the Act; The methodology and purchase prices used are defined in the attached Local Housing Assistance Plan; and

WHEREAS, as required by Section 420.9075 (7), F.S. It is found that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan. The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5% of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(17), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.

WHEREAS, the Economic and Community Development Department has prepared a

three-year Local Housing Assistance Plan for submission to the Florida Housing Finance Corporation; and

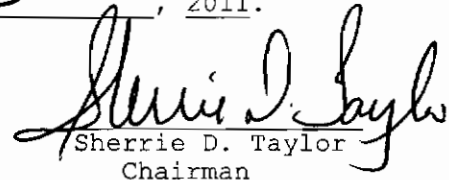
WHEREAS, the County Commissioners finds that it is in the best interest of the public for the GADSDEN COUNTY to submit the Local Housing Assistance Plan for review and approval so as to qualify for said documentary stamp tax funds; and **NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA that:**

Section 1: The Board of County Commissioners of the Gadsden County hereby approves the Local Housing Assistance Plan, as attached and incorporated hereto for submission to the Florida Housing Finance Corporation as required by ss. 420.907-420-9079, Florida Statutes, for fiscal years 2011/12, 2012/13 and 2013/14.

Section 2: **SHERRIE D TAYLOR**, The Chairman, is hereby designated and authorized to execute any documents and certifications required by the Florida Housing Finance Corporation as related to the Local Housing Assistance Plan, and to do all things necessary and proper to carry out the term and conditions of said program.

Section 3: This resolution shall take effect immediately upon its adoption.

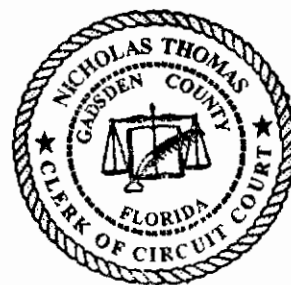
PASSED AND ADOPTED THIS 1st DAY OF March, 2011.


Sherrie D. Taylor
Chairman

ATTEST:


County Clerk of Court

(CORPORATE SEAL)



STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM
INFORMATION SHEET

LOCAL GOVERNMENT: GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS

CHIEF ELECTED OFFICIAL: SHERRIE D TAYLOR, BOCC CHAIRMAN

ADDRESS: POST OFFICE BOX 1799, QUINCY, FLORIDA 32353-1799

SHIP ADMINISTRATOR: PHYLLIS R. MOORE

ADDRESS: 9 EAST JEFFERSON STREET - EDWARD J BUTLER BUILDING
QUINCY, FLORIDA 32351

TELEPHONE: (850) 875-8659 FAX: (850) 875-8899

EMAIL ADDRESS: PMoore@gadscdencountyfl.gov

ADDITIONAL SHIP CONTACTS: _____

ADDRESS: _____

EMAIL ADDRESS: _____

INTERLOCAL AGREEMENT: YES/NO (IF yes, list other participants in the inter-local agreement): _____

The following information must be furnished to the Corporation before any funds can be disbursed.

LOCAL GOVERNMENT EMPLOYER FEDERAL ID NUMBER: 59-6000616

MAIL DISBURSEMENT TO: COMMUNITY DEVELOPMENT ADMINISTRATION

ADDRESS: POST OFFICE BOX 1799, QUINCY, FLORIDA 32353-1799

OR: IF YOUR FUNDS ARE ELECTRONICALLY TRANSFERRED PLEASE COMPLETE THE ATTACHED FORM:

☐ NO CHANGE FROM PREVIOUS ELECTRONIC FORM SUBMITTED.

Provide any additional updates the Corporation should be aware of in the space below:

Please return this form to: SHIP PROGRAM MANAGER, FHFC 227 N. BRONOUGH ST, STE 5000
TALLAHASSEE, FL 32301 Fax: (850) 922-7253

Exhibit G

Ordinance: Section 420.9072 (3) (a). F.S.

If changed from the original ordinance, a copy is attached as Exhibit G.

Gadsden County's ordinance has not changed from the original ordinance at the time of the first SHIP allocation.

Exhibit H

Interlocal Agreement: Section 420.9072, F.S.

A copy of the Interlocal Agreement is applicable is attached as Exhibit H.

Gadsden County has not entered into an Interlocal Agreement at the time of the adoption of this plan.



Technology, Service, Expertise

PO Box 2584
LaGrange, GA 30241
800-342-5460
Tech Support 1-866-399-4170
706-298-0231 Fax
www.emscld.com

Annual Support Agreement 2011

EMS Consultants agrees to provide (Name) GADSDEN COUNTY EMS
in (City) QUINCY, (State) FLORIDA with telephone support for
EMS Consultants software operation, billing consulting and **technical support of the EMS
Consultants software products only.** EMS Consultants also agrees to provide software updates
needed to accommodate Medicare changes and correct glitches in the software, as well as provide
enhancements and improvements to the software at such time as deemed necessary by EMS
Consultants.

Our support year begins April 1 and ends March 31 of each year. Support is billed on February 1 and
due by April 1 each year for services that you have already received. Support, as described above,
for the first year after installation of the EMS Consultants software is included in the purchase price.
Support for the second year will be prorated based on the date of purchase to coincide with our
support year. Each year's support fee will be billed at 15% of the current list price of each of the
software products purchased. **EMS Consultants charges for support in arrears, not in advance,**
therefore, this agreement binds the user for the upcoming support year (April 1, 2011 – March 31,
2012) as well as the support fees associated with the software products you currently use.

Support does not include hardware, network configuration, or configuration of other software
applications. There are some manufacturers with proprietary systems that allow very little
configuration to the operating system, leaving the potential for software communication issues.
Therefore, we recommend contacting our technical support team prior to upgrading your hardware or
operating systems.

**This signed agreement must be signed and returned no later than April 1, 2011 for you to
continue to receive support.**

Both parties agree to the terms and conditions of this agreement for the support year beginning April
1, 2011 and ending March 31, 2012 and further understand that payment for this time-frame is billed
in February 2012 and will be due by April 1, 2012.

Sherrie Taylor
EMS Provider Signature Sherrie Taylor

3/1/2011
Date

Gadsden County Board of County Commissioners
EMS Provider Company Name Fax Number

Richard A. Tibbetts
Richard A. Tibbetts, EMT-P, President/CEO
EMS Consultants

February 1, 2011
Date



Attest: Murrel Strough, Deputy for
Nicholas Thomas, Clerk

**Board of County Commissioners
Agenda Request**

Date of Meeting: March 1, 2011

Date Submitted: February 10, 2011

To: Honorable Chairperson and Members of the Board

From: Johnny Williams, County Administrator
Charles Chapman, Public Works Director

Subject: Approval of Change Order # 1 to the contract with North Florida Construction Inc. for Drake Acres Park Renovations.

Statement of Issue:

This agenda item seeks Board approval for Change Order #1 to the contract with North Florida Construction Inc. in the amount of \$4,329.35.

Background:

The Board at their July 6, 2010 meeting voted to award the bid and approved the contractual agreement with North Florida Construction Inc. for Park renovations at Drake Acres Park. At this meeting the Board also authorized to make appropriate change orders to fully expend the grant award amount. The only change order during the project was Change Order #1 for \$ 4,329.35 for a water fountain and associated plumbing.

Analysis:

The Board's approval of the general change order at the July 6, 2010 meeting authorized that a change order be processed. This item specifically requests the approval of Change Order #1 per the previous approval provided by the Board on July 6, 2010 and will close out the agreement with North Florida Construction Inc.

Financial Impacts

None: The expenses are 100% covered under the state grant award.

Options:

1. Approve the Change Order
2. Approve with Revisions
3. Do not approve
4. Table for further analysis
5. Board Direction

County Administrator's Recommendation:

Recommend approval. The Board already approve a change order be conducted to fully expend the grant award at the July 6, 2010 business meeting. This item simply requests specific approval of Change Order #1 to complete the projects financial documentation.

Attachments:

1. Change Order #1
2. Original Agenda Item of July 6, 2010
3. Agreement
4. Meeting Minutes

CONTRACT CHANGE ORDER

ORDER NO.	1
DATE	
STATE	FL
COUNTY	Gadsden

CONTRACT FOR Drake Acres Park

OWNER Gadsden County Board of County Commissioners

To North Florida Construction, Inc

(Contractor)

You are hereby requested to comply with the following changes from the contract plans and specifications:

Description of Changes (Supplemental Plans and Specifications Attached)	DECREASE in Contract Price	INCREASE in Contract Price
1. Provide and install a water fountain and all associated pumping.	\$	\$ 4,329.35
TOTALS	\$	\$ 4,329.35
NET CHANGE IN CONTRACT PRICE	\$	\$ 4,329.35

JUSTIFICATION:

The amount of the Contract will be (Increased/Decreased/Unchanged) by the Sum of FOUR THOUSAND THREE HUNDRED TWENTY-FIVE DOLLARS AND THIRTY-FIVE CENTS Dollars (\$ 4,329.35).

The Contract Total including this and previous Change Orders will be: ONE HUNDRED THIRTEEN THOUSAND TWO HUNDRED THIRTY FOUR DOLLARS AND THIRTY-FIVE CENTS Dollars (\$113,234.35).

The Contract Period provided for Completion will be (Increased/Decreased/Unchanged): 30 Days.

This Document will become a supplement to the contract and all provisions will apply hereto.

Requested _____ (Owner) _____ (Date)

Recommended _____ (Owner's Architect/Engineer) _____ (Date)

Accepted _____ (Contractor) _____ (Date)

Board of County Commissioners Agenda Request

Date of Meeting: July 6, 2010
Date Submitted: June 23, 2010
To: Honorable Chairman and Members of the Board
From: Johnny Williams, County Administrator
Charles Chapman, Administrative Coordinator
Subject: Approval of Bid Award and Notice to Proceed for Drake Acres
Park Florida Recreation Development Assistance Program
Renovation and Authorize the Chairman to Execute Contractual
Agreements

Statement of Issue:

This item seeks Gadsden County Board of County Commissioners (BOCC) approval to award the bid and authorize contractual agreement to North Florida Construction. Preble Rish Engineering as the County Engineer is tasked to administer the renovation project for Drake Acres Park funded through the Florida Recreation Development Assistant Program (FRDAP) grant.

Background:

October 1, 2008, Gadsden County BOCC received funds in the amount of \$135,611 to renovate the county owned park property known as Drake Acres Park near Lake Talquin.

December 15, 2008 staff met to determine and finalize the land use amendment of the park from Public Use to Recreation Use to accommodate the improvements to made upon the site per the grant award.

May 19, 2009 BOCC authorized Preble Rish to administer the FRDAP grant.

April 2010 development order and all permits received to commence construction.

June 3, 2010 bids were received and scored per Gadsden County purchasing policies.

If approved, the contractual agreement will enable Preble Rish, the contractor, and County staff to schedule a ground breaking ceremony and commence work.

Analysis:

The selected contractor meets all required specifications. The price for construction was delivered via bid submittal at \$108,905. Based on the available construction funding of \$114,269.35, Preble Rish recommends that the BOCC authorize staff to prepare a change order to include additional elements such as more playground equipment, benches, or picnic tables to further enhance the park and utilize the remaining \$5,364.35 of grant funds.

Once approved the park renovation should be completed within ninety (90) days from receipt of the notice to proceed.

Fiscal Impact:

None, engineering and administrative costs related to this project are funded under the grant award of \$135,611.00. No costs will be incurred by the County.

Options:

- Option 1: Approve Bid Award and Notice to Proceed for Drake Acres Park Florida Recreation Development Assistance Program Renovation, Authorize the Chairman to Execute Contractual Agreements, and Authorize Staff to make Appropriate Change Orders.
- Option 2: Disapprove
- Option 3: Board Provide Direction

Recommendations:

- Option 1: Approve Bid Award and Notice to Proceed for Drake Acres Park Florida Recreation Development Assistance Program Renovation, Authorize the Chairman to Execute Contractual Agreements, and Authorize Staff to make Appropriate Change Orders.

Attachments:

1. Preble Rish Engineering Recommendations
2. Contractual Agreements for Project #228.060 Drake Acres Park

Attachment #3



PREBLE-RISH INC
CONSULTING ENGINEERS & SURVEYORS

June 22, 2010

VIA U.S. Mail

Mr. Eugene Lamb, Chairman
Gadsden County Board of County Commissioners
P.O. Box 1799
Quincy, FL 32353-1799

RE: Drake Acres Park-- Gadsden County
Preble-Rish Project No. 228.060

Dear Mr. Lamb:

Based on a review of the submitted bids for the above referenced project, PRI recommends awarding the project to the low bidder, North Florida Construction, in the amount of \$108,905.00. Based on the available construction funding of \$114,269.35, PRI recommends that the Board authorize staff to prepare a change order to include additional elements such as more playground equipment, benches or picnic tables to further enhance the park and utilize the remaining \$6,364.35 of grant funds.

Also attached is a copy of the detailed bid tabulation as well as a copy of the Notice of Award, Agreement, and Notice to Proceed. Three (3) copies of the contract documents should be executed by the chairman upon approval by the Board. Please notify our office once the documents have been approved so that we may have them executed by the contractor.

If you have any questions, please give me a call at 850.674.3300.

Sincerely,

PREBLE-RISH, INC.

Kelli Walden for

Justin Ford, E.I.
Project Engineer

FJ/kow

cc: Mr. Johnny Williams, Gadsden County Administrator (via williams@gadsdencountyfl.gov)
Mr. Chris Forehand, P.E., Vice President, COO, PRI (via forehand@preble-rish.com)

S:\228.060 Drake Acres FRDAP\Correspondence\E.Lamb 06 21 10.doc

Port St. Joe
324 Marina Drive
Port St. Joe, FL 32405
P850.227.7200
F850.227.7215

Panama City
203 Aberdeen Parkway
Panama City, FL 32405
P850.522.0644
F850.522.1011

Santa Rosa Beach
877 C. R. 393 North
Santa Rosa Beach, FL 32459
P850.267.0759
F866.557.0076

Bristol
10490 NW Main Street
Bristol, FL 32321
P850.643.2771
F850.643.2910

Quincy
20 East Washington Street
Quincy, FL 32353
P850.875.4751

Blountstown
20684 Central Ave., E., Ste. 1
Blountstown, FL 32424
P850.674.3300
F850.674.3330

5-6

ATT. #3 cont.

DRAKE ACRES PARK

PROJECT # 228.060

SECTION 00050-AGREEMENT

THIS AGREEMENT, made this 6 day of July, 20 10, by and between Gadsden County Board of County Commissioners, hereinafter called "OWNER" and North Florida Construction, doing business as Corporation (an individual, a partnership, or a corporation), hereinafter called "CONTRACTOR". WITNESSETH: That for and in consideration of the payments and agreements herein after mentioned:

1. The CONTRACTOR will commence and complete the construction of the **DRAKE ACRES PARK**.

2. The CONTRACTOR will furnish all of the materials, supplies, tools, equipment, labor, and other services necessary for the construction and completion of the PROJECT described herein.

3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS within 10 calendar days after the date of the NOTICE TO PROCEED and will complete the same within 90 days unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS.

4. The CONTRACTOR agrees to perform all of the work described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of one hundred eight thousand nine hundred five thousand and 00/100 dollars (\$108,905.00) as shown in the BID SCHEDULE.

5. The term "CONTRACT DOCUMENTS" means and includes the following:

- (A) ADVERTISEMENT FOR BIDS
- (B) INFORMATION FOR BIDDERS
- (C) BID

AGREEMENT-00050 1

- (D) BID BOND
- (E) AGREEMENT
- (F) TAX AGREEMENT
- (G) PERFORMANCE BOND
- (H) PAYMENT BOND
- (I) NOTICE OF AWARD
- (J) NOTICE TO PROCEED
- (K) GENERAL CONDITIONS
- (L) PUBLIC ENTITY CRIMES STATEMENT
- (M) DRUG-FREE WORK PLACE
- (N) ADDENDA

No. 1, dated May 19, 2010.

No. 2, dated May 26, 2010.

No. 3, dated June 1, 2010.

6. The OWNER will pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.

7. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

Att. #3 cont.

IN WITNESS WHEREOF, the parties hereto have executed or caused to be executed by their duly authorized officials, this Agreement which shall be deemed an original on the date first written above.

(SEAL)

ATTEST:

NAME

(Please Type)

TITLE

OWNER:

Gadsden County BOCC

BY

NAME

(Please Type)

TITLE

(SEAL)

ATTEST:

NAME

(Please Type)

TITLE

CONTRACTOR:

North Florida Construction

BY

NAME

(Please Type)

ADDRESS

P.O. Box 129
Clarksville, FL 32430

END OF SECTION 00050

AGREEMENT-00050 3

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Att. #3 cont.

DRAKE ACRES PARK

PROJECT # 228.060

SECTION 00080-NOTICE OF AWARD

TO: North Florida Construction
P.O. Box 129
Clarksville, FL 32430

PROJECT DESCRIPTION: DRAKE ACRES PARK

The OWNER has considered the BID submitted by you for the above described WORK in response to its Advertisement for Bids dated June 3, 2010, and Information for Bidders.

You are hereby notified that your BID has been accepted for items in the amount of \$108,905.00. You are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S Performance BOND, Payment BOND, and certificates of insurance within ten (10) calendar days from the date of this NOTICE to you.

If you fail to execute said Agreement and to furnish said BONDS within ten (10) calendar days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER's acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this _____ day of _____, 2010.

By: _____
Title: Chairman, Gadsden County Board of County Commissioners

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged

By: _____ (Company Name).

This the _____ day of _____, 2010.

By: _____ (Print and Sign Name).

Title: _____

Att. #3 cont.

DRAKE ACRES PARK

PROJECT # 228.060

SECTION 00090-NOTICE TO PROCEED

TO: North Florida Construction
P.O. Box 129
Clarksville, FL 32430

DATE: July 16, 2010
PROJECT: DRAKE ACRES PARK

You are hereby notified to commence WORK in accordance with the Agreement dated July 6, 2010, on or before July 26, 2010, and you are to complete the WORK within 90 consecutive calendar days thereafter. The date of completion of all WORK is, therefore, October 24, 2010.

You are required to return an acknowledged copy of this NOTICE TO PROCEED to the OWNER.

By: _____
Title: Chairman, Gadsden County Board of County Commissioners

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE TO PROCEED is hereby acknowledged

By: _____ (Company Name).

This the _____ day of _____, 2010.

By: _____ (Print and Sign Name).

Title: _____

NOTICE TO PROCEED-00090 1

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ATT. #3 CONT.

DETAILED BID TABULATION
 DRANGE ACRES PARK
 PRI PROJECT NO. 222-000
 PREPARED FOR CALSON CO. BOCC



PREPARED BY
 J. J. J. J.
 J. J. J. J.

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE
1	Grass Seed (Kentucky Bluegrass)	SQ. YD.	100.00	\$1.50	\$150.00
2	Grass Seed (Fescue)	SQ. YD.	100.00	\$1.50	\$150.00
3	Grass Seed (Ryegrass)	SQ. YD.	100.00	\$1.50	\$150.00
4	Grass Seed (Timothy)	SQ. YD.	100.00	\$1.50	\$150.00
5	Grass Seed (Clover)	SQ. YD.	100.00	\$1.50	\$150.00
6	Grass Seed (Orchard Grass)	SQ. YD.	100.00	\$1.50	\$150.00
7	Grass Seed (Brome Grass)	SQ. YD.	100.00	\$1.50	\$150.00
8	Grass Seed (Cocksfoot)	SQ. YD.	100.00	\$1.50	\$150.00
9	Grass Seed (Maize)	SQ. YD.	100.00	\$1.50	\$150.00
10	Grass Seed (Sudangrass)	SQ. YD.	100.00	\$1.50	\$150.00
11	Grass Seed (Eleusine)	SQ. YD.	100.00	\$1.50	\$150.00
12	Grass Seed (Pennisetum)	SQ. YD.	100.00	\$1.50	\$150.00
13	Grass Seed (Digitaria)	SQ. YD.	100.00	\$1.50	\$150.00
14	Grass Seed (Cenchrus)	SQ. YD.	100.00	\$1.50	\$150.00
15	Grass Seed (Lolium)	SQ. YD.	100.00	\$1.50	\$150.00
16	Grass Seed (Festuca)	SQ. YD.	100.00	\$1.50	\$150.00
17	Grass Seed (Dactylis)	SQ. YD.	100.00	\$1.50	\$150.00
18	Grass Seed (Brachiaria)	SQ. YD.	100.00	\$1.50	\$150.00
19	Grass Seed (Panicum)	SQ. YD.	100.00	\$1.50	\$150.00
20	Grass Seed (Setaria)	SQ. YD.	100.00	\$1.50	\$150.00
21	Grass Seed (Echinochloa)	SQ. YD.	100.00	\$1.50	\$150.00
22	Grass Seed (Paspalum)	SQ. YD.	100.00	\$1.50	\$150.00
23	Grass Seed (Cynodon)	SQ. YD.	100.00	\$1.50	\$150.00
24	Grass Seed (Stenotaphrum)	SQ. YD.	100.00	\$1.50	\$150.00
25	Grass Seed (Lycopodium)	SQ. YD.	100.00	\$1.50	\$150.00
26	Grass Seed (Selaginella)	SQ. YD.	100.00	\$1.50	\$150.00
27	Grass Seed (Isoetes)	SQ. YD.	100.00	\$1.50	\$150.00
28	Grass Seed (Sphenopodium)	SQ. YD.	100.00	\$1.50	\$150.00
29	Grass Seed (Equisetum)	SQ. YD.	100.00	\$1.50	\$150.00
30	Grass Seed (Liliopsis)	SQ. YD.	100.00	\$1.50	\$150.00
31	Grass Seed (Juncus)	SQ. YD.	100.00	\$1.50	\$150.00
32	Grass Seed (Carex)	SQ. YD.	100.00	\$1.50	\$150.00
33	Grass Seed (Sagittaria)	SQ. YD.	100.00	\$1.50	\$150.00
34	Grass Seed (Alisma)	SQ. YD.	100.00	\$1.50	\$150.00
35	Grass Seed (Typha)	SQ. YD.	100.00	\$1.50	\$150.00
36	Grass Seed (Scirpus)	SQ. YD.	100.00	\$1.50	\$150.00
37	Grass Seed (Eleocharis)	SQ. YD.	100.00	\$1.50	\$150.00
38	Grass Seed (Najas)	SQ. YD.	100.00	\$1.50	\$150.00
39	Grass Seed (Sclerophyll)	SQ. YD.	100.00	\$1.50	\$150.00
40	Grass Seed (Lycopodium)	SQ. YD.	100.00	\$1.50	\$150.00
41	Grass Seed (Selaginella)	SQ. YD.	100.00	\$1.50	\$150.00
42	Grass Seed (Isoetes)	SQ. YD.	100.00	\$1.50	\$150.00
43	Grass Seed (Sphenopodium)	SQ. YD.	100.00	\$1.50	\$150.00
44	Grass Seed (Equisetum)	SQ. YD.	100.00	\$1.50	\$150.00
45	Grass Seed (Liliopsis)	SQ. YD.	100.00	\$1.50	\$150.00
46	Grass Seed (Juncus)	SQ. YD.	100.00	\$1.50	\$150.00
47	Grass Seed (Carex)	SQ. YD.	100.00	\$1.50	\$150.00
48	Grass Seed (Sagittaria)	SQ. YD.	100.00	\$1.50	\$150.00
49	Grass Seed (Alisma)	SQ. YD.	100.00	\$1.50	\$150.00
50	Grass Seed (Typha)	SQ. YD.	100.00	\$1.50	\$150.00
51	Grass Seed (Scirpus)	SQ. YD.	100.00	\$1.50	\$150.00
52	Grass Seed (Eleocharis)	SQ. YD.	100.00	\$1.50	\$150.00
53	Grass Seed (Najas)	SQ. YD.	100.00	\$1.50	\$150.00
54	Grass Seed (Sclerophyll)	SQ. YD.	100.00	\$1.50	\$150.00
55	Grass Seed (Lycopodium)	SQ. YD.	100.00	\$1.50	\$150.00
56	Grass Seed (Selaginella)	SQ. YD.	100.00	\$1.50	\$150.00
57	Grass Seed (Isoetes)	SQ. YD.	100.00	\$1.50	\$150.00
58	Grass Seed (Sphenopodium)	SQ. YD.	100.00	\$1.50	\$150.00
59	Grass Seed (Equisetum)	SQ. YD.	100.00	\$1.50	\$150.00
60	Grass Seed (Liliopsis)	SQ. YD.	100.00	\$1.50	\$150.00
61	Grass Seed (Juncus)	SQ. YD.	100.00	\$1.50	\$150.00
62	Grass Seed (Carex)	SQ. YD.	100.00	\$1.50	\$150.00
63	Grass Seed (Sagittaria)	SQ. YD.	100.00	\$1.50	\$150.00
64	Grass Seed (Alisma)	SQ. YD.	100.00	\$1.50	\$150.00
65	Grass Seed (Typha)	SQ. YD.	100.00	\$1.50	\$150.00
66	Grass Seed (Scirpus)	SQ. YD.	100.00	\$1.50	\$150.00
67	Grass Seed (Eleocharis)	SQ. YD.	100.00	\$1.50	\$150.00
68	Grass Seed (Najas)	SQ. YD.	100.00	\$1.50	\$150.00
69	Grass Seed (Sclerophyll)	SQ. YD.	100.00	\$1.50	\$150.00
70	Grass Seed (Lycopodium)	SQ. YD.	100.00	\$1.50	\$150.00
71	Grass Seed (Selaginella)	SQ. YD.	100.00	\$1.50	\$150.00
72	Grass Seed (Isoetes)	SQ. YD.	100.00	\$1.50	\$150.00
73	Grass Seed (Sphenopodium)	SQ. YD.	100.00	\$1.50	\$150.00
74	Grass Seed (Equisetum)	SQ. YD.	100.00	\$1.50	\$150.00
75	Grass Seed (Liliopsis)	SQ. YD.	100.00	\$1.50	\$150.00
76	Grass Seed (Juncus)	SQ. YD.	100.00	\$1.50	\$150.00
77	Grass Seed (Carex)	SQ. YD.	100.00	\$1.50	\$150.00
78	Grass Seed (Sagittaria)	SQ. YD.	100.00	\$1.50	\$150.00
79	Grass Seed (Alisma)	SQ. YD.	100.00	\$1.50	\$150.00
80	Grass Seed (Typha)	SQ. YD.	100.00	\$1.50	\$150.00
81	Grass Seed (Scirpus)	SQ. YD.	100.00	\$1.50	\$150.00
82	Grass Seed (Eleocharis)	SQ. YD.	100.00	\$1.50	\$150.00
83	Grass Seed (Najas)	SQ. YD.	100.00	\$1.50	\$150.00
84	Grass Seed (Sclerophyll)	SQ. YD.	100.00	\$1.50	\$150.00
85	Grass Seed (Lycopodium)	SQ. YD.	100.00	\$1.50	\$150.00
86	Grass Seed (Selaginella)	SQ. YD.	100.00	\$1.50	\$150.00
87	Grass Seed (Isoetes)	SQ. YD.	100.00	\$1.50	\$150.00
88	Grass Seed (Sphenopodium)	SQ. YD.	100.00	\$1.50	\$150.00
89	Grass Seed (Equisetum)	SQ. YD.	100.00	\$1.50	\$150.00
90	Grass Seed (Liliopsis)	SQ. YD.	100.00	\$1.50	\$150.00
91	Grass Seed (Juncus)	SQ. YD.	100.00	\$1.50	\$150.00
92	Grass Seed (Carex)	SQ. YD.	100.00	\$1.50	\$150.00
93	Grass Seed (Sagittaria)	SQ. YD.	100.00	\$1.50	\$150.00
94	Grass Seed (Alisma)	SQ. YD.	100.00	\$1.50	\$150.00
95	Grass Seed (Typha)	SQ. YD.	100.00	\$1.50	\$150.00
96	Grass Seed (Scirpus)	SQ. YD.	100.00	\$1.50	\$150.00
97	Grass Seed (Eleocharis)	SQ. YD.	100.00	\$1.50	\$150.00
98	Grass Seed (Najas)	SQ. YD.	100.00	\$1.50	\$150.00
99	Grass Seed (Sclerophyll)	SQ. YD.	100.00	\$1.50	\$150.00
100	Grass Seed (Lycopodium)	SQ. YD.	100.00	\$1.50	\$150.00

Attachment #4

Gadsden County Board of County Commissioners
July 6, 2010 Regular Meeting

easily transmitted to their doctors who may also have offices in other communities.

Markham:

And the same thing with the Department of Corrections, all your colleges, your libraries and those things. We will bring more capacity and it is open access. Let's say that ABC ISP wanted to start selling broadband. They can. No one is permitted. The City of Quincy of Quincy could do that as well.

Lamb:

Does anybody else have any questions? Can we get a motion?

Croley :

I move approval.

Taylor:

Second.

Lamb:

It has been properly moved and seconded that we approve Item no. 13. Are there any questions. (No response.) Ready to vote. All in favor, let it be known by saying, "Aye."

All:

Aye.

Lamb:

The "Ayes" have it.

Thank you, sir.

14. Approval of Bid Award and Notice to Proceed for Drake Acres Florida Recreational Development Assistance Program Renovation and Authorize the Chairman to Execute Contractual Agreements with North Florida Construction for \$135,611

Approve Bid Award , Notice to Proceed, Authorize Chairman to execute the contract and authorize staff to make appropriate change orders in advance.

Chapman:

Because we are a RACEC county, we also carry a ready designation and the match for this grant program has been waived. So, that is one of the benefits that you are receiving from being a RACEC and REDI county. This grant was awarded some time back as the administrator noted. North Florida Construction was the low bid. During the process, there were eight bids total. North Florida Construction bid \$108,905 and were the low bidder. As such, we do have the remaining balance within the grant funds that are available of \$5,364.35. This item tonight asks for you to do three things. Approve the bid award and the notice to proceed in one swoop. Approve the contractual agreement which is attached and to approve the staff to make the appropriate change orders in advance similar to using that \$5,000 balance left over for extra picnic tables, water

Gadsden County Board of County Commissioners
July 6, 2010 Regular Meeting

fountains, benches and those kinds of things that would be used in direct effect related to the playground itself and the children...

The scope of the work will basically be the destruction and removal of the unsafe equipment that does not meet international playground manufacturers standards. Basically, what we are used to and what we grew up on were the metal slides, the spinning ferris wheels and those kinds of things. Unfortunately, those have all been deemed as unsafe by the powers that be. With right case loads to substantiate to insurance companies that say that these things are very unsafe. I know that I have cooked my legs on the metal slides in the summers, too. So, we are going to remove all the dangerous equipment, fix whatever infrastructure we need to, meet stormwater requirements that occur on the books with Northwest Florida Water Management District and then come back, reconstruct the playground, reconstruct the basketball area, picnic pavilion, picnic facilities, benches, water fountains, parking facilities and make it into a full service park in that area.

★ E UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE OPTION 1 - APPROVE THE BID AWARD TO NORTH FLORIDA CONSTRUCTION, APPROVE THE CONTRACT WITH NORTH FLORIDA CONSTRUCTION AND AUTHORIZE AND APPROVE CHANGE ORDERS TO BE MADE BY STAFF.

15. Approval of Memorandum of Agreement with State of Florida Governor's Office for the "Rural Area of Critical Economic Concern" (RACEC) Designation for Gadsden County.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE MEMORANDUM OF AGREEMENT WITH THE GOVERNOR'S OFFICE FOR THE DESIGNATION AS A RACEC COUNTY.

16. Approval of Bid Number 10-13 for Solid Waste Division Portable Restrooms Service at Rural Waste Sites and Authorize the Chairman to Execute Contractual Agreements - to Talquin Portable Restrooms (Waste Sites and Post Plant Plt)

Taylor:

I have a question and a comment. I spoke with one of the businesses that did it last year. They informed me that they did not receive notice of the bid. I did read in this description behind Item 16, that you did use three different newspapers as your source of giving out information out there. But, did you still follow up with letters to those who had bid it the previous year to inform them that this bid was back up? This particular company is one of the well known local businesses as is the one that received the bid, I am sure.

Chapman:

Yes, ma'am. I believe that is standard operating procedures. But, I would have to confer with Mr. Lawson's office. But, I know they typically do that service for those previously bid vendors.

Taylor:

They typically send letters to those who have bid previously - to inform them that this bid was

Board of County Commissioners Agenda Request

Date of Meeting: March 1, 2011
Date Submitted: February 9, 2011
To: Honorable Chairperson and Members of the Board
From: Johnny Williams, County Manager
Don Crum, EMS/Fire Chief
Subject: Board Approval to Renew EMS Consultants Agreement for Ambulance Claims and Authorize Chairperson to Sign

Statement of Issue:

This agenda item seeks Board approval to renew the EMS Consultants Agreement and authorize Chairperson to sign. This is the software used daily by the billing office for processing claims.

Background:

Gadsden County EMS has used EMS Consultants billing software for over 15 years and staff is very familiar and extremely comfortable with the software.

Analysis

This software allows Gadsden EMS to maintain a high level of collections for services rendered. The EMS Consultants Agreement keeps the billing department in constant touch for any upgrades to the software or changes in the billing process as well as gives technical support when needed.

Fiscal Impact:

The fee to be paid to the software vendor under this renewed Agreement is \$3,000.00 dollars and is payable in one annual installment. The funds for this Agreement have been budgeted in this year's Fiscal budget.

Options:

1. Renew the EMS Consultants Agreement and authorize Chairperson to sign.
2. Provide Board direction.

County Administrator's Recommendation:

Option 1.

Attachment:

1. Agreement with EMS Consultants

Board of County Commissioners Agenda Request

Date of Meeting: March 1, 2011
Date Submitted: February 10, 2011
To: Honorable Chairman and Members of the Board
From: Deborah Minnis, County Attorney
Subject: **Public Hearing - Adoption of Ordinance Number _____** to
Implement the Provisions of Section 286.0115, Florida Statutes
Relating to Ex Parte Communications Involving Non-Quasi
Judicial and Quasi-Judicial Local Land use Matters

Statement of Issue:

This item seeks Board approval of adopt an ordinance implement the provisions of Section 286.0115, Florida Statutes relating to ex parte communications involving non-quasi judicial local land use matters

Background:

Unless prohibited by statute, charter, or ordinance, any person may discuss with any local public official the merits of any matter on which action may be taken by the board on which the local official sits. Generally such ex parte communications involving other than quasi-judicial matters would carry a presumption that the communications would result in prejudice on the part of the public official with whom they were made.

Analysis:

Section 286.0115, Florida Statutes authorizes counties to adopt an ordinance or resolution that removes the presumption of prejudice from ex parte communications with local public officials by establishing a process for disclosing such ex parte communications. Adopting this ordinance would meet the criteria set out in Section 286.0115 and, provided the disclosure procedures are followed, would remove the automatic presumption of prejudice of ex parte communications between citizens and their representatives on land use matters. Moreover, by adopting this ordinance requiring disclosure of ex parte communications, citizens not parties to the communications and who have positions contrary to those communicated will have an opportunity to voice those opinions before the vote is taken on the matter.

Fiscal Impact:

None.

Options:

1. Approve the Ordinance.
2. Disapprove the Ordinance.
3. Instruct counsel and staff to revise the Ordinance based on further instructions by the Commission.

County Administrator's Recommendation

Option 1. Approve the Ordinance

Attachment:

Copy of proposed Ordinance.

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA PROVIDING, PURSUANT TO SECTION 286.0115, FLORIDA STATUTES, A DEFINITION OF LOCAL PUBLIC OFFICIAL; REMOVING, PURSUANT TO SECTION 286.0115, FLORIDA STATUTES, THE PRESUMPTION OF PREJUDICE FROM EX PARTE COMMUNICATIONS WITH LOCAL PUBLIC OFFICIALS RELATED TO MATTERS OTHER THAN QUASI-JUDICIAL PROCEEDINGS ON LOCAL LAND USE MATTERS, BY ESTABLISHING A PROCESS TO DISCLOSE EX PARTE COMMUNICATIONS WITH SUCH OFFICIALS; ESTABLISHING THE PROCEDURES AND PROVISIONS OF SECTION 286.0115(2), FLORIDA STATUTES, FOR REMOVING THE PRESUMPTION OF PREJUDICE FROM EX PARTE COMMUNICATIONS WITH LOCAL PUBLIC OFFICIALS RELATED TO QUASI-JUDICIAL PROCEEDINGS ON LOCAL GOVERNMENT LAND USE MATTERS; PROVIDING A TITLE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS the Gadsden County Board of County Commissioners seeks to remove the presumption of prejudice from ex parte communications with local public officials by establishing a process to disclose ex parte communications with such officials.

WHEREAS the Gadsden County Board of County Commissioners seeks to remove the presumption of prejudice from ex parte communications with local public officials related to quasi-judicial proceedings on local land use matters.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA:

SECTION 1. CREATION OF ORDINANCE REMOVING THE PRESUMPTION OF PREJUDICE FROM EX PARTE COMMUNICATIONS WITH LOCAL PUBLIC OFFICIALS.

(1) As used in this ordinance, the term "local public official" means any elected or appointed public official holding a County office who recommends or takes quasi-judicial action as a member of a board or commission. The term does not include a member of the board or commission of any state agency or authority.

(2) Ex parte communications related to matters other than quasi-judicial proceedings on local government land use matters.

Any person not otherwise prohibited by statute or ordinance may discuss with any local public official the merits of any matter on which action may be taken by any board or commission on which the local public official is a member. Adherence to the following procedures shall remove the presumption of prejudice arising from ex parte communications with public officials.

(a) The substance of any ex parte communication with a public official which relates to quasi-judicial action pending before the official is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group, or entity with whom the communication took place is disclosed and made part of the record before final action on the matter.

(b) A local public official may read a written communication from any person. However, a written communication which relates to quasi-judicial action pending before a local public official shall not be presumed prejudicial to the action, and such written communication shall be made a part of the record before final action on the matter.

(c) Local public officials may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before them. Such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit, or expert opinion is made a part of the record before final action on the matter.

(d) Disclosure made pursuant to subparagraphs a., b., and c. must be made before or during the public meeting at which a vote is taken on such matters, so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication. This subsection does not subject local public officials to part III of chapter 112, Florida Statutes, for not complying with this paragraph.

(3) Ex parte communications related to quasi-judicial proceedings on local government land use matters.

(a) In a quasi-judicial proceeding on local government land use matters, a person who appears before the decision-making body who is not a party or party-intervenor shall be allowed to testify before the decision-making body, subject to control by the decision-making body, and may be requested to respond to questions from the decision-making body, but need not be sworn as a witness, is not required to be subject to cross-examination, and is not required to be qualified as an expert witness. The decision-making body shall assign weight and credibility to such testimony as it deems appropriate. A party or party-intervenor in a quasi-judicial proceeding on local government land use matters, upon request by another party or party-intervenor, shall be sworn as a witness, shall be subject to cross-examination by other parties or party-intervenors, and shall be required to be qualified as an expert witness, as appropriate.

(b) In a quasi-judicial proceeding on local government land use matters, a person may not be precluded from communicating directly with a member of the decision-making body by application of ex parte communication prohibitions. Disclosure of such communications by a member of the decision-making body is not required, and such nondisclosure shall not be

presumed prejudicial to the decision of the decision-making body. All decisions of the decision-making body in a quasi-judicial proceeding on local government land use matters must be supported by substantial, competent evidence in the record pertinent to the proceeding, irrespective of such communications.

(4) This ordinance does not restrict the authority of any board or commission to establish rules or procedures governing public hearings or contacts with local public officials.

SECTION 2. TITLE.

(1) The title of this ordinance shall be: "Access to local public officials; quasi-judicial proceedings on local government land use matters."

SECTION 3. SEVERABILITY.

In accordance with Section 1-9 of the Gadsden County Code of Ordinances, the sections, subsections, paragraphs, sentences, clauses and phrases of this Ordinance and all provisions 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, 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 THE DEPARTMENT OF STATE.

This ordinance shall take effect upon filing with the Department of State.

DULY PASSED AND ADOPTED BY a vote of _____ to _____ on the _____ day of _____, 2011.

BOARD OF COUNTY
COMMISSIONERS OF GADSDEN
COUNTY, FLORIDA

By: _____
SHERRIE D. TAYLOR, Chairman

Nicholas Thomas
Clerk of the Circuit Court

NOTICE OF INTENT

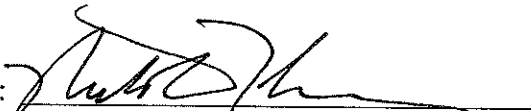
NOTICE IS HEREBY GIVEN to all concerned that the Board of County Commissioners of Gadsden County, Florida, Intends at its (regularly scheduled meeting, at 6:00 PM, at the Gadsden County Governmental Complex, 9-B East Jefferson Street, Quincy, Florida, on the 1st day of March, 2011, to consider adoption of an ordinance:

REMOVING, PURSUANT TO SECTION 286.0115, FLORIDA STATUTES, THE PRESUMPTION OF PREJUDICE FROM EX PARTE COMMUNICATIONS WITH LOCAL PUBLIC OFFICIALS ON LOCAL NON-QUASI JUDICIAL LAND USE MATTERS, BY ESTABLISHING A PROCESS TO DISCLOSE EX PARTE COMMUNICATIONS WITH SUCH OFFICIALS WHERE SUCH IS REQUIRED AND PROCEDURES FOR ACCESS TO PUBLIC OFFICIALS RELATING TO QUASI-JUDICIAL LAND USE MATTERS;

INTERESTED PARTIES MAY APPEAR AT THE MEETING AND BE HEARD WITH RESPECT TO THE PROPOSED AMENDMENT. 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

By: 
Nicholas Thomas, Clerk

Published one time
February 18, 2011

6-5

ORDINANCE FOR
ADOPTION

Attachment #4

2011
ORDINANCE ~~2010~~-02

AN ORDINANCE AMENDING THE GADSDEN COUNTY COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT; ADOPTING THE AMENDMENT COMPRISING POLICY (TEXT) CHANGES TO POLICY 1.1.5(D) NEIGHBORHOOD COMMERCIAL OF THE FUTURE LAND USE ELEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE (CPA-2010-01).

- Whereas;** The Gadsden County Planning Commission, seated as the Local Planning Agency, has individually heard the proposed text amendment and made appropriate comment and recommendation to the Board of County Commissioners; and
- Whereas;** The Board of County Commissioners held a duly noticed public hearing and voted to transmit the text amendment with draft ordinance to the Florida Department of Community Affairs in accordance with Chapter 163.3184 Florida Statutes; and
- Whereas;** The Board of County Commissioners has held a notice public adoption hearing on said ordinance in accordance with Chapter 164.3184 and provided the appropriate legal public notice as required by Section 125.66(4)(b), of the Gadsden County Land Development Code, and received public comment on the proposed text amendment; and
- Whereas;** The amendment is known by the name of Comprehensive Plan Text Amendments CPA-2010-01 and referenced as DCA No. 11-1 by the Florida Department of Community Affairs; and
- Whereas;** The proposed text amendment will change only Policy 1.1.5(D) of Gadsden County's adopted Comprehensive Plan Future Land Use Element, and
- Whereas;** The proposed text amendment has been reviewed and approved by the Planning Commission, the Board of County Commissioners and the Florida Department of Community Affairs and is supported by adequate data and analysis necessary for submission for adoption.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA AS FOLLOWS:

SECTION 1: Approval of Amendment

We the Board of County Commissioners of Gadsden County, Florida hereby adopt the amendment to the Gadsden County Comprehensive Plan, Future Land Use Element consisting of a text amendment to Policy 1.1.5(D) of the Gadsden County Comprehensive Plan, as indicated in Exhibit "A".

SECTION 2: Severability

If any portion of this amendment shall be challenged and/or annulled, no other provision or approval of this amendment shall be affected and no other element of the Comprehensive Plan shall be affected.

SECTION 3: Effective Date

Having been herein approved by the Board of County Commissioners, this amendment to the Future Land Use Map will be effective upon adoption of said amendment as provided in Chapters 163.3184(9)(a), 163.3187(1) and 163.3187(2)(a), Florida Statutes.

Wherefore, Be it hereby Ordained: That the Gadsden County Board of County Commissioners, hereby adopts the above named amendment to the Gadsden County Future Land Use Map, on this 1st day of March, 2011.

Signed:



Sherrie Taylor, Chairperson
Gadsden County Board of County Commissioners

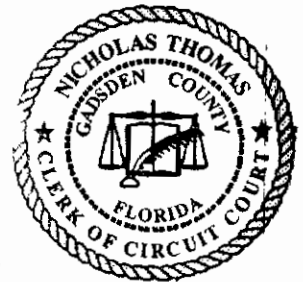
3/1/2011
Date

Attest:



Nicholas Thomas, County Clerk

3/1/2011
Date



Attachment – Exhibit "A" – Comprehensive Plan Text Amendment to the Future Land Use Element, Policy 1.1.5(D)

ATTACHMENT 'A'

Policy 1.1.5(D) Neighborhood Commercial

- (D) **Neighborhood Commercial:** Rural residents and travelers traditionally have received many of their services in the historically established rural communities in Gadsden County. A typical rural residential community includes small grocery/convenience stores, minor auto/truck repair shops, florist shops, vegetable/fruit stands, home occupations, churches, cemeteries and low density residential dwellings (manufactured and conventional homes). These communities once had a central employment based on agricultural uses that sustained the area home sites in the vicinity of the farms. These areas now are supported by more diversified agricultural uses and non-agricultural uses.

For purposes of this plan, neighborhood commercial uses shall mean uses of a convenient commercial nature intended to serve the daily needs of the surrounding rural communities including retail commercial, professional, office, personal and financial services. A typical rural community supported by neighborhood commercial uses includes small grocery/convenience stores, minor auto/truck repair shops, fish camps, bait shops, vegetable/fruit stands, home occupations, churches, cemeteries and low-density residential dwellings (manufactured and site-built homes). Sale of alcohol may be a permitted in the Neighborhood Commercial overlay land use upon the approval by the Board of County Commissioners as a Special Exception. Prohibited uses shall include liquor stores, taverns, bars, lounges, party/dance halls or clubs selling or serving alcohol. The sale of alcohol may be permitted only as an accessory use to a commercial retail use or for consumption in a restaurant use.

Neighborhood Commercial is an unmapped Land Use Category with limited location requirements. Neighborhood Commercial developments in the Agricultural 1, 2, and 3 land use categories areas shall meet the following conditions:

1. Shall be located fronting on a paved arterial or paved collector roadway or in a previously or historically commercially used structure or site that has not been vacated as a commercial use for more than two (2) years or as extended by the Board. Frontage on or direct access/egress to local roads is prohibited;
2. Must be located within a one-half (0.50) of a mile (2,640 feet) radius of the intersection of paved arterials, arterial and a collector or two collector roadways;
3. Have a defined development site area specifically dedicated for the neighborhood commercial use of two (2) acres or less; and
4. Intensity of the non-residential structure utilized for the neighborhood commercial use shall be defined as a floor area ratio not to exceed .10. The floor area ratio shall be calculated based on the gross floor area of the non-residential structure divided by the development site area utilized for the neighborhood commercial use. Only one neighborhood commercial use structure is permitted. Have a gross floor area of less than 5,000 square feet for a single structure. However, additional building areas for accessory storage for inventories may be permitted; and

5. Density of residential units shall be calculated based on the under lying agricultural land use category as defined by the future land use map; and
6. All Neighborhood Commercial uses in the Agricultural land use categories shall require a Special Exception approval by the Board of County Commissioners as described in the Land Development Code.

Neighborhood commercial uses in the Rural Residential land use designation areas shall meet the following conditions:

1. Access/egress to local roads is prohibited. Neighborhood Commercial uses shall be located fronting on a paved arterial or paved collector roadway or in a previously or historically commercial structure or site that has not been vacated as a commercial use for more than two (2) years or unless extended by the Board. Uses are required to have primary frontage on an arterial or collector roadway. Frontage on and/or direct access/egress to local roads is prohibited;
2. Must be located within a quarter (0.25) of a mile (1,320 feet) radius of the intersection of arterial, arterial and collector, or two collector roadways.
3. Have a defined development site area specifically dedicated for the neighborhood commercial use of two (2) acres or less;
4. Intensity of the non-residential structure(s) utilized for the neighborhood commercial use shall be defined as a floor area ratio not to exceed .075. The floor area ratio shall be calculated based on the gross floor area of the non-residential structure divided by the development site area utilized for the neighborhood commercial use. Only one neighborhood commercial use structure is permitted and must have a gross floor area of less than 5,000 square feet for a single structure. However, additional building areas for accessory storage for inventories may be permitted provided the floor area ratio is not exceeded.
5. Density of residential units shall be calculated based on the under lying land use for rural residential;
6. All Neighborhood Commercial uses in the Rural Residential land use designation shall require a Special Exception approval by the Board of County Commissioners as described in the Land Development Code.

Exceptions to Neighborhood Commercial:

In order to preserve and enhance the County's existing commercial waterfront uses, special waterfront dependent uses may be permitted and expanded as Neighborhood Commercial uses in areas adjacent to Lake Talquin where such properties have previously and/or historically existed. Such waterfront uses, include but are not limited to, historically existing restaurants, recreational vehicle parks, bait and tackle shops, marinas and convenience stores. These uses shall be permitted to be renovated and maintained.

In recognition of the unique characteristics of these commercial waterfront uses, Neighborhood Commercial waterfront uses shall be permitted to expand and/or be re-established through Special Exception review and approval. The Board of County

Commissioners may approve conditions that allow site design flexibility from the strict adherence of the Land Development Code as a condition of approval on a case by case basis provided compliance is demonstrated with the Comprehensive Plan.

Gadsden County Board of County Commissioners

Agenda Request

*Slide - I need the
Proof of Publication
or I can start from
the Newspaper
on this.*

Date of Meeting: March 1, 2011

Date Submitted: February 10, 2011

To: Honorable Chairman and Members of the Board

From: Johnny Williams, County Administrator
Anthony Matheny, Director
Planning and Community Development

Subject: Public Hearing - Adoption of Ordinance for Comprehensive Plan
Text Amendment(s) to Policy 1.1.5(D) Neighborhood Commercial
- (CPA-2010-01) (DCA 11-1)

Statement of Issue:

The Board of County Commissioners is requested to review and adopt the attached Ordinance amending Policy 1.15(D) Neighborhood Commercial. Legislative action and policy changes are to be reviewed as a Type IV procedure and subject to public notice requirements as established in Subsection 7501 of the Land Development Code (LDC) (Subsection 7204). Public Notice requirements have been met (Attachment #1).

Background:

On July 6, 2010, the Board of County Commissioners (BOCC) voted to transmit amendments to Policy 1.1.5(D) Neighborhood Commercial of the Gadsden County Comprehensive Plan as proposed by the 'draft' ordinance to the Florida Department of Community Affairs (FDCA) (Attachment #7).

The DCA reviewed the transmitted amendment and issued a letter on December 23, 2010, indicating that "The Department raises no objections to the proposed amendment, and this letter serves as the Department's Objections, Recommendations and Comments Report." (Attachment #5)

The process for adoption of local comprehensive plan amendments is outlined in Chapter 163.3184, Florida Statutes (F.S.) and Rule 9J-11.011, Florida Administrative Code (F.A.C.). The Board must adopt the amendment, adopt with changes, or determine that the County will not adopt the proposed amendments within sixty (60) days. Within ten (10) working days of the date of adoption, the County will submit the amendment with adoption ordinance and support documents to the DCA to conduct a compliance review, make a compliance determination, and issue the appropriate notice of intent.

Summary of Amendment – Proposed Changes to Neighborhood Commercial:

No changes have been made since the BOCC approved this policy for transmittal.

The following is a summary of the amendments to the Neighborhood Commercial policy:

- Fish camps & bait shops are added to allowed neighborhood commercial uses
- Changes were made to further prohibit or restrict the sale of alcohol.
 - Sales of alcohol may be permitted in the Neighborhood Commercial overlay land use upon the approval by the Board of County Commissioners as a Special Exception.
 - Prohibited uses shall include liquor stores, taverns, bars, lounges, party/dance halls or clubs selling or serving alcohol. The sale of alcohol may be permitted only as an accessory use to a commercial retail use or for consumption in a restaurant use.
- The following location criteria were clarified and expanded for Neighborhood Commercial developments in the Agricultural 1, 2, and 3 land use categories:
 - Shall be located fronting on a paved arterial or paved collector roadway or in a previously or historically commercially used structure or site that has not been vacated as a commercial use for more than two (2) years or as extended by the Board. Frontage on or direct access/egress to local roads is prohibited;
 - Must be located within a one-half (0.50) of a mile (2,640 feet) radius of the intersection of paved arterials, arterial and a collector or two collector roadways.
- The following location criteria were clarified and expanded for Neighborhood Commercial developments in Rural Residential land use category:
 - Access/egress to local roads is prohibited. Neighborhood Commercial uses shall be located fronting on a paved arterial or paved collector roadway or in a previously or historically commercial structure or site that has not been vacated as a commercial use for more than two (2) years or unless extended by the Board. Uses are required to have primary frontage on an arterial or collector roadway. Frontage on and/or direct access/egress to local roads is prohibited;
 - Must be located within a quarter (0.25) of a mile (1,320 feet) radius of the intersection of arterial, arterial and collector, or two collector roadways.
- The Board voted to add language to preserve and enhance the County's existing commercial waterfront uses.
 - Special waterfront dependent uses may be permitted and expanded as Neighborhood Commercial uses may be permitted in areas adjacent to Lake Talquin where such properties have previously and/or historically existed.
 - Such waterfront uses, include but are not limited to, historically existing restaurants, recreational vehicle parks, bait and tackle shops, marinas and convenience stores. These uses shall be permitted to be renovated and maintained.

- In recognition of the unique characteristics of these commercial waterfront uses, Neighborhood Commercial waterfront uses shall be permitted to expand and/or be re-established through Special Exception review and approval. The Board of County Commissioners may approve conditions that allow site design flexibility from the strict adherence of the Land Development Code as a condition of approval on a case by case basis provided compliance is demonstrated with the Comprehensive Plan.

DCA Objections, Recommendations & Comments (ORC) Report:

As indicated above, the DCA *"raises no objections to the proposed amendment, and this letter serves as the Department's Objections, Recommendations and Comments Report. The Department did not receive comments from other local, regional, or state agencies regarding this amendment."* The DCA made suggestions for clarification of the proposed policies (see paragraph two (2) of Attachment #5). These recommendations will be reviewed by the Planning Commission and then the Board for incorporation into the Land Development Code as required to be consistent with the revised Policy 1.1.5(D).

Requested Action:

The ordinance was previously reviewed and approved by the Board and was included in the transmittal to DCA. DCA responded to the County that they had no objections to the proposed amendment. The Board must adopt the proposed ordinance as required by Florida Statute if the text amendments to Neighborhood Commercial are to become effective.

Options:

1. Approve for adoption the administrative text amendments to Policy 1.1.5(D) Neighborhood Commercial (CPA-2010-01) as proposed in the attached Ordinance and Attachment (Attachment #2) (DCA 11-1) and as described herein based on the above referenced findings of the Florida Department of Community Affairs and a finding of consistency with the Gadsden County Comprehensive Plan.
2. Deny the approval and adoption by Ordinance of the administrative text amendment to amend Policy 1.1.5(D) Neighborhood Commercial (CPA-2010-01) as described herein and make findings.
3. Board Discretion.

County Administrator Recommendation:

Option #1

Attachments:

1. Public Hearing Notice – Newspaper Advertisement
2. Original Copy Policy 1.1.5(D) Neighborhood Commercial
3. Proposed Policy 1.1.5 (D), Neighborhood Commercial (Strike-Ad Versions of Attachment 'A')
4. Proposed Ordinance & Policy 1.1.5 (D), Neighborhood Commercial (Final Version of Attachment 'A')
5. Letter to Chairperson Sherry Taylor from FDCA, December 23, 2010
6. Flow Chart of the Comprehensive Plan Amendment Process
7. Board Minutes, July 6, 2010 - Transmittal

G:\Comp Plans\Amendments (by Year)\CPA-2010\Spring 2010 - Cycle 1 Transmittal\NEIGHBORHOOD COMMERCIAL (CPA-2010-01) (DCA 11-1)\BOCC Agenda Item 03-1-11 Neighborhood Commercial CPA 2010-I Rev3.doc

**NOTICE OF INTENT
TO ADOPT
COMPREHENSIVE PLAN TEXT
AMENDMENT TO POLICY
1.1.5(D) NEIGHBORHOOD
COMMERCIAL**

NOTICE IS HEREBY GIVEN that the Gadsden County Board of County Commissioners at its regularly scheduled meeting on Tuesday, March 1, 2011 at 6:00 p.m. intends to adopt by Ordinance a Comprehensive Plan Text Amendment, to amending Policy 1.1.5(D) Neighborhood Commercial (CPA-2010-01) (DCA 11-1) of the Future Land Use Element. The public hearing will be held in the **Commission room located at 7 East Jefferson Street, Quincy, FL**. If approved for adoption by the Board of County Commissioners, the adopted ordinance will be transmitted to the Department of Community Affairs and appropriate state agencies in accordance with Chapter 163.3184, Florida Statutes.

The title of the Ordinance is:

AN ORDINANCE AMENDING THE GADSDEN COUNTY COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT; ADOPTING THE AMENDMENT COMPRISING POLICY (TEXT) CHANGES TO POLICY 1.1.5(D) NEIGHBORHOOD COMMERCIAL OF THE FUTURE LAND USE ELEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE (CPA-2010-01).

Copies of the ordinance and agenda materials are available for public review at the Planning and Community Development Department located at 1B East Jefferson Street, Quincy, FL and on the County website at gadsdengov.net. Interested persons may attend and be heard at the public hearing or provide comments in writing to the Planning & Zoning Commission. Persons wishing to appeal any decisions made during the hearing will need a record of the proceeding and should ensure a verbatim record is made, including the testimony on which the appeal is to be based.

In accordance with the Americans with Disabilities Act, persons needing assistance in obtaining any information from the County or attending the public workshop/meeting should contact the County by calling 850-875-8665 or 850-510-7842, at least 48 hours prior to the meeting.

Gadsden County Comprehensive Plan

Future Land Use Element

Policy 1.1.5: The Future Land use Map shall be based upon and be consistent with the following standards for land use densities. Density is measured in units per acre, as in one unit per acre, (1:1), in Floor Area Ratio, the ratio 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.

- (D) Neighborhood Commercial:** Rural residents and travelers traditionally have received many of their services in the historically established rural communities in Gadsden County. A typical rural residential community includes small grocery/convenience stores, minor auto/truck repair shops, florist shops, vegetable/fruit stands, home occupations, churches, cemeteries and low density residential dwellings (manufactured and conventional homes). These communities once had a central employment based on agricultural uses that sustained the area home sites in the vicinity of the farms. These areas now are supported by more diversified agricultural uses and non-agricultural uses.

For purposes of this plan, neighborhood commercial uses shall mean uses of a convenient commercial nature intended to serve the daily needs of the surrounding rural communities including retail commercial, professional, office, personal and financial services. A typical rural community supported by neighborhood commercial uses includes small grocery/convenience stores, minor auto/truck repair shops, vegetable/fruit stands, home occupations, churches, cemeteries and low-density residential dwellings (manufactured and site-built homes). Sales of alcohol for on or off-premise consumption may be a permitted in the Neighborhood Commercial overlay land use and upon the approval by the Board of County Commissioners as a Special Exception permit.

Neighborhood Commercial is an unmapped Land Use Category with limited location requirements. Neighborhood Commercial developments in the Agricultural 1, 2, and 3 land use categories areas shall meet the following conditions:

1. Be located along an arterial or paved collector roadway with another arterial, or paved collector roadways or in a previously or historically commercially used structure or site;
2. Have a defined development site area specifically dedicated for the neighborhood commercial use of two (2) acres or less; and
3. Intensity of the non-residential structure utilized for the neighborhood commercial use shall be defined as a floor area ratio not to exceed .10. The floor area ration shall be calculated based on the gross floor area of the non-residential structure divided by the development site area utilized for the neighborhood commercial use. Only one neighborhood commercial use structure is permitted. Have a gross floor area of less than 5,000 square feet for a single structure. However,

Adopted Neighborhood Commercial Policy
(This is the language in the Comp Plan now.)

Attachment #2

additional building areas for accessory storage for inventories may be permitted; and

4. Density of residential units shall be calculated based on the under lying agricultural land use category as defined by the future land use map; and
5. All Neighborhood Commercial uses in the Agricultural land use categories shall require a Special Exception permit approval by the Board of County Commissioners as described in the Land Development Code.

Neighborhood commercial uses in the rural Residential land use designation areas shall meet the following conditions:

1. Shall have direct access/egress to an arterial or collector road. Access/egress to local roads is prohibited. Are restricted from local access to/from neighborhood local roadways and shall only provide/obtain access to/from and are required to have primary frontage on an arterial or collector roadway;
2. Have a defined development site area specifically dedicated for the neighborhood commercial use of two (2) acres or less;
3. Intensity of the non-residential structure utilized for the neighborhood commercial use shall be defined as a floor area ration not to exceed .075. The floor area ratio shall be calculated based on the gross floor area of the non-residential structure divided by the development site area utilized for the neighborhood commercial use. Only one neighborhood commercial use structure is permitted. Have a gross floor area of less than 5,000 square feet for a single structure. However, additional building areas for accessory storage for inventories may be permitted.
4. Density of residential units shall be calculated based on the under lying land use for rural residential;
5. All Neighborhood Commercial uses in the Rural Residential land use designation shall require a Special Exception permit approval by the Board of County Commissioners as described in the Land Development Code.

Exceptions to Neighborhood Commercial:

However, in order to preserve and enhance the County's existing commercial waterfront uses, Neighborhood Commercial uses may be permitted in areas adjacent to Lake Talquin for special waterfront dependent uses as a Class II Special Exception use where such properties have historically existed. Neighborhood Commercial location criteria required for these special waterfront uses shall be established by the Board of County Commissioners as a condition of approval for the Special Exception on a case by case basis. (Ordinance #2009-032, 12-01-09)

ATTACHMENT 'A'
STRIKE-THRU AND ADDITION FORMAT
For DCA – Not for Signature

Policy 1.1.5(D) Neighborhood Commercial

- (D) Neighborhood Commercial:** Rural residents and travelers traditionally have received many of their services in the historically established rural communities in Gadsden County. A typical rural residential community includes small grocery/convenience stores, minor auto/truck repair shops, florist shops, vegetable/fruit stands, home occupations, churches, cemeteries and low density residential dwellings (manufactured and conventional homes). These communities once had a central employment based on agricultural uses that sustained the area home sites in the vicinity of the farms. These areas now are supported by more diversified agricultural uses and non-agricultural uses.

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1. ~~Be~~ Shall be located fronting on along an a paved arterial or paved collector roadway ~~with another arterial, or paved collector roadways~~ or in a previously or historically commercially used structure or site that has not been vacated as a commercial use for more than two (2) years or as extended by the Board. Frontage on or direct access/egress to local roads is prohibited;
2. Must be located within a one-half (0.50) of a mile (2,640 feet) radius of the intersection of paved arterials, arterial and a collector or two collector roadways;
3. Have a defined development site area specifically dedicated for the neighborhood commercial use of two (2) acres or less; and
4. Intensity of the non-residential structure utilized for the neighborhood commercial use shall be defined as a floor area ratio not to exceed .10. The floor area ratio shall be calculated based on the gross floor area of the non-residential structure divided by the development site area utilized for the neighborhood commercial use. Only one

neighborhood commercial use structure is permitted. Have a gross floor area of less than 5,000 square feet for a single structure. However, additional building areas for accessory storage for inventories may be permitted; and

5. Density of residential units shall be calculated based on the under lying agricultural land use category as defined by the future land use map; and
6. All Neighborhood Commercial uses in the Agricultural land use categories shall require a Special Exception ~~permit~~ approval by the Board of County Commissioners as described in the Land Development Code.

Neighborhood commercial uses in the Rural Residential land use designation areas shall meet the following conditions:

1. Access/egress to local roads is prohibited. Neighborhood Commercial uses shall be located fronting on a paved arterial or paved collector roadway or in a previously or historically commercial structure or site that has not been vacated as a commercial use for more than two (2) years or unless extended by the Board. have direct access/egress to an a paved arterial or collector road. Uses are restricted from local access/egress to/from neighborhood local roadways and shall only provide/obtain access to/from are required to have primary frontage on an arterial or collector roadway. Frontage on and/or direct access/egress to local roads is prohibited;
2. Must be located within a quarter (0.25) of a mile (1,320 feet) radius of the intersection of arterial, arterial and collector, or two collector roadways.
3. Have a defined development site area specifically dedicated for the neighborhood commercial use of two (2) acres or less;
4. Intensity of the non-residential structure(s) utilized for the neighborhood commercial use shall be defined as a floor area ratio not to exceed .075. The floor area ratio shall be calculated based on the gross floor area of the non-residential structure divided by the development site area utilized for the neighborhood commercial use. Only one neighborhood commercial use structure is permitted and must ~~Have~~ have a gross floor area of less than 5,000 square feet for a single structure. However, additional building areas for accessory storage for inventories may be permitted provided the floor area ratio is not exceeded.
5. Density of residential units shall be calculated based on the under lying land use for rural residential;
6. All Neighborhood Commercial uses in the Rural Residential land use designation shall require a Special Exception ~~permit~~ approval by the Board of County Commissioners as described in the Land Development Code.

Exceptions to ~~Neighborhood Commercial~~:

However, in order to preserve and enhance the County's existing commercial waterfront uses, special waterfront dependent uses may be permitted and expanded as Neighborhood Commercial uses may be permitted in areas adjacent to Lake Talquin for as special waterfront dependent uses as a Class II Special Exception use where such properties have previously and/or historically existed. Such waterfront uses, include but are not limited to, historically existing restaurants, recreational vehicle parks, bait and tackle shops,

Strike-thru = Remove Language
Underline = Add New Language

Attachment #3

marinas and convenience stores. These uses shall be permitted to be renovated and maintained.

In recognition of the unique characteristics of these commercial waterfront uses, Neighborhood Commercial ~~location criteria~~ waterfront uses shall be permitted to expand and/or be re-established through Special Exception review and approval. The Board of County Commissioners may approve conditions that allow site design flexibility from the strict adherence of the Land Development Code required for these special waterfront uses shall be established by the Board of County Commissioners as a condition of approval for the Special Exception on a case by case basis provided compliance is demonstrated with the Comprehensive Plan.

\\Gadsden1\planning & zoning\Comp Plans\Amendments (by Year)\CPA-2010\Spring 2010 - Cycle 1
Transmittal\NEIGHBORHOOD COMMERCIAL (CPA-2010-01) (DCA 11-1)\ATTACHMENT 'A' STRIKETHRU
& ADDITION.doc



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

*"Dedicated to making Florida a better place to call home"*CHARLIE CRIST
GovernorTHOMAS G. PELHAM
Secretary

December 23, 2010

The Honorable Sherrie Taylor
Chairperson, Gadsden County
Board of County Commissioners
Post Office Box 1799
Quincy, Florida 32351



Dear Chairperson Taylor:

The Department of Community Affairs (Department) has completed its review of Gadsden County's proposed comprehensive plan amendment (DCA 11-1), received on October 25, 2010, based on Chapter 163 Florida Statutes, Rule 9J-5, Florida Administrative Code, and the adopted Gadsden County Comprehensive Plan. Based on this review, the Department raises no objections to the proposed amendment, and this letter serves as the Department's Objections, Recommendations and Comments Report. The Department did not receive comments from other local, regional, or state agencies regarding this amendment. For your assistance, we have also included a summary of the procedures for final adoption and transmittal of the amendment.

The Department offers the following comment regarding Gadsden County's 11-1 amendment. This amendment proposes revisions to Policy 1.1.5(D) of the Future Land Use Element relating to the County's Neighborhood Commercial Future Land Use (overlay) category. While the proposed amendment generally adds greater precision in terms of the standards and criteria guiding the implementation of the Neighborhood Commercial Future Land Use (overlay) category, the language can be improved for clarity by stating the source of roadway functional classifications used as the basis of location and access criteria; providing objective standards, criteria, or guidelines that the elected Board may use to determine that a previously or historically commercially used structure or site in the Rural Residential or Agricultural 1, 2, and 3 land use categories vacated for more than two (2) years qualifies for inclusion in the overlay category; and, including objective standards, criteria, or guidelines that can be used to determine what qualifies as previously and/or historically existing special waterfront-dependent uses.

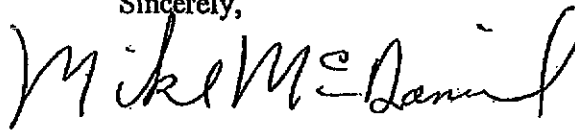
2666 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-2100
850-488-8466 (p) • 850-921-0781 (f) • Website: www.dca.state.fl.us

• COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) • FLORIDA COMMUNITIES TRUST 850-922-2207 (p) 850-921-1747 (f) •
• HOUSING AND COMMUNITY DEVELOPMENT 850-488-7956 (p) 850-922-5523 (f) •

The Honorable Sherrie Taylor
December 23, 2010
Page 2

Staff at the Department is available to provide further assistance. If you have any questions, please contact Susan Poplin, AICP, Regional Planning Administrator, or Adam Antony Biblo, AICP, Community Planner, at 850-922-1807.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike McDaniel". The signature is fluid and cursive, with the first name "Mike" and last name "McDaniel" clearly distinguishable.

Mike McDaniel, Chief
Office of Comprehensive Planning

MM/aab

cc: Mr. Charles Blume, Executive Director, Apalachee Regional Planning Council
Mr. Anthony Matheny, Director, Gadsden County Planning Department

TRANSMITTAL PROCEDURES

Upon receipt of this report, the County has 60 days in which to adopt, adopt with changes, or determine that the County will not adopt the proposed amendment. The process for adoption of local comprehensive plan amendments is outlined in § 163.3184, Florida Statutes (F.S.), and Rule 9J-11.011, Florida Administrative Code (F.A.C.).

Within ten working days of the date of adoption, the County must submit the following to the Department:

- Three copies of the adopted comprehensive plan amendment;
- A copy of the adoption ordinance;
- A listing of additional changes not previously reviewed;
- A listing of findings by the local governing body, if any, which were not included in the ordinance; and
- A statement indicating the relationship of the additional changes to the Department's Objections, Recommendations and Comments Report.

The above amendment and documentation are required for the Department to conduct a compliance review, make a compliance determination, and issue the appropriate notice of intent.

In order to expedite the Apalachee Regional Planning Council's review of the amendment, and pursuant to Rule 9J-11.011(5), F.A.C., please provide a copy of the adopted amendment directly to the Executive Director of the Apalachee Regional Planning Council.

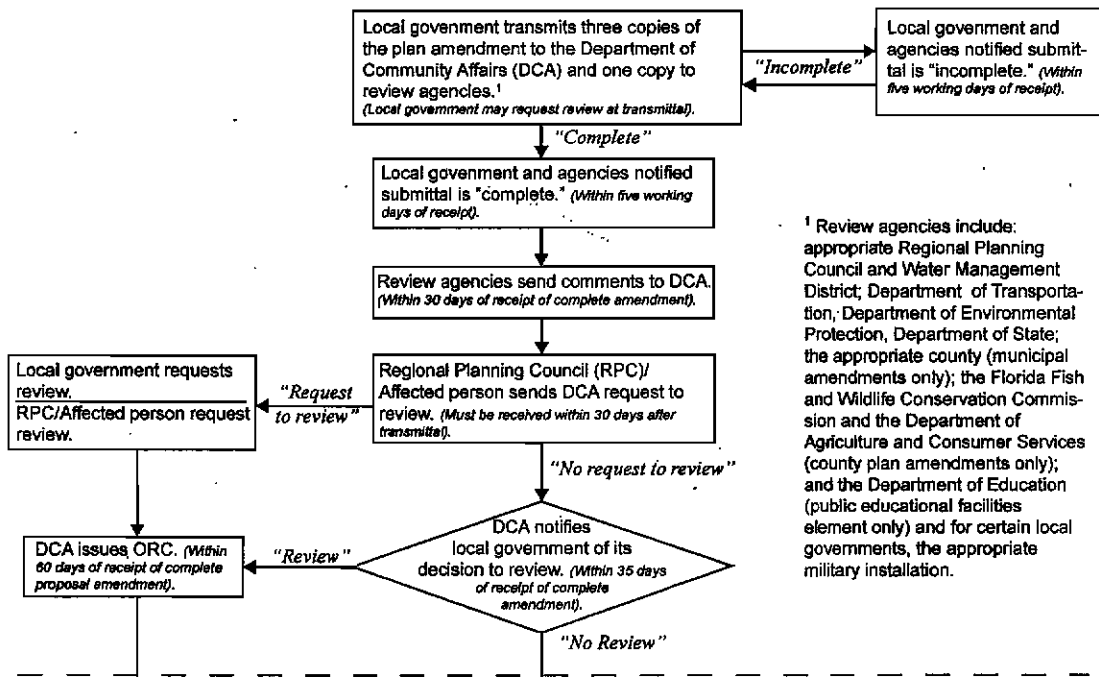
Please be advised that § 163.3184(8)(c), F.S., requires the Department to provide a courtesy information statement regarding the Department's Notice of Intent to citizens who furnish their names and addresses at the local government's plan amendment transmittal (proposed) or adoption hearings. In order to provide this courtesy information statement, local governments are required by law to furnish the names and addresses of the citizens requesting this information to the Department. **Please provide these required names and addresses to the Department when you transmit your adopted amendment package for compliance review. In the event no names and addresses are provided, please provide this information as well.** For efficiency, we encourage that the information sheet be provided in electronic format.

Comprehensive Plan Amendment Process

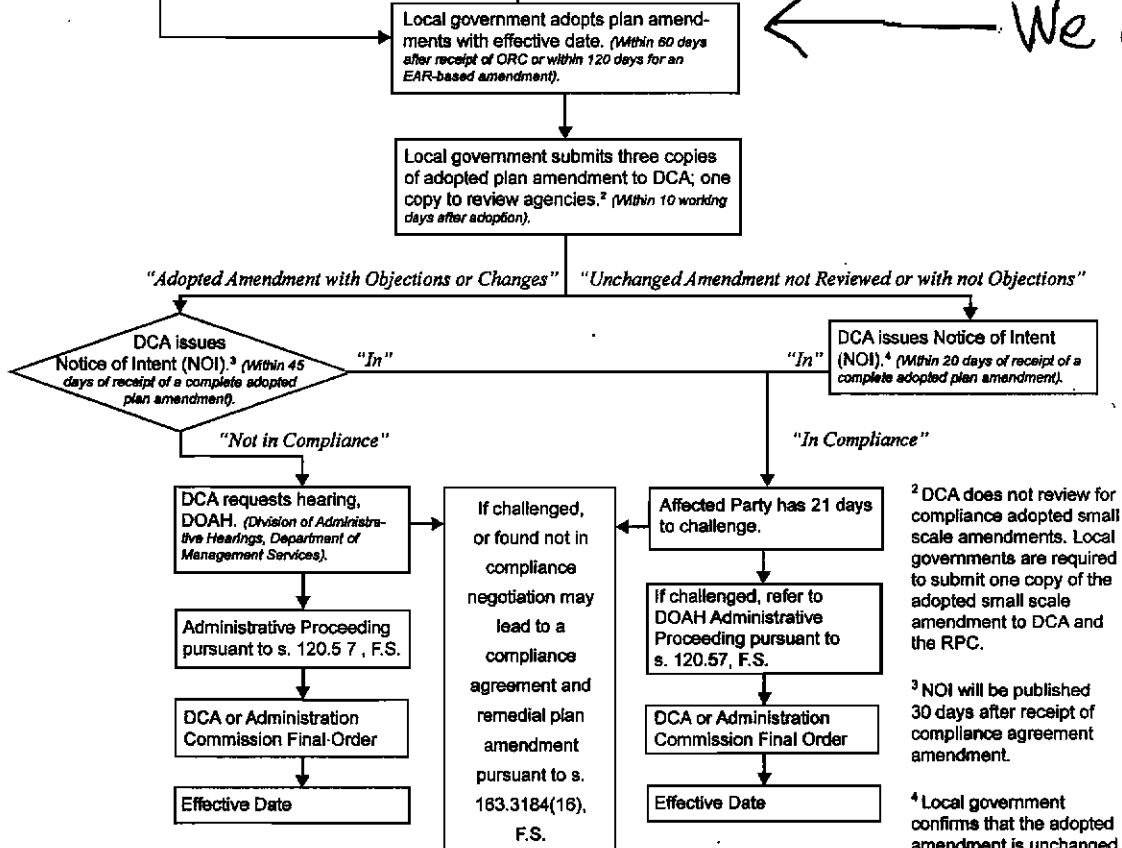
Section 163.3184, Florida Statute

Attachment # 6

Proposed Phase



Adopted Phase



Updated February 2007

7-19

#17

Board Minutes
Transmitted w/ PC Recommendation

Gadsden County Board of County Commissioners
July 6, 2010 Regular Meeting

Taylor:

O.K. then, let me make it at the end.

Millie Forehand:

I've got plenty of time left of my three minutes.

Lamb:

I know, but we can't discuss this now.

Croley:

No, we can't do that.

Taylor:

I will go ahead and hold it up toward the end, but I did want to address this if I could.

Lamb:

O.K. No further discussion on this at this time.

Thank you, Ms. Forehand.

PUBLIC HEARINGS:

8. Public Hearing – Transmittal of Comprehensive Plan Text Amendment to Policy 1.1.5(D) – Neighborhood Commercial (NC) (CPA-2010-01)

On April 6, 2010, the Board of County Commissioners voted 5-0 to remand Policy 1.1.5(D) Neighborhood Commercial (NC) back to the Planning Commission to discuss and recommend amendments to the Comprehensive Plan and Land Development Code (LDC). NC is a land use overlay which is designed to provide commercial services to rural communities. Policy 1.1.5(D) was amended in the second comprehensive plan cycle of 2009. The Cycle 2009-2 amendment to Policy 1.1.5(D) expanded areas where such uses are permitted by removing intersection criteria and allowed historically existing waterfront commercial uses to expand as a special exception use with Board approval (Ordinance 2009-032.) NC uses were limited in intensity and size to more specifically ensure that the scale of the commercial uses remains compatible with the existing neighborhoods and community. The on/off premise sale of alcohol was added as permitted with BOCC approval.

Subsequent to the adoption of the amendment, there was concern among some of the commissioners over the addition of alcohol sales and the removal of intersection criteria that would allow commercial uses "smack in the middle" of residential areas. Therefore, the BOCC brought the matter back for consideration and remanded the issue back to the Planning Commission for further review.

In response to those concerns, the Planning Commission recommended changes to Policy 1.1.5(D) to permit alcohol sales only as accessory to commercial retail uses or for consumption in a restaurant use. No free-standing liquor stores would be permitted.

Intersection criteria are proposed that would require that NC uses in Agricultural (AG) Future Land Use categories be located within a .5 mile radius of an intersection of greater than local roadways. In Rural Residential (RR) NC uses must be located within a .25 radius from an intersection of greater than local roadways. The Planning Commission found that the proximity to an intersection should be greater in the designated AG use areas due to the large size and greater roadway frontage length of parcels. The test was also revised to be consistent between the AF & RR Future Land Uses districts.

No changes in density were proposed as part of this amendment.

Once the amended policy is adopted, it was proposed that the LDC be amended to be consistent with the language proposed by the amended Policy 1.1.5(D)

Attachments: Proposed Ordinance
Newspaper Advertisement of Notice of Intent
Attachment "A" – draft of policy 1.1.5(D) with changes proposed
Comp Plan Amendment Process Flow Chart

Anthony Matheny, Growth Management Director, addressed the board then turned the matter over to Ms. Jill Jeglie, Senior Planner to explain.

Chair Lamb called for questions and comments from the commissioners.

Commissioner Taylor stated for the record that she had been on the prevailing side of the motion that approved the NC text change originally. After further consideration, she became aware of pitfalls in the policy change and asked that it be revisited and remanded back to the Planning Council.

Jill Jeglie, Senior Planner, Growth Management and Community Development Department, explained the changes as noted in the attached document.

Following discussion, the board made no other changes to the text amendment.

Chair Lamb called for public comments:

There was no response.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 4 – 0 TO TRANSMIT THE TEXT AMENDMENT TO DCA FOR THEIR REVIEW AND COMMENTS.

9. Mears Two-for-One Variance Request (V-2010-01)

Owner: Marilyn Mears

Board of County Commissioners Agenda Request

Date of Meeting: March 1, 2011

Date Submitted: February 16, 2011

To: Honorable Chairperson and Members of the Board

From: Johnny Williams, County Administrator
Charles Chapman, Public Works Director

Subject: Approval of Naming the Shelfer Park Project as the Eugene Lamb, Jr. Community Park at Richbay.

Statement of Issue:

This agenda item seeks Board approval of the community park steering committee's recommendation of permanently naming the Shelfer Park project as the Eugene Lamb, Jr. Community Park at Richbay.

Background:

For each park project the County has constructed/renovated a community park steering committee has been formed to assist staff with various decisions regarding the park project such as colors, playground equipment, naming suggestions, and design.

In 2007, the county leased the property on Iron Bridge Road and Lake View Road for \$1 per year by the County for 30 years from Coastal Lumber Company with a caveat that the park had to be constructed within six years of the execution date of the lease agreement. The county is currently in year three.

The property known as Shelfer Park is in a current land use allowing the development of a passive recreation area, and the project is approved and included in the Capital Improvement Element of the Comprehensive Plan.

In 2009, a conceptual site plan was reviewed by the Planning Department and approval was received from the Board to submit a grant to the Florida Recreation Development Assistance Program for \$200,000 to develop the park. The Florida Legislature did not fund the Shelfer Park grant even though we were in the top 5 projects in scoring criteria...the Florida legislature only funded two projects out of 125 submitted.

During the 2009-2010 administrative budget hearings, it was determined and recommended to fund \$35,000 for park improvements in the capital budget. This was subsequently approved by the Board.

In July 2010, Mr. Matheny, Planning and Community Development Director had his staff performed a site inspection and reviewed the plans for the park and determined no wetlands existed on the property and no wetland set backs were required.

October 2010, a community steering committee was formed to aid the County Parks Division in designing and naming the park. The steering committee also aids in fundraising efforts for playground and park equipment.

On January 4, 2011 the BOCC approved the infrastructure funding for the park property to include the parking area, sidewalks, basketball court, fencing, lighting, and storm water pond.

A storm water pond is being designed currently. Plans will be submitted to the Planning and Community Development Department. Once the permit is received the infrastructure construction will begin.

Analysis:

The community park steering committee voted on January 31, 2011 and approved to submit to the BOCC for consideration and approval the park name Eugene Lamb, Jr. Community Park at Richbay. The steering committee felt that Commissioner Lamb has worked incredibly hard on this project and the park should be named after him.

Fiscal Impact:

NONE

Options:

1. Approve the park name of Eugene Lamb, Jr. Community Park at Richbay
2. Approve as Revised
3. Do Not Approve
4. Table for further study
5. Board Direction.

County Administrator's Recommendation:

Option 1 Approval of the park steering committee's recommendation.

Attachment

Board of County Commissioners Agenda Request

Date of Meeting: March 1, 2011

Date Submitted: February 17, 2011

To: Honorable Chairperson and Members of the Board

From: Johnny Williams, County Administrator
Jeff Price, Sr. Management & Budget Analyst

Subject: Discussion on the Fiscally Constrained Amendment 1 Distribution

Statement of Issue:

This agenda item seeks the Board of County Commissioners (BOCC) discussion regarding the increase in the Fiscally Constrained Amendment 1 distribution of \$189,199 (at 95%) over the budgeted amount.

Background:

The County has been receiving the Fiscally Constrained Amendment 1 distribution from the State since 2009. On December 23, 2010, the County received notification of the FY2010/2011 distribution amounts. Upon discussions with the Department of Revenue on January 4, 2011, it was determined that all paperwork had been filed and that distribution of funds should be the week of January 10th.

Analysis:

During the budget process all revenues are projected based on historical trends and current conditions and each year some of the revenues come in over the budgeted amounts and some of the revenues come in under the budgeted amounts. It is a bad practice to start selecting one revenue that is over and spend the overage – that is reducing fund balance.

The BOCC has requested that staff look into transferring the \$189,199 from fund balance to reserve for contingency so that these funds can be spent. The BOCC and the County Administrator has provided the following ideas to spend these funds on:

- | | |
|------------------------------------|-------------|
| 1. Safety study of Salem Road | \$5,000.00 |
| 2. Summer youth employment program | \$75,000.00 |

March 1, 2011

Page 2 of 2

- | | |
|---|--------------|
| 3. Big Bend Transit | \$38,605.00 |
| 4. Hiring a consultant to help with redistricting | cost unknown |
| 5. Security equipment for the Butler Building | cost unknown |

Note: It must be one time items only.

Fiscal Impact:

The transaction will decrease the General Fund balance and increase the general fund contingency account by \$189,199.

Options:

1. Approve as submitted
2. Approve as revised
3. Do not approve
4. Table for further direction
5. Board direction

County Administrator's Recommendation

3. Do not approve - the Fiscally Constrained Amendment 1 Distribution is just part of the overall revenue sources and should not be singled out for spending. By doing this action it will cause a decrease in the fund balance which we all have worked very hard to increase.

Attachment:

None

Board of County Commissioners Agenda Request

Date of Meeting: March 1, 2011
Date Submitted: February 17, 2011
To: Honorable Chairperson and Members of the Board
From: Johnny Williams, County Administrator
Jeff Price, Sr. Management & Budget Analyst
Subject: The Sheriff's Request for Three (3) Deputy Positions

Statement of Issue:

This agenda item seeks a decision by the Board of County Commissioners (BOCC) concerning approval to fund up to Three (3) Deputy Positions for the rest of FY11.

Background:

The Sheriff has a limited number of Deputies to cover the entire Gadsden County. With the bad economy continuing, crime is on the increase and Gadsden County needs to increase its presence for the safety of all residents; particularly on the eastern side of the County.

Analysis:

Staff reviewed various options such as grants, cutting personnel and raising fees in order to pay for three (3) Sheriff's Deputies for rest of FY11 only for a cost of \$110,846.19. None of these options were viable, using General Fund balance is the last option. During the budget process for FY12, continue funding for any new positions must be discussed by the BOCC.

Fiscal Impact:

The decision to fund the Deputies will decrease the General Fund balance by \$110,846.19 for three Deputies, \$73,897.46 for two Deputies, and \$36,948.73 for one Deputy.

11

Board of County Commissioners Agenda Request

Date of Meeting: March 1, 2011

Date Submitted: February 16, 2011

To: Honorable Chairperson and Members of the Board

From: Johnny Williams, County Administrator
Jeff Price, Sr. Management & Budget Analyst

Subject: Review of Medicaid

Statement of Issue:

This agenda item seeks to provide a review of the payment history to Medicaid by the County and the potential of higher charges for the next couple of years due to re-billing action by the State.

Background:

In reviewing the past 17 years of Medicaid payments, the average annual payment for Medicaid was \$518,853, the average annual budget was \$572,038. FY09 and FY10 were both significantly under budget compared to the other historical data. Now the State has decided to review the records and there may be some back re-billing that may go back 10 years which would increase what is owed by the County.

Analysis:

Staff talked with a representative of the Finance Department with the state and she was unable to give us any idea as to the dollar amount of the re-bill or when payment requests will be due. The State and the County cannot give an accurate estimate of what Medicaid expenditures are going to be for FY11 or how much the back re-billing will end up costing the County. It could happen this fiscal year or maybe next fiscal year or some in both years.

Fiscal Impact:

The plan for FY11 is to monitor the Medicaid account monthly and make changes as needed. If closer to the end of the year, more funds are needed in the Medicaid account,

March 1, 2011

Page 2 of 2

then a request will be made to the BOCC to move the funds. The County should budget in the FY12 budget more than the past \$500,000 to cover the unknown re-bill charges.

Options:

1. Approve as submitted – Review of Medicaid
2. Approve as revised
3. Do not approve
4. Table for further direction
5. Board direction

County Administrator's Recommendation

1. For discussion only. No action is required at this time.

Attachment:

None

Board of County Commissioners Agenda Request

Date of Meeting: March 1, 2011

Date Submitted: February 17, 2011 Revised 2/28/11

To: Honorable Chairperson and Members of the Board

From: Johnny Williams, County Administrator
Jeff Price, Sr. Management & Budget Analyst

Subject: Discussion of Emergency Housing Repairs

Statement of Issue:

This agenda item seeks a discussion by the Board of County Commissioners (BOCC) concerning funding \$35,000 for Emergency Housing Repairs.

Background:

The County has funded this item for several years to the benefit of Gadsden County residents. During the FY11 budget process, this service was not funded.

Analysis:

There appears to be a need by Gadsden County residents during this economic downturn to have some financial help in order to keep their homes safe and secure.

Fiscal Impact:

~~Staff has identified the following funding source— Public Works Right of Way Maintenance department—\$116,000 for FY11 was budgeted for work crews and 1/3 of the year is past and the work crews have not started— therefore 1/3 of the \$116,000 or nearly \$39,000 is unspent. (Not a General Fund—which would require a Public Hearing to move the funds). Unable to use these funds, due to the restrictions of fuel taxes for road and transportation expenditures only.~~

Staff has identified the following possible funding sources: 1) Reserve for contingency – has a balance of \$57,168; 2) this item could be one of the projects funded with the fiscally constrained monies .

March 1, 2011

Page 2 of 2

Options:

1. Approve as submitted
2. Approve as revised
3. Do not approve
4. Table for further direction
5. Board direction

County Administrator's Recommendation

5. For discussion only.

Attachment:

None

Board of County Commissioners Agenda Request

Date of Meeting: March 1, 2011

Date Submitted: February 9, 2011

To: Honorable Chairperson and Members of the Board

From: Johnny Williams, County Administrator
Jeff Price, Sr. Management & Budget Analyst

Subject: The Governor's Proposed Budget for FY12

Statement of Issue:

This agenda item highlights several proposed changes in the State of Florida budget by Governor Scott that may affect Gadsden County.

Background:

In talking with a representative from the Florida Association of Counties (FAC) he stated that FAC waits until the final budget is approved before doing a summary of the budget. The Small County Coalition has prepared a summary of the Governors' budget and some of the highlights are listed below and the report is also attached.

Analysis:

Upon a summary review of the Governors budget released February 7, 2011, the below list are some of the major issues:

- Requiring public workers to pay 5% of salaries into pensions
- Reorganization and consolidation of state agencies – Dept. of Children and Families, Dept. of Corrections, Dept. of Health, Dept. of Transportation, Dept. of Community Affairs
- \$1 billion cut in property taxes
- Reduce Medicaid spending by \$3 billion over two years

March 1, 2011

Page 2 of 2

Fiscal Impact:

The fiscal impact is unknown due to the fact that the House and the Senate will spend two months changing the details of the budget.

Options:

1. Approve as submitted- The Governor's Proposed Budget for FY12
2. Approve as revised
3. Do not approve
4. Table for further study
5. Board direction

County Administrator's Recommendation

1. For discussion only. No action required.

Attachment:

1. Small County Coalition summary



The State Budget – Preparing For FY 2011-12

Statement by Commissioner Brad Purcell, Putnam County

Chair – Small County Coalition

February 11, 2011

Governor Scott's Budget Proposal has been released and small county officials are working to determine levels of program funding that are proposed for the priorities of the small counties and rural areas. The members of the Small County Coalition understand the importance of key funding provided by the State of Florida and the Florida Legislature has repeatedly demonstrated it's willingness to support Florida's rural areas and we look forward to working with the Florida Legislature in the coming months. We encourage all local officials to fully participate in the upcoming legislative activities.

The Governor's budget proposal clearly reduces overall state spending, provides significant governmental reform; and, reduces taxes. There are changes in format and substance -

- Program Line Items have been consolidated - Major line items noting program funding in previous budgets have been consolidated into much larger allocations making it difficult to determine specific funding amounts.
- Trust Funds are terminated - The budget proposal eliminates a significant number of "trust" funds and transfers the funding into the state general revenue fund. These consolidations will take legislative approval.
- Pension Reform - There are significant changes in the pension program, including a 5% employee contribution, however, there appears to be no savings to local governments due to a proposal to reduce local government revenue sharing in a comparable amount to the funding that would be offset by the employee contribution previously paid by the local governments.
- Facilities Privatized and Closed - Several state-run institutions are proposed to be privatized, including Northeast Florida State Hospital in Baker County and Florida State Hospital in Chattahoochee. There is a proposal to consolidate prison populations and close at least two prisons.

Continued Analysis and Supportive Efforts – Throughout the process, the Small County Coalition will encourage support for priorities identified by our small counties. All of the proposals will have to be approved by the Florida Legislature and the next few months will be used to frame the budget for 2011-12. Coalition representatives will work with Small County Legislators and leadership to address key program areas that need attention.



Getting Ready At the Local Level

In an effort to be fully-informed participant, local governments can take the following steps -

- Share Budget Information and conduct Budget Discussions - distribute budget information to finance offices at the county, including all constitutional offices; analyze the potential impacts and provide comment on how the budget proposal will impact the services provided in the community.
- Solicit Sharing of Information provided from State Organizations and Associations representing Constitutional Officers - What are the state organizations saying about the impact of the budget on the local programs.
- Construct Preliminary 11-12 Budget Projections and Impacts - Analyze your local budget to determine the extent of reliance on state funding. Evaluate whether funds will be provided and, if it not, develop an initial budget statement based on what is proposed.
- Consolidate all of this information into a local impact statement and begin discussing significant reductions or concerns with your legislative delegation.

Attached are budget documents that will help you research the various program issues.

Current year 2010-11 Budget as adopted during the 2010 Regular Session
<http://www.myfloridahouse.com/filestores/Adhoc/Appropriations/GAA/2010-House/Conference%20Report%20House%20Bill%205001.pdf>

Governor Scott - Budget Overview Power Point
<http://www.flsenate.gov/PublishedContent/Committees/2010-2012/BC/MeetingRecords/BC.pdf>

Governor Scott's Proposed Appropriations Bill –
<http://letsgettowork.state.fl.us/reports/2011-Governors-Bill.pdf>

Governor Scott's Conforming/Implementing Bills
<http://letsgettowork.state.fl.us/reports/Preformatted/2011-Governors-Recommended-Budget-Implementing-Legislation.pdf>

Legislative Program of the Small County Coalition
http://www.smallcountycoalition.org/legislative_agenda.html



Analysis of Small County Coalition Funding Priorities comparing previous funding to Governor's Proposed Budget

Small County Coalition Funding Priorities	FY 09-10 Funding	FY 10-11 Funding	FY 11-12 Governor's Proposed Budget
REVENUE SHARING PROGRAM	Equivalent to 08-09 contingent upon sales tax collections	Equivalent to 09-10 contingent upon sales tax collections	There is language in the Pension Implementing Bill that reduces county revenue sharing proportionate to county savings realized from required employee FRS Contribution
REVENUE SHARING PROGRAM – Emergency Distribution	\$16,167,042	\$16,167,042	No match found – normally listed as line item
REVENUE SHARING PROGRAM – Inmate Supplemental Distribution	\$592,958	\$592,958	No match found– normally listed as line item
AMENDMENT 1 – Fiscally Constrained Counties	\$23,200,000	\$25,159,000	\$27,800,00
Amendment 4 – Fiscally Constrained – Conservation Easements	NA	\$2,791,000	No match found– normally listed as line item
DJJ PRE-TRIAL DETENTION – Fiscally Constrained	\$5,425,388	\$5,581,332	No match found
DEP - MOSQUITO CONTROL PROGRAM – AID TO LOCAL GOVERNMENTS	\$2,166,168	\$2,166,168	No match found– normally listed as line item
DISASTER PREPAREDNESS PLANNING AND ADMINISTRATION – AID TO LOCAL GOVERNMENTS Statewide Allocation	\$2,389,944	\$2,389,944	No match found – could be included in lump sum
EMERGENCY MANAGEMENT PROGRAMS – GRANTS AND AIDS - Statewide Allocation	\$7,089,061	\$7,389,061	No match found– could be included in lump sum
HOUSING INITIATIVES– Statewide Allocation Affordable Housing Programs	\$30,110,000	\$37,500,000	Unable to determine
Payment In Lieu of Taxes	\$1,360,000	\$1,360,000	No match found
Small County Wastewater Treatment Grants	\$13,600,000	\$13,600,000	\$16,600,000
SOLID WASTE MANAGEMENT GRANTS - In counties with a population less than 100,000	\$2,600,000	\$2,400,000	\$2,400,000
Transportation Disadvantaged Program	\$40,395,706	\$38,404,800	Unable to determine due to budget format
Transportation Disadvantaged – Medicaid	\$65,969,126	\$65,486,126	Unable to determine due to budget format



ROAD FUNDING - SMALL COUNTY RESURFACE ASSISTANCE PROGRAM (SCRAP)	\$25,313,783	\$21,362,190	\$1,093,836
ROAD FUNDING - SMALL COUNTY OUTREACH PROGRAM (SCOP)	\$23,451,468	\$10,000,000	\$14,497,55
RURAL HEALTH SERVICES – statewide allocation.	\$88,488,330	\$94,532,162	Unable to determine
RURAL HEALTH NETWORK GRANTS	\$1,074,305	\$1,074,305	Unable to determine
COUNTY HEALTH DEPARTMENTS - MAINTENANCE AND REPAIR	\$7,533,960	\$7,533,960	Unable to determine
RURAL COMMUNITY FIRE PROTECTION	\$72,589	\$72,589	No Match Found
ECONOMIC DEVELOPMENT - RURAL COMMUNITY DEVELOPMENT -OTTED	\$1,300,000	\$1,300,000	Unable to determine
ECONOMIC DEVELOPMENT - RURAL INFRASTRUCTURE – OTTED	\$1,150,000	\$1,100,000	Included in lump sum appropriation of \$6,100,000
LOCAL PARKS - FRDAP PROGRAM	No Funding	\$300,000	Unable to determine due to budget format
LIBRARY GRANTS – STATE AID	\$24,396,017	\$24,046,017	Unable to determine due to budget format
LIBRARY COOPERATIVES	\$1,200,000	\$1,200,000	Unable to determine – item does not appear
HISTORIC PRESERVATION - GRANTS AND AIDS	\$662,450	\$668,250	Unable to determine – grants do not appear
INVASIVE PLANT CONTROL FUNDING	\$27,090,647	\$29,823,647	Unable to determine due to new budget format
PAYMENT IN LIEU OF TAXES –DEP purchases	\$1,360,000	\$1,360,000	Does not appear

RESOLUTION NO. 2011 - 009

WHEREAS, Gadsden County is greatly interested in the economic welfare of its citizens, the prosperity of its local businesses, and the securities and freedoms enjoyed by those fortunate enough to live in one of the most beautiful and bountiful regions of America, and;

WHEREAS, Gadsden County is situated in an area that has been identified by the State of Florida as a Rural Area of Critical Economic Concern, an area that has a long standing tradition and reliance upon the State of Florida for public sector jobs due in part to the long range planning efforts of the State of Florida to locate institutions and agencies on lands that could have otherwise be used for private sector industries and commercial enterprises, and;

WHEREAS, the State of Florida derives enormous benefits from the work performed and services provided by the large number of public sector employees at these Institutions and Agencies, and;

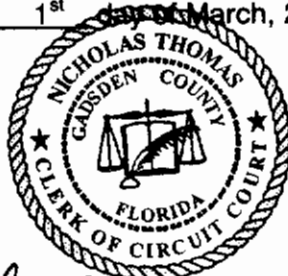
WHEREAS, Gadsden County is aware of the proposed privatization of Florida State Hospital, located in Chattahoochee, Florida, and employing large numbers of residents of Gadsden County as well as other counties in our region, and;

WHEREAS, Gadsden County has considered the catastrophic detrimental economic impact that would be created by the loss of these public sector jobs as a result of the privatization of Florida State Hospital.

NOW THEREFORE, BE IT RESOLVED BY THE GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS that the Honorable Rick Scott, Governor of the State of Florida, and the members of the Legislature of the State of Florida be aware that Gadsden County supports improved efficiencies and lower costs for future operations of Florida State Hospital but opposes the privatization of Florida State Hospital, and ask that the Governor and Legislature carefully consider the needs of the citizens of Gadsden County, the value of those citizens who are part of the vast public sector workforce in this region and the potential detrimental economic effect resulting from the privatization of Florida State Hospital.

BE IT FURTHER RESOLVED that Gadsden County requests that the Governor and the Legislature collectively decide that it is in the best interest of the State of Florida, Gadsden County, its citizens, and the residents of surrounding areas, that Florida State Hospital continue to be operated by their respective departments of State Government.

ADOPTED this 1st day of March, 2011.



ATTEST:

Nicholas Thomas
Nicholas Thomas, Clerk

GADSDEN COUNTY
BOARD OF COUNTY COMMISSIONERS

Sherrie D. Taylor
Sherrie D. Taylor, Chairperson



February 8, 2011

Honorable Sherrie Taylor, Chairwoman
Gadsden County Board of County Commissioners
Post Office Box 1799
Quincy, Florida 32353

RECEIVED

FEB 09 2010

COUNTY ADMINISTRATOR'S
OFFICE

RE: Voluntary Annexation of Parcels into the City of Gretna Parcel Numbers 3-14-2N-5W-0000-00114-0000, 3-12-2N-5W-0000-00113-0000, 3-12-2N-5W-3530-00000-0010, 3-12-2N-5W-3530-00000-0020, 3-12-2N-5W-0000-003330-0500, 3-12-2N-5W-3530-00000-0030, 3-12-2N-5W-0000-00342-0000, 3-12-2N-5W-0000-00324-0100, 3-13-2N-5W-0000-00130-0000, 3-13-2N-5W-0000-00210-0100, 3-14-2N-5W-0000-00313-0900, 3-14-2N-5W-00000-00313-0400, 3-14-2N-5W-00000-00313-1000, 3-14-2N-5W-00000-00313-0600, 3-14-2N-5W-00000-00313-0100, 3-14-2N-5W-0000-0313-0300, 3-14-2N-5W-0000-0313-0200, 3-14-2N-5W-0000-0313-0700, and 3-14-2N-5W-0000-00313-800

Dear Chairwoman Taylor:

Per Florida Statutes 171.044(6) the City of Gretna is providing the Board of County Commissioners with notice of the City's intent to voluntarily annex the above referenced parcels owned by Bowen Farms Inc., Smith Family Farms of North Florida, Dixie Oil, Beaver Lake Plaza LLC, Beaver Lake Campground Inc., Dawn L. Redding, Kinjac the Corporation, Lex C. Thompson, Joshua and Sarah Porter, Robert and Wanda Harrison, Scott and Shirley Clark, Majestic Ranch LLC, Telogia Creek Farms LLC. Enclosed you will find a copy of City of Gretna proposed annexation Ordinance No. 2011-1. The Gretna City Commission will consider the ordinance for adoption at the Commission's regular meeting on March 1, 2011.

If you have any question or concerns about the mentioned ordinance please contact me at 850-856-5257, or by e-mail at ajefferon@mygretna.com.

Respectfully Submitted,

Antonio Jefferson
City Manager

Enclosures

Post Office Drawer 220 Gretna, Florida 32332
Voice 850-856-5257 Fax 850-856-9454

www.mygretna.net

CITY OF GRETNA

ORDINANCE NO. 2011-1

AN ORDINANCE OF THE CITY OF GRETNA, FLORIDA AMENDING ARTICLE II, SECTION 2.01 OF THE CHARTER OF THE CITY OF GRETNA, TO ANNEX WITHIN THE CORPORATE LIMITS OF THE CITY OF GRETNA, FLORIDA, UPON ADOPTION OF SAID ORDINANCE, PROPERTIES BEING SITUATED IN GADSDEN COUNTY, FLORIDA, IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, CONFLICTS, RECORDING, AND AN EFFECTIVE DATE.

SECTION 1.01. Authority. This ordinance, after due notice of public meeting was given, is adopted pursuant to the City of Gretna Charter, approved on July 18, 1989, as amended and supplemented, the same being the 1989 Charter of the City of Gretna, Florida, and other applicable provisions of law.

SECTION 2.01. Findings. IT IS HEREBY FOUND AND DETERMINED that there has been filed with the City of Gretna, Florida, a petition containing the names and signatures of all property owners in the area hereinafter described requesting voluntary annexation into the corporate limits of the City of Gretna, Florida; IT IS ALSO FOUND AND DETERMINED that the property described hereinafter is reasonably compact and contiguous to the corporate limits of the City of Gretna, Florida, and further, that the annexation of said property will not result in the creation of any pocket or enclave; IT IS FURTHER FOUND AND DETERMINED that the City of Gretna is in a position to provide municipal services to the property described herein, and that the City Commission of the City of Gretna, Florida, deems it in the best interest of the City to accept said petition and to annex said property voluntarily.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GRETNA, FLORIDA, AS FOLLOWS:

SECTION 3.01. Property to be Annexed. That the properties described below, situated in Gadsden County, Florida, be and the same are hereby annexed to and made a part of the City of Gretna, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes, to wit:

[See Legal Descriptions and Parcel Identification Numbers Attached As Composite Exhibit "A"]

SECTION 4.01. Rights, Privileges, Immunities and Responsibilities. That upon this ordinance becoming effective, the property owners and any resident on the property described herein shall be entitled to all the rights and privileges and immunities as are from the time to time granted to residents and property owners of the City of Gretna, Florida, as further provided in Chapter 171, Florida Statutes, and shall further be subject to the responsibilities of residence or property ownership as may from time to time be determined by the governing authority of the City of Gretna, Florida, and the provisions of Chapter 171, Florida Statutes.

SECTION 5.01. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held invalid or unconstitutional for any reason by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 6.01 Repeal. All prior ordinances or parts of prior ordinances in conflict herewith be and the same are hereby revoked.

SECTION 7.01 Copies of Ordinance. The City Commission shall file a copy of this ordinance, with the Clerk of the Circuit Court, the Gadsden County Property Appraiser, the County Manager of Gadsden County, and the Florida Department of State within seven (7) days of its adoption.

SECTION 8.01. Effective Date. This ordinance shall become effective in accordance with State law.

First Reading: _____

Second reading and Adoption: _____

Motion for approval of this ordinance was made by Commissioner _____

Motion seconding approval of this ordinance was made by Commissioner _____

DONE AND ORDERED this _____ day of _____, 2010, in _____

Session of the City Commission of Gretna, Florida.

Date: _____

Attest: _____ (Seal)

CLERK

MAYOR

Approved as to form and sufficiency:

CITY ATTORNEY

EXHIBIT "A"

Bowen Farms Inc.
3-14-2N-5W-0000-00114-0000
C/O Judith Maxwell
1502 Lakewood Drive
Bainbridge, Georgia 39819

Robert L and Wanda P. Harrison
3-13-2N-5W-0000-00130-0000
7161 Juniper Creek Road
Quincy, FL 32351

Smith Family Farms of North Florida
LLC
3-12-2N-5W-0000-00113-0000
1502 Lakewood Drive
Bainbridge, Georgia 39819

Scott B. and Shirley T. Clark
3-13-2N-5W-0000-00210-0100
337 Edwin Clark Road
Quincy, FL 32351

Dixie Oil Company Inc.
3-12-2N-5W-3530-00000-0010
P.O. Box 1007
Tifton, GA 31793

Majestic Ranch LLC
3-14-2N-5W-0000-00313-0900
P.O. Box 5949
Destin, FL 32540

Beaverlake Plaza LLC
3-12-2N-5W-3530-00000-0020
PO Box 2238
Quincy, FL 32353

Telogia Creek Farms LLC
3-14-2N-5W-00000-00313-0400
6863 Proctor Road
Tallahassee, Florida 32309

Beaver Lake Campground Inc
3-12-2N-5W-0000-003330-0500
PO Box 2238
Quincy, FL 32353

Telogia Creek Farms LLC
3-14-2N-5W-00000-00313-1000
6863 Proctor Road
Tallahassee, Florida 32309

Beaver Lake Plaza LLC
3-12-2N-5W-3530-00000-0030
PO Box 2238
Quincy, FL 32353

Telogia Creek Farms LLC
3-14-2N-5W-00000-00313-0600
6863 Proctor Road
Tallahassee, Florida 32309

Dawn L. Redding
3-12-2N-5W-0000-00342-0000
265 Beaver Lake Road
Quincy, FL 32351

Telogia Creek Farms LLC
3-14-2N-5W-00000-00313-0100
13475 Middlefield Road
Tallahassee, Florida 32309

Kinjac The Corporation
3-12-2N-5W-0000-00324-0100
PO Box 157
Madison, FL 323410-0157

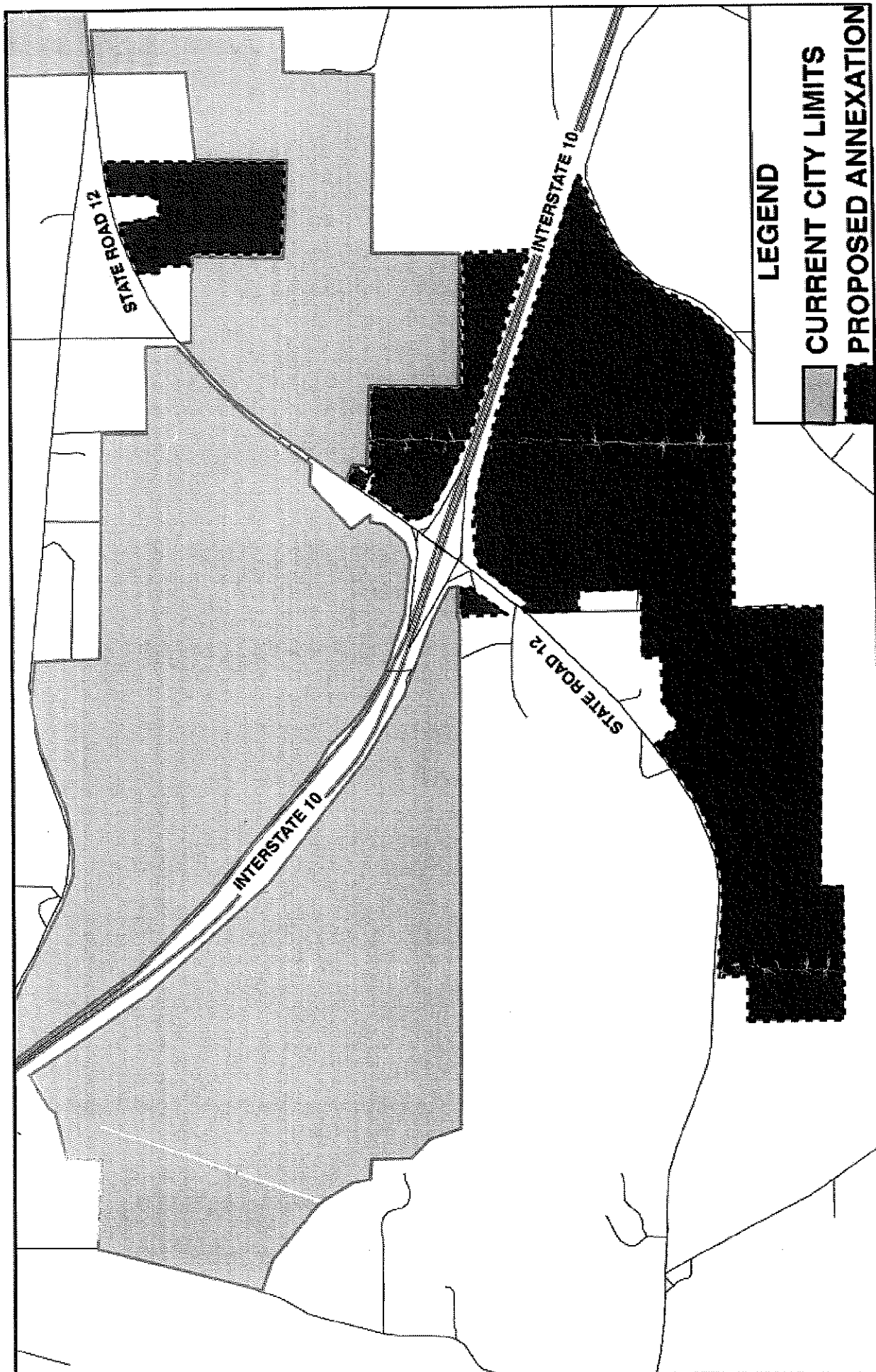
Lex C. Thompson
3-14-2N-5W-0000-0313-0300
6863 Proctor Road
Tallahassee, Florida 32309

EXHIBIT "A"

Lex C. Thompson
3-14-2N-5W-0000-0313-0200
6863 Proctor Road
Tallahassee, Florida 32309

Lex C. Thompson
3-14-2N-5W-0000-0313-0700
6863 Proctor Road
Tallahassee, Florida 32309

Joshua and Sarah K. Porter
3-14-2n-5w-0000-00313-800
1943 Nanticoke Circle
Tallahassee, Florida 32303

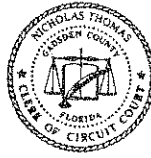


176 11701

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

February 1, 2011

Honorable Chairman and Members of Board of County Commissioners
9-B East Jefferson Street
P. O. Box 1799
Quincy, FL 32353-1799

Commissioners:

The attached Cash-In-Bank Summary Report, dated January 31, 2011, is being submitted for your review.

Respectfully submitted,

Nicholas Thomas
Clerk of the Circuit Court

NT/gmc
Attachment

DATE: 01/31/11
TIME: 14:53:15

GADSDEN COUNTY BOCC
Cash-In-Bank Summary report

trfar07.4q1

GADSDEN COUNTY BOCC
CASH IN BANK AS OF 01/31/11 FISCAL PERIOD 4/11

FUND	POOLED CASH INVESTMENT-SBA	ESCROW ACCTS	PETTY CASH CO/MONEYMARKET	TOTAL
001-GENERAL FUND	9,371,626.10	235,318.58	300.00	9,615,715.98
005-COURT FACILITIES FUND	122,367.18			122,367.18
103-HOSPITAL OPERATING FUND	-345.24			-345.24
104-COUNTY PROBATION				
105-FIRE ASSESSMENT	17,268.13			17,268.13
106-GROWTH MANAGEMENT				
108-FEMA FLOOD MITIGATION	11,021.46			11,021.46
109-JAG - ARRA OF 2009				
110-HOMELAND SECURITY GRANTS				
111-LAW LIBRARY	7,901.46			7,901.46
112-COUNTY TRANSPORTATION #1	-151,186.11	35,391.81		-115,794.30
113-LANDFILL & ARTHROPOD	28,884.38	49,765.70		78,650.08
114-JUDICIAL SERVICES FUND	-12,471.33			-12,471.33
115-FINE & FORFEITURE	-597,551.89			-597,551.89
116-PARKS & RECREATION FUND				
117-LIBRARY SERVICES LOCAL	167,107.16			167,107.16
118-LIBRARY SERVICES STATE	45,990.52		10.00	46,000.52
119-CHOOSE LIFE	15,704.14			15,704.14
120-TOURIST DEVELOPMENT	202,685.25			202,685.25
122-GRANTS - VOTER EDUCATION	190.68			190.68
123-POLL WORKER RECRUITMENT	2,295.07			2,295.07
124-FEDERAL ELECTION ACTIVITY	15,981.46			15,981.46
125-BUILDING INSPECTION FUND	3,531.68			3,531.68
126-ANIMAL CONTROL FUND				
127-BRADWELL COBG GRANT				
130-DISCRETIONRY SALES SURTAX	294,222.14			294,222.14
135-SUPERVISOR OF ELECTIONS	-19,794.36			-19,794.36
140-INDIGENT ORDINANCE SURTAX	148,189.12			148,189.12
142-EMERGENCY MEDICAL SVS	-46,512.60		100.00	-46,412.60
143-WASTE SERVICES	609.81	87,107.57	100.00	87,817.38
144-GRANT-FRDAP				
145-RECYCLING PILOT PROGRAM				
146-FEDERAL EPA GRANT	-98.70			-98.70
147-RECYCLING RE-0307	78,787.00			78,787.00
148-BIG BEND TRANSIT-FDOT				
149-EMERGENCY MGMT GRANT	-23,509.00			-23,509.00
150-GRANTS-EMERG MGMT PREPARE	0.24			0.24
151-JAG - DRUG ABUSE - DIRECT				
152-JAG- DRUG ABUSE	21,622.56			21,622.56
153-FEDERAL SCAAP GRANT				
154-LSTA (LIBRARY) GRANTS	0.37			0.37
156-GRANTS-LOCAL HOUSING SHIP	-1,080.62	277,817.62		276,737.00
157-CLIC LIBRARY GRANTS				
158-GRANTS-COUNTY AWARD	4,343.57			4,343.57
163-IMPACT FEE PROVIDED PROGRAM				
165-CDBG-0608-3K-02-30-01-H15				
166-DONT USE RURAL WIRELESS				
167-EMS GRANT				
168-E-911 SURCHARGES	98,826.38			98,826.38
169-EMS MATCHING GRANT				
170-USDA GRANTS				
178-BOATING IMPROV	152,822.47			152,822.47
181-APPROPRIATION#1130L/1329L	28,423.31			28,423.31
194-WORKFORCE 2004 GRANT				
199-FEMA FED/STATE FUNDS				

176-2

DATE: 01/31/11
TIME: 14:53:15

GADSDEN COUNTY BOCC
Cash-In-Bank Summary report

trfar07.4q1

GADSDEN COUNTY BOCC
CASH IN BANK AS OF 01/31/11 FISCAL PERIOD 4/11

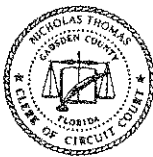
FUND	POOLED CASH INVESTMENT-SBA	ESCROW ACCTS	PEITY CASH CO/MONEYMARKET	TOTAL		
203-DEBT SERV- HOSPITAL	943,460.31			943,460.31		
205-DEBT SERVICE-FIRE PROTECT	0.10			0.10		
207-DEBT SERVICE-LIBRARY	299,025.28			299,025.28		
212-DEBT SERVICE-PUBLIC WORKS	0.37	300,083.19		300,083.56		
213-DEBT SERVICE - IT EQUIP	0.26			0.26		
301-CAPITAL PROJECTS-GENERAL	487,523.19	80,000.00		567,523.19		
303-CAPITAL IMPR - HOSPITAL	-140,405.22			-140,405.22		
304-CAPITAL PROJ. WATER/SEWER	93,986.85			93,986.85		
305-ROAD RESURFAC/PAVING BOND						
307-CAPITAL PROJ - LIBRARY						
313-CAPITAL PROJECT-PUB WORKS	337,859.58	373,952.61		711,812.19		
318-AFFORDABLE HOUSING PILOT	643.38			643.38		
325-CAPITAL PROJ. COURT FACIL	6,238.36			6,238.36		
342-CAPITAL PROJ-FIRE & EMS	31,445.48			31,445.48		
344-CAPITAL PROJECTS - PARKS	-87,634.62			-87,634.62		
360-CAPITAL PROJECTS - SCRAP	-904,190.61			-904,190.61		
362-CAPITAL PROJECTS CIGP						
364-CAPITAL PROJECTS SCOP						
366-CAPITAL PROJECTS LAPA	-616,280.46			-616,280.46		
368-CAPITAL PROJECT E-911						
501-INSURANCE I.S. FUND						
502-TECHNOLOGY I.S. FUND						
503-LEGAL I.S. FUND						
504-FLEET MGMT I.S. FUND						
505-UTILITY MGMT I.S. FUND						
661-HOSPITAL ENDOWMENT FUND						
810-DISBURSEMENT FUND						
TOTAL	10,439,524.03	1,161,619.46	277,817.62	510.00	8,471.30	11,887,942.41
PERCENT	87.82	9.77	2.34	0.00	0.07	100.00

17 R

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

February 1, 2011

Honorable Chairman and Members of Board of County Commissioners
9-B East Jefferson Street
P. O. Box 1799
Quincy, FL 32353-1799

Commissioners:

For your information, please find the Fund Summary Report as of January, 2011.

Sincerely,

Nicholas Thomas
Clerk of the Circuit Court

NT/gmc
Attachment

FUND SUMMARY PAGE
AS OF Jan, 11

FUND	REVENUES			NON - REVS			EXPENDITURES			FUND BAL/ RET EARNINGS
	BUDGET	ACTUAL	ZBUD	BUDGET	ACTUAL	ZBUD	BUDGET	ACTUAL	ZBUD	
001 GENERAL FUND	17,127,231	8,189,789	47.8	0	0	0.0	17,128,016	2,119,167	12.4	6,070,622
005 COURT FACILITIES F	166,125	54,246	32.7	0	0	0.0	166,125	40,161	24.2	14,086
103 HOSPITAL OPERATING	0	55	0.0	0	0	0.0	0 (	203)	0.0	257
105 FIRE ASSESSMENT	835,197	200,000	23.4	0	0	0.0	835,197	290,439	34.0 (	90,439)
108 FEMA FLOOD MITIGAT	0	4	0.0	0	0	0.0	0	0	0.0	4
112 COUNTY TRANSPORTAT	4,447,420	314,116	7.1	0	0	0.0	4,447,020	1,041,762	23.4 (	727,646)
113 LANDFILL & ARTHROP	473,126	38,818	8.2	0	0	0.0	473,126	146,320	30.9 (	107,501)
114 JUDICIAL SERVICES	291,513	18,926	6.5	0	0	0.0	291,513	60,450	20.7 (	41,524)
115 FINE & FORFEITURE	7,205,631	2,056,414	28.5	0	0	0.0	7,205,631	2,987,763	41.5 (	931,349)
117 LIBRARY SERVICES L	502,360	3,179	0.6	0	0	0.0	502,360	138,685	27.6 (	135,506)
118 LIBRARY SERVICES S	517,145	63	0.0	0	0	0.0	517,145	177,186	34.3 (	177,123)
119 CHOOSE LIFE	0	6	0.0	0	0	0.0	0	0	0.0	6
120 TOURIST DEVELOPMEN	93,700	12,995	13.9	0	0	0.0	93,700	24,016	25.6 (	11,021)
122 GRANTS - VOTER EDU	0	0	0.0	0	0	0.0	0	0	0.0	0
123 POLL WORKER RECRUI	0	0	0.0	0	0	0.0	0	0	0.0	0
124 FEDERAL ELECTION A	0	8	0.0	0	0	0.0	0	0	0.0	8
125 BUILDING INSPECTIO	276,066	72,127	26.1	0	0	0.0	276,066	97,105	35.2 (	24,978)
130 DISCRETIONRY SALES	2,239,946	136,901	6.1	0	0	0.0	2,239,961	200,000	8.9 (	63,099)
135 SUPERVISOR OF ELEC	487,344	194,000	39.8	0	0	0.0	487,344	210,420	43.2 (	16,420)
140 INDIGENT ORDINANCE	1,420,857	92,445	6.5	0	0	0.0	1,420,857	0	0.0	92,445
142 EMERGENCY MEDICAL	2,337,898	43	0.0	0	0	0.0	2,337,498	703,940	30.1 (	703,897)
143 WASTE SERVICES	0	57	0.0	0	0	0.0	0	0	0.0	57
147 RECYCLING RE-0307	70,784	0	0.0	0	0	0.0	70,784	0	0.0	0
148 BIG BEND TRANSIT-F	0	7,740	0.0	0	0	0.0	0	7,740	0.0	0
149 EMERGENCY MGMT GRA	0	0	0.0	0	0	0.0	0	23,509	0.0 (	23,509)
150 GRANTS-EMERG MGMT	136,876	0	0.0	0	0	0.0	136,876	0	0.0	0
152 JAG- DRUG ABUSE	0	6	0.0	0	0	0.0	0	0	0.0	6
156 GRANTS-LOCAL HOUSI	0	201	0.0	0	0	0.0	0	75,882	0.0 (	75,681)
158 GRANTS-COUNTY AWAR	0	2	0.0	0	0	0.0	0	0	0.0	2
160 E-911 SURCHARGES	195,399	70,418	36.0	0	0	0.0	195,399	24,824	12.7	45,595
178 BOATING IMPROV	0	1,873	0.0	0	0	0.0	0	0	0.0	1,873
203 DEBT SERV- HOSPITA	798,437	377	0.1	0	0	0.0	798,437	264,646	33.2 (	264,268)
207 DEBT SERVICE-LIBRA	1,068,706	177,905	16.7	0	0	0.0	1,068,706	0	0.0	177,905
212 DEBT SERVICE-PUBLI	1,161,177	182,983	15.8	0	0	0.0	1,161,177	690,547	59.5 (	507,559)
213 DEBT SERVICE - IT	217,883	164,320	75.4	0	0	0.0	217,883	191,891	88.1 (	27,571)
301 CAPITAL PROECTS-G	205,000	163	0.1	0	0	0.0	205,000	0	0.0	163
303 CAPITAL IMPR - MOS	0	0	0.0	0	0	0.0	0	53,726	0.0 (	53,726)
304 CAPITAL PROJ. WATE	0	0	0.0	0	0	0.0	0	1,369	0.0 (	1,369)
313 CAPITAL PROJECT-PU	361,749	343	0.1	0	0	0.0	361,749	143,643	39.7 (	143,301)
325 CAPITAL PROJ. COUR	0	0	0.0	0	0	0.0	0	1,656	0.0 (	1,656)
342 CAPITAL PROJ-FIRE	30,000	0	0.0	0	0	0.0	30,000	0	0.0	0
344 CAPITAL PROJECTS -	0	0	0.0	0	0	0.0	0	53,569	0.0 (	53,569)
360 CAPITAL PROJECTS -	0	0	0.0	0	0	0.0	0	913,292	0.0 (	913,292)
366 CAPITAL PROJECTS L	0	0	0.0	0	0	0.0	0	616,280	0.0 (	616,280)
661 HOSPITAL ENDOWMENT	185,857	4,969	2.7	0	0	0.0	185,857	5,682	3.1 (	712)
GRAND TOTALS	42,873,427	11,995,500	28.0	0	0	0.0	42,873,427	11,305,468	26.4	690,033

17a-2

GADSDEN COUNTY BOARD MEETING

SPEAKER APPEARANCE FORM

3/1/2011

Rec'd by Clerk
Jules

SECTION I

Please Print

SPEAKER'S NAME: Floyd Bank S

ADDRESS: 400 Foxfire Court, Quincey FL

REPRESENTING: _____

I am here regarding: concerns about the commission
Action relating to hiring & firing of employees.
Agenda Item: _____

___ I wish to speak as a proponent X I wish to speak as an opponent

___ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:
I wish give my voice to Gary Palmer.

SECTION II

If you are being paid a fee, are directly employed by, or are indirectly being compensated for representing another individual or corporation on the subject to which you will be speaking, please complete Section II of this form.

NAME OF PERSON(S) OR FIRMS BEING REPRESENTED: _____

ADDRESS: _____

TELEPHONE NO.: _____

GADSDEN COUNTY BOARD MEETING

SPEAKER APPEARANCE FORM

3/1/2011
Rec'd by
Clerk
Mls

SECTION I

Please Print

SPEAKER'S NAME: Helen Robinson

ADDRESS: 282 Dogwood Trail

REPRESENTING: NACCP

I am here regarding: _____

Agenda Item: _____

☒ I wish to speak as a proponent ☐ I wish to speak as an opponent

☐ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:

SECTION II

If you are being paid a fee, are directly employed by, or are indirectly being compensated for representing another individual or corporation on the subject to which you will be speaking, please complete Section II of this form.

NAME OF PERSON(S) OR FIRMS BEING REPRESENTED:

ADDRESS: _____

TELEPHONE NO.: _____

GADSDEN COUNTY BOARD MEETING

SPEAKER APPEARANCE FORM

3/1/2001

Rec'd by Clerk
Mrs

SECTION I

Please Print

SPEAKER'S NAME: James Palmer

ADDRESS: 329 S. Patten St.

REPRESENTING: Citizen^{of} Gadsden County

I am here regarding: Croley & ~~County~~ Manager ~~etc.~~
(County) ~~W. Schaefer~~ Johnny Williams & Others

Agenda Item: _____

☒ I wish to speak as a proponent ☐ I wish to speak as an opponent

☐ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:

SECTION II

If you are being paid a fee, are directly employed by, or are indirectly being compensated for representing another individual or corporation on the subject to which you will be speaking, please complete Section II of this form.

NAME OF PERSON(S) OR FIRMS BEING REPRESENTED:

ADDRESS: _____

TELEPHONE NO.: _____

GADSDEN COUNTY BOARD MEETING

SPEAKER APPEARANCE FORM

Rec'd by Clerk
3/1/2011
DMS

SECTION I

Please Print

SPEAKER'S NAME: Tom Hampton

ADDRESS: 5251 Dunbar Hwy

REPRESENTING: _____

I am here regarding: The Mangrove

Agenda Item: _____

☒ I wish to speak as a proponent ☐ I wish to speak as an opponent

☐ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:

SECTION II

If you are being paid a fee, are directly employed by, or are indirectly being compensated for representing another individual or corporation on the subject to which you will be speaking, please complete Section II of this form.

NAME OF PERSON(S) OR FIRMS BEING REPRESENTED: Hampton

ADDRESS: _____

TELEPHONE NO.: _____

GADSDEN COUNTY BOARD MEETING

SPEAKER APPEARANCE FORM

3/1/2011
Rec'd by Clerk
mbs

SECTION I

Please Print

SPEAKER'S NAME: Sam Palmer

ADDRESS: 1225 Berry St

REPRESENTING: WPA

I am here regarding: _____

Agenda Item: Racial Discrimination

☐ I wish to speak as a proponent ☐ I wish to speak as an opponent

☐ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:

SECTION II

If you are being paid a fee, are directly employed by, or are indirectly being compensated for representing another individual or corporation on the subject to which you will be speaking, please complete Section II of this form.

NAME OF PERSON(S) OR FIRMS BEING REPRESENTED:

ADDRESS: _____

TELEPHONE NO.: _____

3/1/2011
Rec'd by Clark
Index

TELEPHONE NO.:

3/1/2011
Rec'd by
Clerk
Mls

GADSDEN COUNTY BOARD MEETING

SPEAKER APPEARANCE FORM

SECTION I

Please Print

SPEAKER'S NAME: DALE R. Lowry

ADDRESS: 1940 Nauticoke Circle, Tallahassee FL

REPRESENTING: FLORIDA STATE Conference NAACP

I am here regarding: Removal of Croley & Williams

Agenda Item: _____

☒ I wish to speak as a proponent ☐ I wish to speak as an opponent

☐ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:

SECTION II

If you are being paid a fee, are directly employed by, or are indirectly being compensated for representing another individual or corporation on the subject to which you will be speaking, please complete Section II of this form.

NAME OF PERSON(S) OR FIRMS BEING REPRESENTED:

ADDRESS: _____

TELEPHONE NO.: _____

GADSDEN COUNTY BOARD MEETING

SPEAKER APPEARANCE FORM

3/1/2011
Ric's Gay
Club
Mrs

SECTION I

Please Print

SPEAKER'S NAME: Joseph Wright

ADDRESS: 4873 LAKE PARK Dr

REPRESENTING: Southern Christian Leadership Council

I am here regarding: a Civil Right Issue

Agenda Item: Civil Rights

☒ I wish to speak as a proponent ☐ I wish to speak as an opponent

☐ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:

SECTION II

If you are being paid a fee, are directly employed by, or are indirectly being compensated for representing another individual or corporation on the subject to which you will be speaking, please complete Section II of this form.

NAME OF PERSON(S) OR FIRMS BEING REPRESENTED:

ADDRESS: N/A

TELEPHONE NO.: _____

GADSDEN COUNTY BOARD MEETING

SPEAKER APPEARANCE FORM

3/11/2011
Rec'd by Clerk
Mrs

SECTION I

Please Print

SPEAKER'S NAME: Vivian Jackson Mitchell

ADDRESS: PO Box 1661 / 45 Bailey loop Quincy

REPRESENTING: _____

I am here regarding: _____

Agenda Item: Civil Rights

☒ I wish to speak as a proponent ☐ I wish to speak as an opponent

☐ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:

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NAME OF PERSON(S) OR FIRMS BEING REPRESENTED:

ADDRESS: _____

TELEPHONE NO.: _____

GADSDEN COUNTY BOARD MEETING

SPEAKER APPEARANCE FORM

3/1/2011
Rec'd by Clerk
Miss

SECTION I

Please Print

SPEAKER'S NAME: CHARENCE TENNELL

ADDRESS: 722 W. KING ST, DUMPER

REPRESENTING: NAACP

I am here regarding: _____

Agenda Item: _____

☐ I wish to speak as a proponent ☐ I wish to speak as an opponent

☒ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:

SECTION II

Charence Tennell

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NAME OF PERSON(S) OR FIRMS BEING REPRESENTED:

ADDRESS: _____

TELEPHONE NO.: _____

GADSDEN COUNTY BOARD MEETING

SPEAKER APPEARANCE FORM

3/1/2011
Mhs
Rec'd by Clerk

SECTION I

Please Print

SPEAKER'S NAME: Jones Larry Edwards

ADDRESS: 16 East GF & A Drive

REPRESENTING: _____

I am here regarding: to help

Agenda Item: _____

☐ I wish to speak as a proponent ☐ I wish to speak as an opponent

☒ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:

SECTION II

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NAME OF PERSON(S) OR FIRMS BEING REPRESENTED:

ADDRESS: N/A

TELEPHONE NO.: _____

3/1/2011
Rec'd by Clerk
Theresa

GADSDEN COUNTY BOARD MEETING

SPEAKER APPEARANCE FORM

SECTION I

Please Print

SPEAKER'S NAME: Pastor John Battle

ADDRESS: 43 Lucine Berry Lane

REPRESENTING: NAAACP

I am here regarding: _____

Agenda Item: _____

☐ I wish to speak as a proponent ☐ I wish to speak as an opponent

☒ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:

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NAME OF PERSON(S) OR FIRMS BEING REPRESENTED:

ADDRESS: _____

TELEPHONE NO.: _____

GADSDEN COUNTY BOARD MEETING

3/1/2011
Rec'd by Clerk
mls

SPEAKER APPEARANCE FORM

SECTION I

Please Print

SPEAKER'S NAME: Jamaal Rosse

ADDRESS: 1510 Wahish way

REPRESENTING: Gadsden County Citizens

I am here regarding: _____

Agenda Item: _____

___ I wish to speak as a proponent ☒ I wish to speak as an opponent

___ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:

Commissioner

SECTION II

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NAME OF PERSON(S) OR FIRMS BEING REPRESENTED:

ADDRESS: _____

TELEPHONE NO.: _____

GADSDEN COUNTY BOARD MEETING

3/1/2011
Rec'd by Clerk
Mls

SPEAKER APPEARANCE FORM

SECTION I

Please Print

SPEAKER'S NAME: Lucas Melton

ADDRESS: 1510 Wabish way

REPRESENTING: _____

I am here regarding: CITIZENS of Gadsden county

Agenda Item: _____

____ I wish to speak as a proponent ☒ I wish to speak as an opponent

____ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:

The county

SECTION II

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NAME OF PERSON(S) OR FIRMS BEING REPRESENTED:

ADDRESS: _____

TELEPHONE NO.: _____

GADSDEN COUNTY BOARD MEETING

3/1/2011
Rec'd by Clerk
mls

SPEAKER APPEARANCE FORM

SECTION I

Please Print

SPEAKER'S NAME: Louis Baptiste

ADDRESS: 5064 Warrish way

REPRESENTING: people of Gadsden

I am here regarding: rights

Agenda Item: _____

___ I wish to speak as a proponent ☒ I wish to speak as an opponent

___ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:

The County

SECTION II

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NAME OF PERSON(S) OR FIRMS BEING REPRESENTED:

ADDRESS: _____

TELEPHONE NO.: _____

GADSDEN COUNTY BOARD MEETING

2/1/2011
Rec'd by Clerk
Mrs

SPEAKER APPEARANCE FORM

SECTION I

Please Print

SPEAKER'S NAME: William Chukes

ADDRESS: 902 Comere St Havana

REPRESENTING: myself

I am here regarding: ~~Vote~~

Agenda Item: _____

☒ I wish to speak as a proponent ☐ I wish to speak as an opponent

☐ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:

(Manager Co) removed

SECTION II

If you are being paid a fee, are directly employed by, or are indirectly being compensated for representing another individual or corporation on the subject to which you will be speaking, please complete Section II of this form.

NAME OF PERSON(S) OR FIRMS BEING REPRESENTED:

William Chukes

ADDRESS: 902 Comere St Havana

TELEPHONE NO.: 850 322 3003

GADSDEN COUNTY BOARD MEETING

3/1/2011
Rec'd by Clerk
Mrs

SPEAKER APPEARANCE FORM

SECTION I

Please Print

SPEAKER'S NAME: Nell Cunningham

ADDRESS: _____

REPRESENTING: Havana Community Park

I am here regarding: Naming of park

Agenda Item: _____

☒ I wish to speak as a proponent ☐ I wish to speak as an opponent

☐ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:

SECTION II

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ADDRESS: _____

TELEPHONE NO.: _____

GADSDEN COUNTY BOARD MEETING

SPEAKER APPEARANCE FORM

3/1/2011
Rec'd by Clerk
Mrs

SECTION I

Please Print

SPEAKER'S NAME: MARION LASLEY

ADDRESS: 5 DANTE COURT

REPRESENTING: CITIZENS

I am here regarding: #7 #6

Agenda Item: Comp Plan CHGT ORDINANCE

☐ I wish to speak as a proponent ☒ I wish to speak as an opponent

☐ I do not wish to speak, but am available for information

The topic I wish to speak on is not listed on the agenda, but relates to:

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NAME OF PERSON(S) OR FIRMS BEING REPRESENTED:

ADDRESS: _____

TELEPHONE NO.: _____

Received for Record 3/1/2011



GADSDEN COUNTY · NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

P. O. BOX 1144 · QUINCY, FL 32353 · O (850) 627-2673 · F (850) 875-2693
E-MAIL: EUGENESJP@YAHOO.COM · WEB ADDRESS WWW.NAACP.ORG

February 25, 2011

Resolution approving the Gadsden County Branch as lead NAACP unit, to represent the citizens of Gadsden County and the Association to take Direct Action in the form of a protest rally and sit-in at the March 1, 2011 Gadsden County Board of County Commission meeting, demanding the County Commission suspend the County Manager Johnny Williams and County Commissioner Douglas Croley take a leave of absence pending the resolution of Civil Case No. 11000151CAA filed in 2nd Judicial Circuit Court in Gadsden County for their role in Discriminatory Practices against citizens of Gadsden County.

WHEREAS, the Constitution of the Association as the basic fundamental guide for our Association specifically charges the Association under Article II Objectives, to seek enforcement of federal laws securing civil rights, to take lawful action to secure the exercise of the constitutional rights of persons, and to take any other lawful action in furtherance of the objectives listed under Article II of the Constitution; and

WHEREAS, the Gadsden County Branch of the NAACP was approached by David Frank legal counsel for Arkeba Bouie and James Southerland and both Bouie and Southerland individually ; and

WHEREAS, a pattern of discriminatory actions by both Croley and Williams clearly identify specific intent to discriminate against Bouie and Southerland and other specific citizens of Gadsden County which include: Wrongfully Influencing the outcome of an election; Participating in discriminatory employment practices; Creating a racially hostile work environment; and discriminatory practices regarding minority businesses competing for county services; and

WHEREAS, the Gadsden County Branch has appealed to the County Commission to correct this pattern of discriminatory practices at numerous monthly County Commission meetings; and

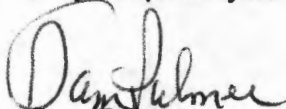
WHEREAS, numerous citizens of Gadsden County have repeatedly asked the Association to assist in taking action to help stop discriminatory practices by Croley, Williams and the County Commission; and

WHEREAS, this pattern of behavior and specifically the actions as identified above, constitute violations of Title 42 United States Code 1983 and Title 18 United States Code 242.

NOW THEREFORE, BE IT RESOLVED, that the Executive Committee of the Gadsden County Branch has, at a called meeting on 21 February 2011, approved this decision, and

BE IT FURTHER RESOLVED, that President Sam Palmer is directed to notify Adora Obi Nweze, President Florida State Conference NAACP, of this Resolution and to take whatever steps are necessary to implement the aim of this resolution.

Duly adopted by its Executive committee this date, February 21, 2011.


Sam Palmer
President

Sarah Figgers
Secretary 

March 1, 2011

Page 2 of 2

Options:

1. Approve as submitted
2. Approve as revised
3. Do not approve
4. Table for further direction
5. Board direction

County Administrator's Recommendation

5. Board discretion

Attachment:

None

**AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON MARCH 15,
2011 AT 9:00 A.M., THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.**

Present: **Sherrie Taylor, District 5, Chair**
 Gene Morgan, District 3, Vice-Chair
 Eugene Lamb, District 1
 Doug Croley, District 2
 Brenda Holt, District 4
 Debra Minnis, County Attorney
 Johnny Williams, County Administrator
 Muriel Straughn, Deputy Clerk

CALL TO ORDER

Chair Taylor called the meeting to order at 9:00 a.m. then led in the invocation, pledge of allegiance to the U.S. flag. The roll was called by the deputy clerk and noted above for the record.

AMENDMENTS/APPROVAL OF THE AGENDA

The following changes were made to the agenda:

- 10-A. Discussion of Counter Lawsuits
(Sherrie Taylor, Chairperson)
- 10-B. Request to Piggyback on State Approved Existing Contract between The Management Experts (TME) and Bradford County for Execution of Two Training and Exercise Grants
(Morris Young, Sheriff, Shawn Wood, Emergency Management Director and Charles Brinkley, Coordinator and Presenter)
- 10-C. Approval of Recreational Trails Program Application Submittal
(Charles Chapman, Public Works Director)

Commissioner Croley asked to remove Item 5 from the consent agenda and place it on the General Business Agenda. Chair Taylor declined to deal with his request at this juncture and deferred it until they would vote on the Consent Agenda.

COMMISSIONER HOLT MADE A MOTION TO TERMINATE THE COUNTY ADMINISTRATOR. THE MOTION DIED FOR LACK OF A SECOND.

COMMISSIONER HOLT MADE A MOTION TO INDEFINITELY SUSPEND THE COUNTY ADMINISTRATOR TO THE AGAENDA. COMMISSIONER LAMB SECONDED THE MOTION. THE BOARD VOTED 2 – 3. THE MOTION FAILED WITH COMMISSIONER HOLT AND LAMB VOTING “AYE.” COMMISSIONER TAYLOR, CROLEY AND MORGAN OPPOSED. THE MOTION FAILED. .

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 3 – 2 TO APPROVE THE AGENDA AS AMENDED ABOVE. COMMISSIONERS MORGAN AND CROLEY VOTED AGAINST APPROVAL OF THE AGENDA.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO MOVE ITEM 5 FROM THE CONSENT AGENDA TO ITEM TO 10D.

1. Future Use of the Space Vacated by North Florida Medical Center

Gadsden County Health Department Director Marlon Hunter addressed the Board. He requested that the county allow the Health Department to expand the Health Department into the space that is currently occupied by North Florida Medical Center. He reminded them that North Florida Medical Center is building a new facility and will soon be vacating the premises, where they have been co-located for many years. He cited a number of reasons for needing additional space.

Commissioner Lamb stated that he had visited the Health Department and could confirm the need of the space.

Commissioner Morgan asked if there would be any fiscal impact on the county. Mr. Hunter assured him that the Health Department would absorb the cost of the renovations that would be necessary.

Commissioner Holt was supportive and wanted to do it as quickly as possible.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO ALLOW THE COUNTY HEALTH DEPARTMENT TO OCCUPY THE SPACE THAT IS CURRENTLY BEING USED BY NORTH FLORIDA MEDICAL CENTER ONCE THEY HAVE RELOCATED.

2. Presentation of County Finance and County Clerk Issues

By way of a memorandum, Clerk Thomas asked to be excused from the meeting because he had a prearranged appointment that could not be changed.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER MORGAN THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO EXCUSE THE CLERK'S ABSENCE.

CONSENT AGENDA

UPON MOTION BY COMMISSIONER AND SECOND BY COMMISSIONER, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT: Items 3 & 4.

3. Approval of Minutes of February 15, 2011 Regular Meeting

4. Ratification of the Approval to Pay the County Bills

Accounts Payable Vouchers dated:

	March 4, 2011
	March 11, 2011

Payroll Vouchers Dated: March 10, 2011

5. Approval of Resolution Number 2011-011 and Budget Amendment for Emergency Housing Repairs (Jeff Price, Sr. Management and Budget Analyst) This item was moved to the General Business Agenda as Item 10D.

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

Anthony Matthews – 182 Sparkleberry Blvd. – Bid for the re-roofing of Guy Race Bldg. He inquired as to the bid process of the county. He complained that he did not receive a bid invitation.

Arthur Lawson responded that the bid was handled by the architect and the Building Inspector Clyde Collins. They solicited the bid and reviewed the bids.

Clyde Collins Response –The architect and staff contacted the manufacturer of the type of roofing that was already on the building and got a list of vendors who had at least 20 years of experience with that type of roofing. Letters were sent to those bidders that had at least 20 years' experience with this particular type of roofing product. The bid was handled primarily by the Architect Joel Sampson. The names of the business that letters were sent to were given to the staff by the manufacturer. As it turned out, the vendor who put the original roof on the building was the lowest bidder and it was awarded to them.

Commissioner Taylor disclosed that she had talked to Mr. Matthews.

Mr. Matthews contended that his business has been in business since 1986 and they have installed every kind of roof there is to install. He felt they should have been given the opportunity to bid. He stated that he had a concern that perhaps the bidders had been "hand- picked" and the process did not seem fair to him.

Mr. Matthews was directed to meet with the administrator and work out any issues and concerns that he has regarding the bidding process. It was also suggested that local administration contact all local vendors and gather information from them that would guarantee that they are given opportunities to bid on projects in the future if they are qualified.

Commissioner Lamb said that he was concerned that when they entertain a project of this magnitude, it might serve the county well to inquire of the main contractor about using local contractors to do the work, especially minority contractors.

Midway Mayor Chuck Willis addressed the board. He stated that he is concerned for his city. He said that they need infrastructure very badly. He said that they depend on federal and state grants, but they have never received any funding from the county. He said they need water, sewer, libraries, Health Department, Public Safety and EMS services. He referenced the increase in crime due to the growth. He

said that he felt that the County must provide for their public safety. He asked the county to enter into dialogue to see how they can help each other.

Chair Taylor asked Mr. Willis to meet with the administrator about bringing his concern back to the board on an agenda.

Auburn Ford – Commissioner Holt said that she had talked to Mr. Ford and it was her understanding as well as his that Mr. Ford's issue was supposed to be added to the agenda for this evening. Regardless, because the agenda had already been adopted, the chair instructed the administrator and Mr. Ford to bring the matter back on the next agenda for discussion.

GENERAL BUSINESS

6. Approval of Gadsden Hospital Incorporated (GHI) Future Role

GHI Chairman Craig McMillan addressed the board. He thanked them for meeting with GHI jointly. He asked them to visit the hospital and become familiar with the spaces of the hospital that are not improved or leased. He then turned the conversation toward the future role of GHI relative to the hospital. He offered four options as stated in the agenda report.

Discussion followed among the board.

Commissioner Holt stated that she had some constituents who were upset about the artwork displayed at the hospital. She was asked to make her concerns and suggestions known directly to Capital Regional Medical Center.

Commissioner Morgan suggested that some marketing be done using Ron Sachs Communications who had contracted with TDC to market the county.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE ROLE OF THE GHI AS RECOMMENDED BY THE STAFF TO WIT:

- 1. GHI will provide to the administrator and the BOCC a quarterly written report immediately following the end of each quarter of the fiscal year. Also, a representative of GHI will provide a brief verbal report at the next BOCC meeting following the submission of the written report.**
- 2. GHI will provide advertising and marketing for the hospital with whatever funds it may have available. It is understood that GHI currently has approximately \$13,000 available that can be used for that purpose.**
- 3. GHI will act as the leasing agent for the County for any and all leases, timeshares or rentals of space at the hospital that is not being used by Capital Regional and will work with the administrator and the BOCC in this regard.**
- 4. GHI will serve as the BOCC and the administrator's liaison with Capital Regional and any other private users of the hospital facilities.**

7. Discussion of Indigent Discretionary Tax Excess Funds

Craig McMillan reported that there is \$400,000 in the Indigent Discretionary Tax Funds. Some of it is obligated leaving approximately \$250,000. He asked what the Board would like to do with those funds. He also reported that Chamber of Commerce Director David Gardner and Clyde Collins showed some space at the hospital to a family physician who would like to locate to the hospital. CRMC Director Bud Wethington encouraged him to try and accommodate this physician. He said that it is going to be difficult to market the space without renovation.

Commissioner Holt recalled that the first hospital plan included leasing space to doctors. She was in favor of beginning discussions to accommodate the continued renovation.

Commissioner Lamb was also supportive of moving forward.

Commissioner Morgan was in favor of gathering information in anticipation of continuing the build out.

Commissioner Croley asked how much of the \$250,000 would be needed to start the renovation. Mr. Collins stated that use of the \$250,000 could position the county to begin to generate some revenue to continue the build out at some pace. He was also supportive of moving EMS to the hospital.

Mr. McMillan reminded the board that the decision to reopen the hospital was never approached with the idea that it would be an income-producing endeavor. It was reopened to bring healthcare back to the community, which is not likely to be a for profit venture for the county government.

There was a consensus to use the money to continue the build-out to accommodate tenants. However, this item was placed on this agenda for discussion only. The administrator was instructed to bring the issue back on a future agenda for board action.

There was some discussion regarding contacting CRMC to see if they would be willing to release the square footage of the hospital that was originally designated as a rehabilitation facility back to GHI for the purpose of leasing it out to an interested party.

Mr. McMillan was directed to bring back several options on May 3, 2011.

8. Approval to Pay \$800 Invoice to Capital City Black Pages for Advertising

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0,, BY VOICE VOTE, TO APPROVE THE PAYMENT OF THE \$800.00 INVOICE TO THE CAPITAL CITY BLACK PAGES FOR ADVERTISING.

9. Approval of Recommended Brownfield Site Properties for Environmental Assessments and Authorize BOCC Chairperson to Execute any/all Required Documents

The County's Planning and Community Development staff along with the Brownfields Citizen's Advisory Committee have identified and prioritized ten sites that exhibit the potential to fulfill the criteria for redevelopment and revitalization and to transform these currently underutilized commercial/industrial areas into revenue-generating economic properties. The sites to be studied are as follows:

1. Abandoned Truck Stop & restaurant in Havana
2. Abandoned Hotel Site in Havana
3. Havana Northside Highschool
4. New Holland Tractor Site in Midway
5. Greensboro Elementary School
6. Old County Courtrooms/Jail Facility (Old prison camp located on South Adams St. Quincy)
7. QEA- Quincy Middle School
8. Cow Hyde Facility on Pat Thomas Parkway in Quincy
9. Joe Adams Farm in Quincy
10. Abandoned Warehouse Behind Captain D's in Quincy

The Brownsfield grant is for 400,000.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE OPTION 1 – TO APPROVE THE SITE SECTIONS AND AUTHORIZE THE STAFF AND CARDNO TBE TO BEGIN ASSESSMENTS AND AUTHORIZE THE CHAIRMAN'S SIGNATURE ON ANY AND ALL DOCUMENTS.

Mr. Ed Allen addressed the board with the question, "What is the criteria to add a site to this Brownsfield for an environmental assessment?"

Chair Taylor replied, "You would have to amend the grant and then you would have to have a valid reason as to why you want to add it in, then there would (inaudible). So, what we will do in answer to your question is to have you meet with the administrator and see if we can resolve that and bring it back."

10. Approval of Resolution Number 2010-010 and Carry Forward Budget Amendment OMB BA 110033 for Fiscal Year 2011 for the William M. Inman Agricultural Center

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

10A. For Discussion Only – Discussion of Counter Lawsuits

Taylor:

I have talked with the county administrator about this. Past history with my being a city commissioner with Quincy, at that particular time, there were a large number of law suits. What stopped it was fighting back. What is happening is that the law suits are costing this county revenue in the way of attorney fees and in the way of cost of settlement and in the way of premiums. So, in order to stop this, we are going to have to put some kind of mechanism in place to fight back. Otherwise, they will continue. When this continues, it compromises other services that we need.

We just heard from the Mayor of Midway who needs additional police officers. We just heard from the Sheriff. We are also hearing from people who need jobs of any kind. We are constantly paying out on issues that we can stop and resolve and we need to do something about it.

So, I am bringing this to you all. Take a good look at it. Everybody has a right, if they feel that their rights have been violated, they have a right to file a lawsuit. I am certainly not standing in the door of that. But, I am saying frivolous lawsuits, people just doing it arbitrarily, are the ones that I would like to stand and say, "This has to stop." We are hurting our economy. We are hurting our ability to do services when it costs us at the bottom line. So, this is why I brought this before the board.

Again, I am not advertising people to stop exercising their rights. I am saying that we need to do something to stop it from it coming at the rate that it is coming. Some might say, "Let's just change the government, Let's just change this." I am of the opinion that no matter what we do, these are going to continue until we put a fight back into this thing.

That is where I am commissioners. It is an item for discussion. I would like to bring it back. I did talk with the attorney about it. What I would like to do and the reason I wanted to bring it here is to give the attorney some clear directions on what it is that we need for her to bring back so that we can have intelligent discussions about what we can do, what we should do, or whether we cannot do it.

She did share some information and I will ask her, in a general statement, to share what she shared with me and what could happen in fighting lawsuits. So, I am going now to let her regurgitate that conversation.

Minnis:

I am a little reluctant because of the attorney/client privilege situation. My conversation was with you individually as my client.

Taylor:

That is why I said, "generally."

Minnis:

I will just say that there are issues that we may be able to look at and I will be coordinating with the litigation counsel on a number of those issues.

Taylor:

O.K. there are some situations that the board needs to be mindful of as far as our carrier if we fight a lawsuit. You are our parliamentarian. If I need to stop, just reach over and say, "Ugh." But, if we find, according to our carrier, if we fight and are not victorious, then we will be responsible for everything up to the deduction. That is the only issue that I heard. But, if we fight and we are victorious, then that person who lost that suit will now have to pay back to this county where the expenses we incur in fighting. That was my understanding. That is where I am at right now as a leader. Let's see if we can stop this and start working our differences out between us at the end of the day.

Morgan:

Thank you, Madam Chair, I fully support your efforts. I commend you on the attempt to do that. I think that, again, I have always said, "We have more in common than we do different in our society and in our local county." If we have done anything wrong, we need to correct it. If we don't, we need to represent the tax payers fairly. That is what we are up here to do. We need to fight that and move forward. So, I commend you and I fully support further discussion of that.

Croley:

Well, my thoughts are going back into when this first got started on the first one. There should never have been a compromise on anything without depositions having been taken. That was the first mistake and it has been a repetition since. Now, I believe, as I stated in the closed session, which is now public record and I will state it again. I believe that there are certain individuals that have entered into a conspiracy to commit a fraud upon the taxpayers of this County. At some point in time, certain actions will be taken to deal with that. I want to come back though and ask Ms. Minnis a question.

You have a great deal of experience in your former practices of law, I believe, Ms. Minnis as you pointed out. Based upon the number of lawsuits you have seen to date, given the number of separations overall, do you feel like that we have had an excessive number of lawsuits?

Minnis:

Excessive number, no. For them to come all at the same time is not comfortable, but considering the number of layoffs that I am aware of that occurred, it doesn't appear to be excessive numbers. I indicated at the last meeting, we have a downturn in the economy, when you have to lay off people, you do get an uptake in litigation. That kind of goes hand in hand. There are other entities that are having a similar kind of experience.

Croley:

Along those lines, when we see newspaper articles that are no better than what you see in the grocery store check-out aisle tabloids, that speaks very poorly of the state of journalism and the lack of objectivity that is going on in many of these news reports. When you look at the official separation report, Madam Chair, that came out after our last meeting that was prepared by the official report that we got, we see that a workforce of some 55% black 45% non-blacks with layoffs being 16 black, 13 white, 1 Hispanic and 1 Asian – it is hardly out of balance. And, representations – no black supervisors as stated in public news media – and I agree with you, Madam Chair, these are some of the facts that are not getting out there and people making false statements need to be held accountable. As we see on the report given to us in February 25th, there are at least 10 African Americans supervisors throughout the county in highly responsible positions. We look at that, we look at the fact that the re-organization plan that was approved in July 2009, actually January 27, 2009, which is (inaudible) supposed to be list of names we hear, has no names. It was a fact that the real estate bubble bust and we had to downsize this county government.

Madam Chair, you are correct again, this plan, which was passed unanimously by this commission, called for the then administrator who sat right here and said, "I do not think I need to implement the reorganization until you get the new administrator in place." The fact that the new administrator came, he submitted his plan to us, it was approved, there is a policy in reductions in force that is used by the county and to the best of my knowledge, everything has been done straight down the line, fair

and square with all interests. Are we sorry people lost their jobs? Yes, Ma'am. But that is going on all over this county as a result of the down-sizing in government. This becomes the case now –Is the dog going to wag the tail? Or is the tail going to wag the dog? In my opinion, we have the responsibility to the tax payers to have the dog wag the tail. That means that we appreciate everything that every county employee does, the professionalism all of you show, the hard work that you all do, but there is never enough money to go around. Until our citizens understand and appreciate that point, there is very little we can do because we can't talk about the individual lawsuits. So, Madam Chair, I want to agree with you on this basis. Once the dust settles on this, there are going to be some people that are going to pay up for the lawsuits that they are causing these tax payers – one way or the other. Thank you, Ma'am.

Taylor:
Thank you.

Commissioner Lamb?

Lamb:
No comment.

Taylor:
Commissioner Holt?

Holt:
Thank you.

They say when you go out mudding for fish; you had better wear your high boots. So, when you start mess, you should not get upset about people digging in also. If you didn't want the lawsuits, you shouldn't have done what you did. It is just as simple as that. You went and hired the manager, hid him out in the hotel out there on 267, knowing all the time that you had already decided to hire him. Visited him at his house when you already had three other candidates in the race for that position. You do all these things, and then you get upset with the citizens because they sued you. One of those suits, not, before it became a suit, it was just a complaint. State ruled on two issues in that complaint. That was after depositions taken by two commissioners on this board and the manager and they found fault with both in all three depositions.

So, when you get upset about lawsuits, you should make sure that you are doing your job in following policy and procedure. You did not follow policy and procedure. The manager wrote that report after you put Andre as a supervisor that he is not. Down at EMS, Andre is a coordinator, he is not a supervisor. The manager made that report and made it 55% – 45% after he knew that he should have included the weed-eating crew, which he did not include. He said that they were OPS. O.K. But, you laid him off.

You included Robert Presnell as one of your percentages so you could show that you laid off whites as well. That was not true. He was not part of the re-organization. He was fired for turning you in for "Whistle-blowing." That is what he did. When you look at this and you write newspaper articles and they are done, then do them correctly. Don't go around and try to get employees to put numbers

together to make the county look good when it doesn't.

All we have to do is follow our own policy and procedure. That is all we had to do. You get upset because you are not telling the truth under oath, then that is your problem. They are supposed to sue you and they are supposed to sue me.

O.K. The re-org chart was approved by everyone. Do you know why? Because it was approved because on this board, if you don't go along, you can't pull it back up later. You know it and I know it. So, don't come here with this mess about you having a problem with a lawsuit. If you do what it says in your own handbook, you won't have a problem. But, you want to sit here and say you are going to challenge the citizens because they decided to sue. Now, what you need to do is go back clean your house. Until you lay this man off and until you go back and do what you need to do, you are going to have these problems. I can tell you what it is – If you call, Commissioner Taylor, he is going to do what you say. If Commissioner Croley called or until he got into trouble for calling the lawyer too much and sending her too much email, he was fine. He did what he wanted done.

That is not how it is supposed to run. The manager is supposed to listen to all five commissioners and then he is supposed to follow what is said. But, you are not doing it. You want to get upset with citizens. Listen at this.

Ms. Lewis came before us and she spoke at that microphone about her husband's death. O.K. You said, "Get with the manager." He didn't tell you that he had already gotten with her. That woman was totally upset when she left here. She said, "I've already spoken to the manager, Ms. Holt. Why are they telling me to do this again?"

Then Mr. Ford, today, walked up to that microphone. He had talked with the manager and it wasn't straightened out. We continuously show the citizens that we have poor government. Then we get upset.

Now, I am upset that the article was in there in the first place. Then I get all these calls. Ms. Holt, this isn't right. Ms. Holt, that isn't right. And, the numbers. So, why are you upset with the citizens? You want to talk about counter suits? You are about to spend a whole lot of money you don't want to spend. But, I want to tell you just like this. When the state said in one of those cases, "We have findings on two counts." You should have gone in and should still go in and try to settle it. What did they see that you are not looking at? You go back and try to work with citizens. You don't want to do it.

There will be other law suits coming. They didn't mind talking about me in the paper saying that I have a horse. I have never owned a horse. They didn't mind talking about that. Didn't mind saying, "We got her. Oh, we got her now." Some people right on this board said it. O.K. So, why do you worry about it?

You need to contact those people and sit down and work this out and not be childish about this and try to take care of vendetta. Leave this mess alone. The more you stir it, the more it is going to stink. You are going to cost the tax payers too much money. The attorney is going to continue to charge here fees and I don't blame her.

If you do the right thing, you don't have to worry about this. Putting wrong numbers in and stuff. This mess is right there. They did this last week and ya'll didn't see anything wrong with it. O.K.

That is all I have to say right now, but I have a whole lot to say.

Taylor:
I feel real good when you get it out. It feels better.

Holt:
You ought to follow the law.

Taylor:
I agree. Let me say this and then we are going to move this item on and bring it back for – I know we can't motion it, but from listening to the other commissioners, Mr. Administrator, it needs to be an agenda item.

Holt:
I don't think so ma'am.

Taylor:
I am saying after listening to all five.

Let me echo something you said a moment ago. Since I have been placed in this chair, I have been relentless in pushing the pure fact that there are five commissioners around this board. I have been relentless on doing that. Saying to this administrator and saying to whomever – There are five of us, not four, not two, not one. It is high time and time for it to stop. It's got to stop. There are five of us. I know you have heard me echo that sentiment. All five should be respected equally. That has been my position since day one and will continue to be my position. Wherever I know and learn, I want all five, the other four of us to know expeditiously at the same time. I don't think we are living in a totalitarian government. We are living in a democracy. This board has five commissioners who should be respected equally. We have no powers over the other. No more power than the next. I agree with you where everybody should be treated the same. Every piece of information received should be disseminated equally throughout this entire board. I am adamant about that and I want to see that go through.

Mr. Administrator, as we spoke, I have listened to Commissioner Croley, I have heard Commissioner Morgan, there were no comments from Commissioner Lamb. But, the five of us, (inaudible) want this agenda item to be brought back to discuss later.

Alright.

10B. Emergency Management – Request to Piggyback on State Approved Existing Contract between The Management Experts (TME) and Bradford County for Execution of Two Training and Exercise Grants for Contract 10-CC-43-02-01 and 10DS-39-02-30-01

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE ABOVE STATED REQUEST. (COMMISSIONER MORGAN WAS NOT PRESENT FOR THIS VOTE.)

10C. Approval of Recreational Trails Program Application Submittal for the Lamb Park Project

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE SUBMITTAL OF THE GRANT APPLICATION STATED ABOVE.

10D. Approval of Resolution Number 2011-011 and Budget Amendment BA# 110035 for Emergency Housing Repairs

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE ABOVE NAMED RESOLUTION AND BUDGET AMENDMENT CONTINGENT UPON THE ITEMS UNDER THE SHIP PROGRAM AND THAT IT BE DIVIDED EQUALLY AMONG THE FIVE DISTRICTS. (\$7,000 PER DISTRICT)

10E. Request from Auburn Ford

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTE 4 – 0, BY VOICE VOTE, TO AGENDA MR. CHARLIE HARRIS'S REQUEST FOR THE COUNTY TO APPLY FOR A CDBG ECONOMIC DEVELOPMENT ON THE NEXT MEETING AGENDA. (APRIL 5, 2011)

COUNTY ADMINISTRATOR'S AGENDA

11. Update on Board Requests

COUNTY ATTORNEY'S AGENDA

12. Update on Various Legal Issues

Question by Commissioner Croley:

How can we as individual commissioners access your services? Your services agreement does say that, just as Commissioner Taylor contacted you regarding the lawsuit matter, just as any other of the commissioner may, from time to time communicate with you by email or telephone on agendaed items, or for a clear understanding of a Statute that doesn't require special research on your part. All those, you would consider falling under the scope of your basic services?

Minnis:
Yes.

13. Commissioner Lamb, District 1

Sheriff's Request for Additional Officers

Commissioner Lamb asked that the Sheriff's request for additional officers be placed on the April 5th agenda.

Request to bring back the Citizens Growth Management Bill of Rights for Discussion

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSISONER HOLT, THE BOARD VOTED 4 – 0, TO HAVE THE ADMINISTRATOR PLACE THE ABOVE STATED ITEM ON THE APRIL 5 AGENDA. HE WAS ALSO ASKED TO HAVE THE CHAMBER EXECUTIVE DIRECTOR AND THE GROWTH MANAGEMENT DIRECTOR BE PRESENT FOR QUESTIONS THAT MIGHT ARISE.

Request for EMS Substation in Midway

He asked the county administrator to speak with the EMS Director and consider placing an EMS Substation in Midway.

Request for Library in Midway

He asked that the Library Director be asked to compile information and data about the cost of establishing a library in Midway. (Long range plans)

Commissioner Croley, District 2

He thanked the many people who have offered their support to him throughout all the negative publicity.

Commissioner Holt, District 4

Bicycle Race in District 2

Commissioner Holt reported that she had received several calls about a situation with a bicycle race in District 2 where they were asked to discontinue the race. She asked for someone to explain that situation to her.

Commissioner Croley stated, "There was a bicycle race being held without a permit, I understand, and citizens called me and insisted that the race was interfering and they were blocking the roads. They had roads being blocked up by traffic cones and cables and other matters. They insisted that I come over. I called the county administrator. After arriving on the scene, never got in my vehicle, suggested that he may want to come and look at this if a permit wasn't issued. It had been confirmed earlier that he had issued a permit. I had talked to Mr. Chapman and no permit

had been issued there. At that point, he took charge of the situation along with three Gadsden County Sheriff's deputies. I think if there is anything else, you need to ask him.

Holt:

I have and I am about to.

Mr. Manager, we have permits for over 500 people. 500 and above. We don't require a permit for less than 500.

Williams:

I think you are referring to the outdoor festival ordinance.

Holt:

What ordinance were you referring to? What did you relate your decision to, what ordinance.

Williams:

By law, I am the custodian of all county property.

Holt:

I know what you are, but I am saying, "What law did you base that on?"

Williams:

It is not a law I was basing it on, it was based on the law of ownership. We actually own the rights-of-way.

Holt:

O.K. So, that is State Statute, Madam Attorney?

Minnis:

That the county owns the rights-of-way? Yes.

Holt:

No, I am saying, I understand that, but that is not what I am asking.

About any activities on the rights-of-way. That is what I am asking – is there something that says that you cannot have these activities on the rights-of-way.

You see, that is what the people that called me wanted to know. I couldn't answer it so I said I would bring it here.

Minnis:

My understanding is that the issue was not necessarily that, but the issue was also the safety concern for the citizens who were calling and complaining about not being able to navigate and get around because this event was held without giving them forewarning. So, I think that is the reason that we have a process in place where you would coordinate when and how that was done.

Holt:

Right, I am not questioning that. I was just questioning whether there is something that says this activity could not take place on the rights-of-way even if safety standards were in place. So, that is what I am asking because that is what they asked me. I said, "I don't know, I would ask the commissioner that is over there in that district." So, there is no Statute in place or ordinance in place. But, you have to comply with safety issues.

Minnis:

You have to comply with safety and there is a permit request that these need to be, then that needs to be done. I was not specifically asked about this particular issue, so I am just trying to be responsive to your question today.

Holt:

I understand. I have another one.

Croley:

Commissioner Holt, may I complete an answer for you?

Holt:

Sure.

Croley:

It is my understanding upon communicating with all these different groups and trying to put them all together, the residents, the race promoters, the bicycle race promoters, the people at FSU – I have had very good cooperation to date. I believe that Mr. Chapman is working with them on behalf of the county administrator so that some better understanding is in place with everyone. The particular race in question seems to have been slated to be held in Leon County and at the last minute, because of something to do with road surface conditions, was transferred over to Gadsden without any knowledge, apparently, of the public works and the county administrator. And, they had employed three off duty Sheriff's deputies who were there under their employment. That is what set the residents off in an area that didn't know anything about it. The roads were blocked up and you can't go out anywhere. It would be no different than us going out there and deciding to block up US 90. That is what happened.

Taylor:

Here is where we are, commissioners. Our Parliamentarian just leaned over and said that we cannot have a debate on issues of this nature. So, Commissioner Holt, you were right, but there is also a safety issue and concern. We will direct the rest to the administrator. We cannot have this back and forth because it is not a debatable item on the agenda.

Holt:

Well, on that issue, I wanted to look at what the procedure is. Then if we put something in writing, then the citizens will know and all of us will know what to do. That is why I kept saying, "Do we have something in place?" If we don't have anything in place, we may need to get something in place. Is there a form or something that they need to fill out?

Taylor:
Mr. Administrator, did you understand that?

Williams:
Yes, Ma'am. We have scheduled a meeting with FSU to discuss these very items.

Taylor:
Not FSU, she is talking about something general. No matter who comes, we will be able to address it.

Williams:
Yes.

Holt:
The same thing with the public use.

The other item that I mentioned and the mayor of Midway mentioned it also was that we need to have workshops. The reason that we are getting request out of Havana and Midway and you are sure to get some out of Gretna and other places. We need to sit down with these individuals on those boards even if we have to rotate and meet on another Tuesday or Thursday or something like that. I have the same concern for other areas. They come to the county and say, "What can you do to help?" They don't know what we can do or what we cannot do. We may not be able to do anything. Maybe in better times, we could help them. But, if we can't help them, we need to be able to sit down and show them why we can't help them or that we can. So, we need to schedule some meetings and we need to go to a three meetings per month for a few months so that we can get with these individuals and work with them. They are our constituents also.

Are we going to follow Roberts Rules or Order or not. If we say we are going to follow it, let's do it. Under Robert's Rules of Order, you can yield your time. But, we had people to come here and said they wanted to yield their time, so we need to look at that and decide how we are going to do that. So, that way, they will know when they come to the microphone if they can't do it. If they start quoting some Robert's Rules, if we are going to use it, we need to make sure we are with them. We can take care of that in that manner.

Minnis:
I have a response to that, Commissioner Holt.

Basically, the way your procedural ordinance is written is that Robert's Rules apply unless the ordinance speaks to a particular issue. Robert's Rule does not apply wholesale. Basically, your ordinance does speak to that particular issue, so your ordinance would control. The ordinance does not allow for the sharing of time. That is why that comes up.

Holt:
That is what they need to know. They need to have in their hand or at least get it on the table.

Taylor:

Is that right, Mr. Lawson?

Williams:

The rules of procedure are out there on the table.

Holt:

I am talking about yielding their time. If it needs to be highlighted or whatever it needs to be, so that way, the person won't go back and say, "Well, you know, I thought we could do this, but I wasn't able to do it." The issue has already passed by, but we don't want them to feel like they have been jaded in any kind of way. It is just like someone told the other day. They said, "Ms. Holt, can I smoke a cigarette in your place?" I said, "No." He said, "Well, you don't have a 'No Smoking' sign. I said, 'Well, I don't have a 'Smoking' either. So, you can't smoke." They just need to know when they come through the door because they are not used to this rule and they need to know that.

This board is very brave if you are going to take on the lawsuit issue. I suggest that you save that for a day when you have two or three hours 'cause all the people are going to do is bring in their lawyers or some representative. It is going to be a good fight. My concern with this is, as I said before, my concern is when a county employee, which the manager is, puts an article in the paper and it is questionable. It is not as if we are saying this. What happens when it is the manager is saying this; this board needs to know what is going to go out there before it goes because it is going to get to be pretty nasty as I said. When I start getting calls, I know it is getting nasty. So, we need to know what is going to be put out there because you represent the county. Now, remember commissioners, the manager is not representing us. We represent the people. When the people start calling and saying, "Wait a minute, that is not what is going on," we need to know what is going to hit that paper from the county side. Now, if someone else wants to say something personally or if I want to say something personally, that is Brenda and whoever says it. But, when it comes from the county, we have to have some say-so about what hits the paper or out there in the media in the first place. It makes it worse and people start dissecting that paper every time they get it and they will know whether the stuff is true or not – in their opinion. It can make it worse.

The Citizens Bill of Rights has been brought up. I was going to bring it up. I have a lady in my district who wants to know why she can't put a home in her lot. As you can see up there, you see the yellow, the yellow is residential. The green up there is where we have AG 1, 2, 3. What happened when everybody started moving off the farm, as I was one of them, off the tobacco farm, you moved where Mama and Daddy moved. They didn't have a Comprehensive Plan and there was no zoning. So, you have all these communities that are not in compliance (non-conforming) and they will remain out of compliance. That is why part of St. John's – we voted to grandfather them in. There is a part in Gretna and there is part over in Havana and we had to grandfather them in because if you have 30 houses there, but you have AG 1 or AG2, they are not going to move and they are never going to comply. You can't make them comply. All they are going to do is change commissioners until they get you to comply. That is all they are going to do because that is where Grandmama and Granddaddy and everybody else has been living for 30 – 40 years. So, how are you going to say that you are AG1 and you can't replace your house. It is not going to happen. They are not going to move. Now, they have great grandchildren. At a place

where they had 1-2 houses, now may have 30 houses. And, the county approved the moving of each one. They approved those people getting their water hooked up and their electricity. They approved it. You come along and write a plan that says you can't go back and replace a raggedy house with a better house. The citizens are saying, "What Citizens Bill of Rights? Ms. Holt, what are ya'll talking about." I said, "I didn't vote for that and you know I didn't vote for it." You cannot develop your county in a proper manner if you do that. That is why I said, we need two plans. One for Mom and Pop and one for commercial. That would solve the problem.

In other counties, they have what they call the "Step-down" plan. Industry, commercial, light commercial, neighborhood, then you have rural residential. That is what they do and that is how they put it together. That is what we are going to have to do – go back and write a plan. We are going to have to cannot tell people you cannot live where you live. They live there and you can't tell them that you can't approve where they live. That is it for me, Madam Chairman.

Commissioner Taylor, Chair, District 5

Taylor:

Thank you so much and I appreciate your comments. I agree with you on having to have something in place. As a matter of fact, we said an amendment for the mom and pop operation.

Let me move real quickly so I can get you out of here within the next 4 minutes.

First of all on our next agenda, we need to add the summation of the administrator's evaluation. We want a summation. I need a motion.

Holt:

So moved.

Lamb:

Second.

Taylor:

There is a motion and a second to add the summation of the administrator's evaluation. Now we also need to add a copy of the administrator's contract so that we can look at that contract and maybe discuss some of the items as well.

Holt:

So moved.

Taylor:

We need a copy of the administrator's contract put on the next agenda that is April 5th. There is a motion. Is there a second?

Lamb:

Second.

Taylor:

Clarity. We want to have a summation of the evaluations at our next meeting, April 5th of the manager's evaluation that is conducted annually. It is done in April. The first meeting in April. Then, we also want a copy of that contract on the agenda for discussion. That has also been so moved. So, that is just for clarity.

Now, there is an abuse of power by some people with regards to the attorney and calls to her office. Every board member has a right. But there is an abusiveness, which we are trying to get under control. When a person calls into the attorney's office 16-17 times within a month - that is abusive. We have to control that and we are going to by putting in place items that need to be discussed by this body that has been moved and approved, either need to be discussed by this board then forwarded to the attorney is how we are going to do it. Or, you go through the administrator. We are not trying to disallow or discontinue or forbid the use of legal services by any commissioner, but when you abuse that service, at some point in time, we need to do something. We have heard concerns from the attorney about being overly called (inaudible) not the position of being abused.

Earlier, there was a motion given to suspend and to fire the administrator be put on the agenda. I did not support that. My reason – we have a policy and procedures in place that we (inaudible) If not, everybody's rights would be compromised if we don't put policy and procedure in place. There is not a person under the sound of my voice that if they had these accusations returned towards you, you would not like it or would appreciate your opportunity to defend yourself. This is why I did not support that. I want to follow policy and procedure. I have to do everything, please forgive me, as chairman of the board and a leader, my goal is to do everything I can to stop the lawsuits and in order to do that, I am going to follow the law. At the end of the day, if there is a suit, then I followed the law. There are steps that need to take place before you can suspend or terminate. These policies also pertain to this administrator. So, we have to be mindful going forward. This is why I wanted to give this explanation so that nobody out there can say that I have "sold the people out."

Be it known, Mr. (inaudible) all the media that sits here, this chairperson simply wants to follow the policies and procedures that have been adopted by this board and I want to move forward so that your rights are not compromised when at the end of the day, it might be you. That is my position.

Motion to adjourn.

Lamb:

Second.

ADJOURNMENT

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER LAMB, THE CHAIRPERSON DECLARED THE MEETING ADJOURNED AS THERE WAS NO OTHER BUSINESS BEFORE THE BOARD.

SHERRIE TAYLOR, CHAIR

ATTEST:

MURIEL STRAUGHN, DEPUTY CLERK

Receipt and File

14.

- a. For the Record: Letter from Stearns, Weaver, Miller, Weissler, Alhadeff and Sitterson, P.A. Regarding Monroe County v. Priceline.com
- b. For the Record: Gadsden County 2011 Legislative Priorities
- c. For the Record: Letter from FDEP Regarding Gadsden Re-Entry Center
- d. For the Record: Commercial Roofing Company Agreement with Gadsden County Regarding the Guy A. Race Judicial Complex Re-roofing Project
- e. For the Record: Letter from Jackson County BOCC Regarding Lobbying Efforts to Oppose Proposals to Privatize Florida State Hospital
- f. For the Record: Letter from Leon County BOCC Regarding Lobbying Efforts to Oppose Proposals to Privatize Florida State Hospital

April Meeting(s)

- April 5, 2011, Regular Meeting, 6:00 p.m.
- April 19, 2011, Regular Meeting, 9:00 a.m.

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON TUESDAY, APRIL 5, 2011 AT 6:00
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ.**

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

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

Chair Taylor called the meeting to order at 6:00 p.m. noting the time and date of the meeting.

She opened with prayer then led in pledging allegiance to the U.S. flag.

ROLL CALL

The roll was called by the deputy clerk and recorded as stated above.

AMENDMENTS TO THE AGENDA/APPROVAL OF THE AGENDA

The agenda was amended as follows:

- Added as Item 16A: OMB BA 110047 giving budget authority for Televising of the County Commission Meetings
- Added as 18A: Discussion of TCC Lease Agreement for the W.A. Woodham Center

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 3 – 2 TO APPROVE THE TO THE AGENDA AS AMENDED. COMMISSIONERS MORGAN AND CROLEY OPPOSED.

AWARDS, PRESENTATIONS AND APPEARANCES

1. Request From Mr. Charlie Harris for the County to Apply for a Community Development Block Grant (CDBG) - Infrastructure Grant to Install Sewage lines from The West Side of the City of Quincy along U.S. 90 to His Development (Gussie's Garden Assisted Living Facility)

Mr. Charlie Harris addressed the board. He explained that he has a piece of property on the west end of Quincy which the board approved as an assisted living facility in 2005. (Gussie's Garden Assisted Living Facility)

Harris:

I am Charlie Harris, resident of Quincy, FL. I have been in business since 1977 in this city. I have a piece of property that I have gotten approved for an assisted living facility in 2005. I brought it to the board and it was voted on that it was O.K. to build in 2004 and that I would need to wait until after I got my paper work up, which was a business plan, a loan and all that stuff. By that time, Mr. Bradwell was doing a project that would yield 22 jobs, which is west of me. I was doing 11 jobs. So, they decided that they will go with Mr. Bradwell. I was told to hold by one of the Planning and Zoning gentlemen, although I had been given a building permit to proceed until the grant was funded. Then I could join in. I was told by Mr. McCord that I needed to hold. He didn't tell me directly to hold, he just said that if it was him, he would do it. I held like he asked me to. Then the gentleman after him told me – I asked him when I could proceed with it and he said, "We want to make sure that the grant is appropriated. What you would need to do is pay your fees and start the next procedure."

Well, I got all that paperwork up, the engineering drawings and all that for my plan. I was told that I had to start up all over again with it and for the grant I would need to get a bank before they would allow the – in order to pursue the grant, I would have to secure a loan. I then went and got Capital City Bank to agree to do it. I can give you the paperwork tonight on that. But, they wanted to know when the infrastructure would be in. Like I stated when I was here before, the loan would be granted like six months, not six months, but six weeks and then I would have to do it all over again. The bank wanted to know when we would begin so that they can accommodate the loan. I might have to do it over and over. They just wanted to know when it would be done. So, I am here to ask those three things so I can start where I had left off with my plan and not have to go back to square one. Also that you would proceed with the grant. That is basically what I need to know. I have talked with the county manager. I talked with the Planning and Zoning gentleman. Now, I am here to talk with you all.

Taylor:

Mr. Administrator, I know and I have been working with you and I have requested from talking with you and this board that the administrator held with whatever measures that could be. Mr. Administrator, I guess I am going to ask you at this point, I remember you probably had dialogue with your staff, where is it that we need to be at or do we need to be at in order to help this project move forward.

Williams:

Do you mind if I call on Mr. Matheny to answer that question? He knows more about that than I do at this point

Matheny:

Commissioners, good evening. I will give you just a brief summary. I have given Mr. Harris and his agent, Mr. Ford, a letter back on February 11. Instead of going through the whole letter, I am just going to give you the end summary of the letter. It had a lot of attachments to it. Basically, what happened back when Mr. Harris got approval for Gussie's Garden Assisted Living Facility, he got approval on a conceptual plan. A conceptual plan is a very basic plan. You have to come back in and get preliminary plan approval and then you have to get final approval and your construction plans have to be approved. It is a very lengthy process that anyone would have to go through when constructing a facility like that. That was in either 2004 or 2005. It has long,

long since expired. The conceptual approval expires after 180 days. So, it has been expired for years. He would have to come back through the process and get the approvals from not only us, but from the building department to build anything on the site where he has now his former storage unit, flea market type of structure out there by Bradwell's Funeral Home.

I have detailed everything in a letter. I put all the attachments, all the chronology of the project, the history and everything and we did meet with Mr. Harris and Mr. Ford a couple of times and talked to him and told him what he would need to do.

We are excited about it. We want him to build the facility. We want to see it happen. We want to see the jobs. Once he gets this process in place and comes through us to get the required approvals, then I will probably come back and recommend that you apply for the CDBG grant at that point for infrastructure upgrades. But right now, I don't think it is appropriate to do so.

I will be happy to answer any questions.

Taylor:

Are there any questions anybody of Mr. Harris or Mr. Matheny?

Lamb:

You said – what year did you say it was?

Matheny:

I think it was in 2004 when they looked at the conceptual plan.

Harris:

2005.

Matheny:

O.K. 2005.

Lamb:

Just the idea – that is what conceptual means – the idea of what he wanted to do?

Matheny:

Correct.

Lamb:

Alright. What is it that we need to do now for him to go forward on his plan?

Matheny:

Well, just like I was saying, he would have to come in with a preliminary site plan, an engineered site plan showing storm water and everything that you would expect in a very detailed engineered plan. Once we review that in-house, then we would mark that up, get back with him or his engineer and we would go forward with taking that to the planning commission and to this board for review and approval or denial. Then there would be construction plans and then a final

as built once everything is on the ground and built and we have to approve that just like any other project. So, it is a lengthy process. What Mr. Harris got approved for back in 2005 was just the conceptual plan. Just “this is what we want to do.”

Harris:

It was a preliminary plan.

Matheny:

You know, just a very basic plan.

Lamb:

Yeah, just an idea about what he wanted to do.

Matheny:

Right. Aside from that, any permit he got has long since expired (as far building permits.)

Harris:

At that time, they told me, you gave me a letter of what stuff I needed to do in that letter. I did all of that.

Lamb:

Have you out there and looked at the site where he is?

Matheny:

I have looked at it briefly. I mean, I haven't looked at it in depth. But, it is a long, long way from being an assisted living facility.

Lamb:

You said he got some permits some time ago?

Matheny:

I don't know. I think Clyde would have to produce those.

Harris:

I paid the county.

Matheny:

But, those have long since expired.

Lamb:

Well, we can talk about those a little later on. He probably is going to ask for a waiver on those permits. He has already paid for them once.

Taylor:

Commissioner Holt, do you have questions?

Holt:
Yes, thank you.

Mr. Harris, what will it take for you? Do you have the letter that you said the county presented?

Harris:
Yes.

Holt:
What was in that letter?

Harris:
They had approved everything. They wanted a fence around it. I've already gotten the storm water. This building and this project was built in 1996, so I had the storm water approved by the county when I built the building out there. They wanted garbage bins built in the back. They wanted to know the amount of parking spaces that I would need.

I was moving the front building to the back and they wanted a fire lane. They wanted the building that I was moving to the back to be at least engineered. What they wanted was 15 ft. I gave them 30 ft. where I am putting the other building.

Holt:
Mr. Matheny, what is his next step? Development plans?

Matheny:
Right. He would have to bring in a preliminary plan, which is much more involved.

Holt:
I know what it is. I know what a preliminary plan is. In fact, I remember this project when he came before us. But, what I am trying to find out right now is where he is and how we get him to where he needs to be. You are right. We need the jobs, so what do we need to do to get him to that point?

Matheny:
Preliminary Plan Approval Application.

Holt:
Mr. Harris, did you ever have those?

Harris:
Yes, I went through that step. Where I was trying to go is the next step. Mr. Matheny is wanting me to start all over again. What I was telling him is that I have done all of that. I had this other work that you all asked for on the next set of plans. I have all of that already ready to present.

Holt:
Has he already submitted - have you seen those plans?

Matheny:

No.

Holt:

Mr. Harris?

Harris:

I will be glad to give them to him. He was sending me back through, he didn't want those.

Holt:

So, what we need to do is find out exactly what you have now that needs to be presented to Mr. Matheny and we can move ahead. That way, we will know what we need to do. Whatever fees you have paid, I don't have any problem with waiving those and moving on. But, we need to hurry up and get this taken care of. So, whatever the two of you need to take care of, if you don't mind, Madam Chair, may I ask Mr. Ford something? He is also on this item.

Mr. Ford, if you don't mind.

Ford:

Commissioner?

Holt:

Any idea of what we need to do?

Ford:

Well, what we wanted to do when we came before you last September. We know the process that he has to go through with the preliminary site plan, but we also wanted this board to go ahead and authorize staff to go ahead and apply for the grant because the grant application process takes about 3 – 6 months. So, while he is in the process of doing that, the grant process could be going on at the same time. So, both projects could be at a point where the construction could start. But, if he has to go through the preliminary site plan process before the development order is issued, then come back to the board, we might be looking at next year before you can apply for the grant.

Holt:

Mr. Matheny, what are the stipulations of the grant? The CDBG?

Matheny:

I don't have all of that in front of me or with me right now, but my recommendation is that before you apply for the grant, you need to go through the basic approval process before you do that plus you need to have your financing in place, which was the problem with Mr. Bradwell before.

Holt:

I am very familiar with that, too. He had it, and then he lost it. Some things happened at this

board that should not have happened. So, what I am saying Mr. Matheny is this, if we can look at what that process is, and then we will know what is required right now for the grant.

If they say you've got to have all this in place (the stipulations on the grant) if we could know that tonight. We knew this item was coming up, Mr. Manager, this information should have been brought forward and then we could have looked at it and be able to say, "Yes, we can apply or No, we cannot." But since we don't have it in front of us, we can't tell.

Matheny:

I am telling you my recommendation is not to apply for the grant until they go through the process.

Holt:

I understand what your recommendation is. I am saying that if the grant is not in front of us or you are not shown what those stipulations are -that you cannot apply until you have the financing in place, you cannot apply until you have these things taken care of – we don't know whether to say yes or no.

Matheny:

That would be on them to bring the grant application to you. It would not be me.

Holt:

O.K. I know what you are saying for that project. What I am saying is this – If we are progressive in getting development in here and get the jobs, the staff and the county may need to look at these grants to bring in these dollars. Not wait on a citizen to bring them. O.K.?

Madam Chairman and Mr. Manager, we should be out there trying to get the grants to get the development in here. Not you, Mr. Matheny, I am saying the county itself and that includes us – to go after that grant funding. But, I can't say, "Don't do it until you get financing and until everything is done because I am not looking at a copy of the grant for CDBG. I don't know what the stipulations are, Madam Chairman.

I am all for moving forward and get it in here. I think this is third time they have been here. They have been here three times.

Matheny:

May I answer?

Holt:

Sure.

Matheny:

One of the main stipulations of getting the grant is the applicant having their financing in place.

Holt:

Right. That is what you say you didn't bring.

Matheny:

They don't have their financing.

Holt:

No, no, no. I am talking about a copy of the grant. They don't need it here, we need it here.

Harris:

I gave you a letter.

Taylor:

He has it. We understand that.

Holt:

I understand what you are saying, but I am just saying, Madam Chairman, that if we are more progressive and we are out there trying to get development at these I-10 exists, we would have it. But, we are not out there trying to get the development out. That is up to the county. That is not up to the citizens. Thank you.

Taylor:

Commissioner Morgan?

Morgan:

Thank you, Madam Chair.

It sounds like we all understand that there are processes that we need to go through and you guys are certainly willing to do that. I know that it can be aggravating at times.

Mr. Matheny, I do understand that there are certain processes that we have to go through and that is your job to make sure that we do that effectively and we appreciate that. What we don't want to do is to get the cart before the horse as we have in the past in applying for any type of CDBG grant and not have all our ducks in a row, per se. But I can assure you that I want to be as helpful as I can possibly be to your project. I am in agreement with some of the other things that I have heard. We certainly want to move forward on a worthwhile project where we can see that funding occurring through that grant. The worst mistake we can make for you and the county is to not do this in the in the appropriate manner. That being said, I agree with Commissioner Lamb. In fact, if we have gone through the permitting process and you paid those fees, I certainly would have no problem and there is no reason to have to do that again, if that was done properly and it sounds like it probably was.

Is there any reason, Mr. Matheny that he can't resubmit the original conceptual plan that he had? There is nothing that he has to do other than resubmit it to you guys to initiate the process.

Matheny:

In my letter to Mr. Harris and to Mr. Ford, what I said was that we will accept your conceptual plan, but again, that is a very basic "here is what we want to do" drawing.

Morgan:

So, there is a difference between conceptual and preliminary plans. O.K. Have we done the preliminary?

Matheny:

No.

Morgan:

So, we understand that we've got to do the preliminary. No problems with that? So, we could just resubmit the conceptual plan. That is not an issue. Move forward just like we would have had to do in years past.

Matheny:

I think the problem is – from what Mr. Harris and Mr. Ford told me is they don't feel like they need to submit those. They feel like when they got approval for the conceptual plan, they got approval for the entire project to go forward. They even said that they got development orders at the time. But, there were no development orders issues. There is no preliminary plan and we are a long way off from getting the project approved. But I will be happy to work with them through it.

Morgan:

The only other question I have is what kind of time line are we under regarding the CDBG grant?

Ford:

I talked to Steve Felderman, who is the coordinator for this area. The 2010 funding cycle is going to run until the end of this month. Then the 2011 cycle will start May 1st. It looks like the way the time line is set up that we are going to be in line for the 2011 cycle, which runs for a year in ED. In the ED category, you can apply for those funds at any time. It is based on funding availability.

Taylor:

Commissioner Croley?

Croley:

The only question that I have and Mr. Harris spoke to me earlier, is a question for Mr. Ford.

Mr. Ford, I know that in your role, you have dealt with a lot of these matters and we certainly recognize you with some expertise in grant writing. My question to you is that there seems to be a difference of opinion between what Mr. Matheny refers to as conceptual plan that was brought in and the commission approved the concept versus what he is referring to as the preliminary plan. You are familiar with the difference. Would you say that Mr. Harris's conceptual plan substitutes for the preliminary plan?

Ford:

No, sir. We have the preliminary plan application ready to go. The only issue was, when you are referring back to Mr. Matheny's letter, is he wanted Mr. Harris to go through the Citizens

Bill of Rights. Now, at the time, in 2004 and 2005, that was not around. It was around in 2010. My question to Mr. Matheny was, "Why do we have to go through the Citizen Bill of Rights?" It did not apply to him at that time. That was another lengthy step that he had to go through to present his preliminary plan. So, that is where we are at right now.

Croley:

Isn't your property zoned for commercial?

Harris:

Yes.

Croley:

Well, there is no variance and there is nothing there that would require that. That ordinance doesn't have anything to do with what you are trying to do. Where does that come in?

Matheny:

I will look at it again, but I think it does. I didn't bring all of that with me.

Croley:

Well, Ms. Minnis, I think there needs to be some clarification about that matter. I don't believe that was the intent.

Matheny:

I think it is a special exception, Commissioner, to get this assisted living facility in that location. I think it was a special exception application. That would be a Citizens Bill of Rights item.

Croley:

Well, I just want to conclude on this.

Mr. Ford, the main thing for me is the recognition on your part, which you seem to be clear on, the conception, preliminary and final are three different phases of your project. You've got the conceptual done and you've got your approval. It may have expired, but I doubt that there would be a lot of inconvenience to get that reasserted. It seems like to me that the next thing is to get this preliminary cleared up and I agree, keep moving forward. Don't stop. I don't think it was anybody's intent that we get into – I don't see anything anywhere about the Citizens Bill of Rights applies in this case. That is up for the attorney to explain.

Thank you.

Taylor:

Thank you. We have a copy of it. It should be attached to this because we entertain that.

Here is what I would say and then we are going to move this because we have spent 30 minutes on this. We need infrastructure out there. Period. Period. I could understand the time sensitivity of grants. You apply for it. There is so much involved in applying for those grants, we have to make sure that all the necessary content is there. So, I am going to see, and if I am out of

order, Madam Attorney, please let me know. But I am going to ask this board to support me in allowing or authorizing our administrator to apply for those dollars and let this thing move along simultaneously. Apply for the CDBG grant.

This letter from Capital City Bank here clearly states that once we get directions from this board over to them, they are willing to back him up with his finances.

We need infrastructure. We need to build out that way to stop urban sprawl. We need that, so why get in the way. Why stop it? Why not try to find avenues to make it work like Commissioner Croley has said as well as Commissioner Holt. So, apply for the grant. Put it out there and apply for it simultaneously. Be sure to get your preliminary, conceptual plans all in order. We just need to do it.

Minnis:

May I suggest that if that is going to be a motion that you are going to make that you move that the staff and manager look at the grant requirements to see who has to submit it. It may be that the applicant has to submit it and the manager and staff do not.

Williams:

It has to be submitted by the county.

Taylor:

That much I do understand. That is the only reason they are not there, otherwise they would already have written it and submitted it.

Williams:

Normally, the consultant writes it. That is what he is hired to do.

Minnis:

So, Mr. Ford would write it.

Taylor:

So, what I am saying again and this is Commissioner Holt's district and she has given her blessings. I am always of the mind to support the commissioner based on what they want to see going into their area. If I am not out of order, I would like to put in a motion that we have staff take a look at this and move this thing along simultaneously along with the other requirements that this department has asked you for. As well, apply for the grant so that we can get it funded within the 2011 cycle. This is important. This is important that we get it out there and at the same time get the money.

Like the man said, he has been doing business for 30 years in this county. That should count for something. We need to give him creditability if he can get this going. We cannot sit back and look at what has happened in the past and let it determine our future. We need infrastructure.

Commissioner Holt, I will leave it up to you however you want to put it or I will lead out with this motion.

Holt:

Thank you, Madam Chairman, I move that the Manager and staff get started on this item in order to apply for the grant simultaneously with the process in planning and zoning in getting this approve.

Taylor:

Second. There is a motion and a second. Now, we have had discussion, so please let's not discuss it. All in favor of this please let it be known by saying, "Aye."

All:

Aye.

Taylor:

That is 5 – 0. Thank you ladies and gentlemen. Please, I am imploring you all to work together. No more road blocks. No more of that.

Thank you very much. You all have a nice evening.

2. Presentation of Candidate Project Methodology for the Small County Outreach Program (SCOP) with the Florida Department of Transportation (FDOT)

Chris Forehand, Preble Rish Engineering gave a brief history of the SCOP program which was introduced by the Florida Legislature in 2000. Gadsden County has realized a lot of money from the program. FDOT has asked the county to submit two projects. The first project should be in the range of \$1 million to \$2 million. (Total Project cost) The second project should be in the range of \$.5 million to \$1. Million. It would be 100% grant money to the county because Gadsden County is an area of critical economic concern. There are criteria that FDOT uses to select the projects and they inform the applicants to use the same criteria when deciding which projects to submit.

Preble Rish selected three projects which they felt would be good candidates based on their knowledge of the program and their past experience.

- Resurfacing and widening of CR 269 from the Sycamore Highway to the Chattahoochee city limits \$2.2 million
- CR 65D (Telogia Creek Road) from SR 12 to Juniper Creek Road - \$.7 million
- Bridge lowest scored bridge by FDOT in the county located on CR 269 - \$1.3 million

He asked the board to study the proposed projects and the map showing the long range plan and all the improvements that needs to be made in the near future. He stated that if there are other projects which they would prefer to submit, they could give him other directions. He asked them to be prepared to make a selection of that project at the April 19, 2011 meeting in light of the

fact that the applications are due on May 2, 2011.

Chair Taylor called for comments from the board.

Holt:

These could have been found almost anywhere in the county. The majority of them. I'm not sure about the bridge, but we could have gotten the traffic counts almost everywhere as well as the agricultural travel. Why these roads?

Forehand:

We just picked some as examples to show you what we thought would score high based on their criteria.

Holt:

O.K. So, we have to decide.

Forehand:

Yes, absolutely. You may not decide on any of these roads. That is why I want you to take a look at it and other roads in the county. If you think there are roads that will be better candidates, we just need directions from you on which roads the commission would like for us to put in the application. There is a lot of supporting documentation that we have to put together and we have to prepare cost opinions and things of that nature to supply with the application.

Holt:

Madam Chair, I would like to say one thing. This was proposed to the Legislature by the Florida Association of Counties. So, this is one of the things that the Association did for the 38 small counties to make sure that they can get funding. One of your former commissioners is one that helped write it. This is a good program. A very good program. That is really what your dues dollars do. They are working.

Lamb:

What stipulations of the roads – what were you looking for in these roads. I see you have three.

Forehand:

Basically, it is pavement condition. All this criteria such as level of service. They would like to see evacuation routes. If you look at 269, it is an evacuation route. They look at the connectivity to the State Highway system – does it connect two state roads? Then also, the increase level of agricultural travel, which also includes the Silva culture – logging and so forth.

Taylor:

Any other comments?

Morgan:

Thank you.

Mr. Forehand, one of the reasons that we had your firm on retainer with the county is so that you

can advise us which road would actually fit the requirements best. Is that correct?

Forehand:

Yes, sir.

Morgan:

I heard your remarks before, but obviously, you did not look at just these three roads. You looked at several different areas and this is your suggestion at this point on what would best represent us.

Forehand:

These are the three that we thought would score the highest with DOT. And there are others that we can look at.

Lamb:

Out of all the roads that you all looked at, these are the three that you are saying that need to be at the top of the list.

Forehand:

We just thought that they would have a better opportunity to be funded.

Lamb:

But, there are other roads in the county that can match these roads, can't they?

Forehand:

Yes, sir, there are. We are happy to meet with you between now and the next meeting and go over that with you.

Lamb:

Let's level it up. What I am saying is "Don't do everything in one district. Spread it out."

Forehand:

We don't look at it that way. We look at it countywide. That is just where they ended up.

Lamb:

But, I am sure the commissioners are looking at it that way.

Forehand:

I understand. More than anything, we are giving you examples.

Taylor:

Commissioner Croley?

Croley:

Mr. Forehand, it is good to see you. Let me say this for the benefit of the commission and the public and then go from there.

SCRAP and SCOP has nothing to do with and they are outside the Capital Regional Transportation Plan, but Capital Regional Transportation Planning operation needs to have some sort of criteria or standard in place so that this all meshes together with the state and federal funding that can get you more money in a given county. Whatever roads are chosen by the commission, that is fine. That will be by vote. But you do need a plan. I think the fact that he brings something to us to start with, whether it is these three roads or whatever, it is very important that this commission adopt some sort of plan so that everyone knows what direction that you are going to go in, at least in terms of your criteria.

Mr. Forehand, I can certainly see why commissioner would have questions because I am sitting here looking at some of the roads in District 2 that is using a huge ply board mill north of Havana and employing all those people and you've got all those log trucks coming in very narrow and dilapidated roads with bad bridges. So, I probably would like myself, just as an individual commission, to see how those roads score out. When you say these three – two roads and a bridge – have the best chance, my question is – How do I know that? I don't see anything along that basis. But I do want to say that we need to have this type plan in place whether we chose these particular roads or not.

Thank you.

Taylor:

Thank you. I think that everyone has had an opportunity to speak. I did do a little research this afternoon and I learned something very interesting, Commissioner Holt. You were on target. For the last three or four years, most of these roads did come out of Commissioner Morgan's district. I am not saying that there were reasons behind it, but as Commissioner Lamb said, it needs to be looked at and maybe give an opportunity to spread that around a little bit. I am going to look for that. That is not a suggestion that is a direction that I am going to be taking.

For example, Gretna to Atwater Road is one that could be considered. Lewis Lane. We did get some indication on what you all thought it would cost and I thought it was just crazy. Hardaway. Cooks Landing. Woodward Road. Woodward Drive. These are all roads that could very well fit within these criteria that has not been looked at.

Now, I don't know as to what it is that is going on when you look at this thing so one-sided and not been given all five districts the same opportunities. Here you come back tonight still with a lopsided agenda.

Commissioner Croley mentioned that we need to set and make sure that we have criteria. You have taken out criteria and put it in this packet based on what the state is looking for. I think that is how you came up with these items.

Forehand:

Yes, Ma'am. Just showing you examples.

Taylor:

So, that is what I thought. We will just make sure that those items are there. But, I am, too, going to look for something different and we will get with the administrator and ask the commissioners to provide you with alternatives. Something that we know will get funded. We know there are some of those roads out there. But we certainly want to be able to look at this thing in a broader perspective.

Forehand:

Yes, ma'am. We will be happy to look at any road that you are interested in.

Taylor:

One last question. What percentage of this do you get?

Forehand:

I think it is 10%.

Taylor:

Automatically.

Williams:

Up to 10%.

Taylor:

Who determines the percentage?

Forehand:

DOT, normally sets that percentage.

Taylor:

DOT does? They set it for the engineers?

Forehand:

Yes, ma'am.

Taylor:

That is interesting.

Holt:

Question right quick.

Taylor:

Yes.

Holt:

I am glad that you brought that up about the cost. I would like to see that statute – what applies to the statute.

Also, what other criteria are there for SCRAP and SCOP that could be used other than these five?

If you don't mind, Madam Chair and board, I would really like to hear what Robert Presnell has to say to this. He has been doing roads out here so long, he can pretty much tell by just looking what problems they have out there. What is going on? I mean, he just has that experience and I think we need to look at that.

Taylor:

Well, let's - we won't give direction to staff, that is outside of our authority. Let's just – what we will do is that we will ask that roads from all five districts be brought back based on the criteria that are mentioned and however they come up with these roads, so be it. If they want to use his expertise, so be it. But, we won't give directions.

Holt:

O.K. What about the 10%?

Taylor:

And the 10%, we need to know two things. That is what I understand. Number 1 – where is the statute that indicates 10% needs to go to the engineer? And the other one – We need to get a list of other roads within the five districts that will fit within these criteria.

As Chris indicated, he needs this information before our next meeting so that we can get on with this grant. We certainly want to get the grant and we want to be able to make sure that all districts are given consideration.

Thank you for your presentation.

CLERK OF COURT AGENDA

3. Presentation of County Finance and County Clerk Issues

Clerk Thomas had no report.

CONSENT AGENDA

Items 10, 11, 12 were pulled for discussion.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE ITEMS 4 – 9 AND ITEM 13 TO WIT:

4. Approval of Minutes of February 22, 2011 Joint Meeting with GHI

5. Ratification of Approval to Pay County Bills

Accounts Payables Dated: March 18, 2011
 March 25, 2011
 April 1, 2011
Payroll Dated: March 24, 2011

- 6. Approval of Grant 11-DS-92-02-30-01 Homeland Security for Planning, Training, Functional Exercise and Post disaster Redevelopment – Total Amount \$49,798** it is a non-matching federally funded gran. CFDA 97 .067

- 7. Approval of Declare Fire Truck as Surplus and Donate it to the City of Gretna; Approval Property Record Disposal Record and Remove Vehicle from County’s Insurance Carrier and Inventory**

Co. Property Tag Number A-490; SN C17DE9V155860

- 8. Approval and Acceptance of 2010/2011 Grant County Award Contract No. C0020 from the Florida Department of Health, Bureau of Emergency Medical Services** Grant ends April 13, 2012 (Pre-hospital EMS System

Resolution 2011-013; Budget Amendment OMB BA 110042

- 9. Approval and Execution of Florida Broadband Capacity Implementation Grant Agreement**

LSTA - \$40,882 – 10-LSTA-D-02-C CFDA 45.310

- ~~10. Approval of Task Order Number 228.14 Authorizing Preble Rish Engineering to Perform Services for the Talquin Avenue Surfacing Project~~** This item was pulled for discussion.

- ~~11. Approval of Task Order No. 228.115 Authorizing Preble Rish Engineering to Perform Engineering Services for the Joe Knight Road Surfacing Project~~** This item was pulled for discussion.

- ~~12. Approval of Task Order Number 228.116 Authorizing Preble Rish Engineering to Perform Services for the Fortune Boulevard Re Surfacing Project~~** This item was pulled for discussion.

- 13. Approval of Albritton Electrical Services, Inc. as the Contractor to Install the Generator at W.A. Woodham Building \$43,750.00**

CONSENT AGENDA ITEMS PULLED FOR DISCUSSION

Commissioner Croley declared a conflict on items 10-12 and abstained from voting on them. He stated, “To avoid any reasonable appearance of a possible conflict of interest as principle of an agency firm, one of whom state license agents has a commercial insurance relationship with Preble Rish Engineers.

Therefore, I abstain from voting on Items 10, 11 & 12.” Conflict form was filed with the clerk.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE ITEMS 10-12 LISTED BELOW.

- 10. Approval of Task Order Number 228.14 Authorizing Preble Rish Engineering to Perform Services for the Talquin Avenue Surfacing Project**
- 11. Approval of Task Order No. 228.115 Authorizing Preble Rish Engineering to Perform Engineering Services for the Joe Knight Road Surfacing Project**
- 12. Approval of Task Order Number 228.116 Authorizing Preble Rish Engineering to Perform Services for the Fortune Boulevard Re-Surfacing Project**

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDAED ITEMS

Ed Allen asked to speak regarding the administrator’s evaluation. The chair declined to allow him to speak at this juncture, but assured him his remarks would be heard when the agenda item came up. (Item # 19)

PUBLIC HEARINGS

- 14. Approval of Resolution Number 2011-012 and Budget Amendment OMB-BA # 110032 to the FY 2010/2011 Budget to Recognize Increase in the Fiscally Constrained Amendment 1 Distribution and Funding for Two Sheriff’s Deputies and Apply the Balance toward Summer Jobs**

Amount received from fiscally constrained counties - \$132,951

2 Deputies for remainder of 2011 –	73,897.00
Summer Youth Jobs -	59,054.00

Chair Taylor announced a public hearing and called for public comments. There was no response.

Croley:

I have a question. These are two separate unrelated documents. That is one reason that I voted against your approval of the agenda. The Sheriff’s deputies fall into one sector of Public Safety. The summer youth employment program falls in an entirely different sector relating more to social services. They are combined here and I think that is inappropriate.

Now, as far as the sheriff’s deputies, I see Captain Barkley is here and he explained to us last time that there is a program in place for the hiring and putting these deputies into service. My concern and one of the concerns that I expressed to Sheriff Young is the fact that this appears to be a one-time lump sum of money being provided. What happens if this money is not continued or if the county cannot afford to continue funding those positions? That means that those at the sheriff’s office will have to make a decision about where to get the money from internally or either they will have to cut these deputies out. That is a question. Captain Barkley

is here and he has spoken to us before and if it is appropriate, I would like for him to respond to that question.

Taylor:

Mr. Barkley, only if you are prepared, you may come up. If you are not prepared, then we will have to get that question answered another way. But if you are prepared, you are more than welcomed to come up and speak.

Williams:

He is always prepared.

Barkley:

Good afternoon, Madam Chairman, Commissioners.

Your question?

Croley:

My question, Captain, is the plan that you explained to us last time. Do you contemplate that this is a onetime funding effort and if we are not able to continue the effort beyond the end of this budget cycle, which is September 30th, 2011, how will you handle this. Do you have a plan in place to continue the employment of the deputies? Do they go away or what?

Barkley:

Commissioner, we understand that at this point that we seriously need two deputies. We hope in some way in the near future, we will be able to continue funding those two deputies either from the resources of the sheriff or the resources that we get from the county commission.

(laughter)

Croley:

Alright. I just wanted to get that clarified. I am not prepared to make any commitment about that because I don't know what the actual revenue projections are going to look like for the next budget year. But, on that basis, I will support the two deputies.

Now, I want to go to the second item coming up with the summer youth employment program. In the past, it has been my observation that the summer youth program served well in the Quincy area, but does not necessarily extend over into the other communities across the county. Many of these youth have no transportation to get to the work site. The question becomes – this thing has no plan unlike Captain Barkley's presentation last time about the deputies to the commission. Without seeing how such a program is going to work, I am not prepared to support it at this time. I would want these items split for rightful reasons.

Taylor:

I am going to say this and then I will take comments from the other commissioners.

Commissioner, one of the commissioners at one of our meetings came up with a great idea.

What she did was take the \$35,000 that we had set aside for emergency housing and divide it five ways. The same concept can be done here with these young people. We will take the number of students that we can get out of this and divide it five ways. Those students don't necessarily have to work in the city of Quincy. They can work in Chattahoochee. They can work in Havana. They can work in Midway. They can work wherever there is a site that will take them and give them some useful experiences. So, to say that there is not a plan in place – well, there has always been a summer youth program, it just has not been funded recently. Although, one caveat – I am not willing to go through Workforce Plus with this. I saw a great deal of the money swallowed up in administration. I did speak with HR and they are more than willing to help to implement it. So, let me be quiet and move through the board.

Croley:

Well, allow me to follow up on that point then.

Taylor:

Yes, sir.

Croley:

If we could see some sort of partnership with the municipalities in the county toward that end along the lines of what you are talking about, that may change my initial position on it. That becomes more of a plan. If, for instance, Chattahoochee will participate, Havana will participate, the City of Quincy, and then you have somebody that can take the youths and work a partnership with them. Right now, I am not seeing any evidence of that.

Taylor:

I am not willing to do that. We need to take responsibility. Lead by example is what I want to set here.

Commissioner Morgan?

Morgan:

Thank you, Madam Chair.

I agree with you that we need to take some responsibility. Absolutely. These are two separate items and both of them are very important. The youth is our future and we need to support them whenever we can. Anytime that we are talking about providing opportunity to provide public safety, we certainly need to act when we can.

There are a couple of things that I want to clarify about the dollars that are being proposed for these two projects. The fiscally constrained money that we received, the Amendment 1 dollars that we received. I verified since our last meeting that those dollars can, in fact, remain in fund balance and we can use those in the upcoming fiscal year where we now have projections of \$1. Million to \$1.5 million shortfall of revenue. To me that is a concern. I think an unspent dollar today prevents an unemployed person in the next fiscal year potentially. If we don't save our money, there are going to be future lay-offs and furloughs and things of that nature. That is a reality. That is what is going to happen.

That being said, I don't see any problem at all with recognizing the issues that we are seeing at the Sheriff's office. I think it is an absolute need. It is not a want. We should use that amount of those dollars. I think it was \$73,000, if I am not mistaken, but I am not sure. I would be in agreement to fund those two positions for the Sheriff for this year. I don't know, as Commissioner Croley said, in the next fiscal year where those dollars are going to come from. But, certainly, there may be something to give up to provide that additional funding for next year. Particularly if we have continuing issues that we need to be addressed in law enforcement.

However, I don't see the funding of a summer jobs for our youth as being an absolute necessity while we are going through the economic concerns that we now have to face and that will be here in the next fiscal year. So, I can't support that. I would love to see this under two different and it should be because there are two different things here. It should be under two different issues. Just keep in mind, any unspent dollar now is going to prevent an unemployed person next fiscal year. That is the reality of the situation. So, I think that we need to think very wisely about this issue and other issues.

Taylor:
I agree.

Commissioner Lamb?

Lamb:
Thank you, Madam Chairman.

I am the one who proposed the deputies, for us to sponsor two more deputies at this time. Now, my thought on that is the Sheriff would make adjustments in his budget next year to continue the deputies. That shouldn't be a problem with the Sheriff. He should be able to place these two new deputies into his budget next year. We shouldn't be worried about if we are going to fund them this year or not. We will give the Sheriff his budget. He will use that budget to do the job that he is doing down there now. So, I don't think that is going to be a problem whatsoever. So, he is going to make adjustments.

On the youth situation. I think it is a good move that each municipality will get so many and every district will be accounted for. That shouldn't be a problem. That is all.

Taylor:
Thank you.

Commissioner Holt?

Holt:
Thank you.

The items of moving the money for them. Whether separate or together, do we need them? And that is my only concern. Do we need them?

We need the law enforcement. That is not an item that I brought to the table. I fully agree with it, we need them. We need to adjust some things in our next budget to make sure that we reduce crime if we can do it. If we adjust and the Sheriff adjusts (he's going to have to adjust anyway) for that. But we need the deputies. I think there are only three at night. That is for the whole county. The whole county and there are not enough deputies to run from Sycamore over to Coonbottom to cover crimes. So, we have to have the deputies.

We also need those jobs. The reason that you need the jobs is you see by looking at the news about Gadsden County, most of the people committing crimes are youth. So, if we can get them off the street that will be less that we may have to deal with if they have money in their pockets. Like I tell them in the school system, the drug dealers pay better than we do. They just do. So, maybe if we can get them to make a few dollars, honest dollars, then maybe we could solve some of those problems. We need the youth program. We need to sit down and hammer it out as it has to be done. I don't have a problem even if we adjust from that point. I don't have a problem with the cities helping out. When we do it, if we could get some other funding for that to just get them off the street and get them to working and have them dress nice and those kinds of things. I think we should do it. If they are not willing to follow those stipulations, as in the past, they weren't getting there to work at the job sites. We had them working at schools. As a matter of fact, we had them working at quite a few of the high schools and middle schools before. So, we have done that before. They are both needed.

Now, we are going to have to hammer out some things in a few months on how we are going to fund anything, not just that. So, this may be a cost savings, but after sitting at the Legislature on Wednesday and going around and looking at that stuff, I don't have any problems with the way that we run meetings from now on. They were in there yelling and cutting the fool with the senators and representatives. I looked at them as said, "Boy, we are doing good. We just have fights every now and then. They fought the whole time."

But, thank you very much, Madam Chairman. I am in favor of these two items and we need to move on.

Taylor:

O.K. Now, two concerns have come up and then we are going to move this.

My understanding, Mr. Administrator, because you and I did go over the agenda, the reason that they both are there is because they are coming from one funding source, which is the fiscally constrained dollars. That is the reason that they are both there – to entertain that funding source. Obviously, once we approve this, then the budget director will then, of course, adjust the budget. One fits social services and the other one fits public safety. I am sure this will be ironed out there. So, Commissioner Croley brought up a recognizable fact that it needs to be budgeted correctly, but it is here as it is now because of the fact that it is coming out of that one pot of money.

Morgan:

Madam Chair?

Taylor:

Excuse me, but we have already had an opportunity to discuss this.

Morgan:

Yeah, but you are asking us to vote on two different issues. One we may support and the other one we may not. That is my issue.

Taylor:

Very good point. Very good point. We will separate them. Yes.

Williams:

I don't want to take away your time, but I think the way to do that is to make a motion to divide the question.

Taylor:

That is not a problem.

Croley:

That is what I was going to do.

Taylor:

O.K. Well, let's go ahead and vote. Listen, this is one chairperson who will not argue with you or be a stick in the mud. When you come up with a good idea, I am going to work with you. You guys know that by now. I am not going to fight you on things that are good.

Morgan:

In that case, I move that we save all the money.

(huge laughter)

Croley:

I move to divide the question.

Holt:

I will second it.

Taylor:

There is a motion to divide the question and there is a second to that motion. All in favor please let it be known by saying, "Aye."

All:

Aye.

Taylor:

Opposed, by the same sign.

(No response)

Taylor:
Make that 5 – 0.

Item Number 1 – the two sheriff's deputies.

Croley:
I move approval.

Holt:
Second.

Taylor:
Two or three seconds. There is a motion and a second to approve this item for the two deputies to be funded at \$73,897. There is a motion and a second. All in favor of this motion please let it be known by saying, "Aye."

All:
Aye.

Taylor:
Opposed by the same sign.

(No response)

Motion carries 5 – 0.

Morgan:
Madam Chair, I move that we take the balance of that money and put it into fund balance.

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

Croley:
I will second it.

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

Morgan: Aye.
Croley: Aye.

Taylor:
All opposed by the same sign.

Lamb: No.
Holt: No.
Taylor: No.

Taylor:
The motion fails 2 – 3.

Another motion?

Croley:
I move that the youth employment monies be provided in conjunction with the municipalities and the School Board if at all possible. Otherwise, it should be brought back for further discussion by the commission.

Taylor:
I will not second that motion?

Croley:
How do you want me to amend that?

Taylor:
Just move to approve the summer jobs. That is all.

Croley:
Well, what about in conjunction with the municipalities?

Taylor:
I don't want to be in conjunction with anybody. We are going to lead by example.

Croley:
I will second the motion.

Taylor:
Just for summer jobs and only that. This government provides. Let's lead by example and give them the funds for the children themselves – not try to pull money from them.

Croley:
Madam Chair, I am willing to try to go forward. I wasn't trying to stop it. I heard earlier a consensus, or at least I thought I did, that the commission would go along with this in the majority if it were, as you said, "spread throughout the county." How do I go about satisfying that consensus if we can't have that in the motion?

Taylor:

When I said “spread around the county,” I was talking about placing the children throughout this county.

Croley:

Well, that is what I am referring to.

Taylor:

Oh, I thought you were talking about asking them for money.

Croley:

Well, that would be nice if we could.

Morgan:

I did, too.

Taylor:

You did, too.

O.K.

Croley:

My motion is that we move forward with summer youth employment, but it be spread around the county in conjunction with the municipalities and the School Board.

Taylor:

That – I can agree with it wholeheartedly.

Holt:

Madam Chairman, may I?

Taylor:

He is talking about placing them there to work, not get any money from anybody, just work. Is that clear, Muriel? As mud?

Holt:

O.K. That needs to be in that motion.

Croley:

I will even add that in, “to work.”

Lamb:

Second.

Taylor:

We are not asking for any money.

There is a motion and a second to approve this item, the summer youth employment program to the tune of \$75,000 to put these children to work. There is a motion and a second.

Straughn:

Is it \$75,000?

Croley:

I did not say \$75,000. I said “the balance.” We don’t have \$75,000. I see a balance of \$59,054.

Taylor:

But you also have an amendment to

Croley:

But, we didn’t discuss the amendment; we just discussed the \$59,054. If you want to add additional money, that will be separate.

Taylor:

It is in the same write up. It is in the same.

Croley:

It is in the write up, but we split the question. Item No. 1 says \$59,054.

Taylor:

But, when you split the question, you also brought along the amendment. You split the question.

(cell phone rang – laughter)

Whose is that?

Holt:

I thought it was off. I am sorry.

Taylor:

Security? Security?

(huge laughter)

Alright. This is what we are going to do.

Holt:

I have a question right here. I don’t want to give the audience the impression that we are talking about only in the city for the children. We need to make sure they understand. I saw some heads go – We need to let them know that we are talking about the children from out in the county and that we are going to work with them to get employment within the cities and the school system.

Taylor:
Yes.

Holt:
Well, you see, they were not getting that.

Taylor:
You all understood that, didn't you?

Holt:
I don't know, just look at them.

Taylor:
Well, what we are trying to do is to take at least 75 young people, maybe not that many, since they are trying to cut back on the dollars. We are trying to take at least 75 young people and place them in a gainful employment during the summer throughout this county. Commissioner Croley indicated that it is a matter that will come to the city of Quincy, but then we came back and said anywhere we can find employment for these children, we are in support of it.

So, thank you Commissioner Holt for clarifying that.

So, there is a motion and a second to approve the \$59,054. There is a motion and a second to approve this. All in favor of this motion please let it be known by saying "Aye."

**Lamb: Aye.
Holt: Aye.
Croley: Aye.
Taylor: Aye.**

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

**Morgan:
No.**

**Taylor:
Make that 4 – 1.**

Then we may come back with some additional dollars to make up the full \$75,000.

GENERAL BUSINESS

15. Approval and Execution of Resolution Number 2011-014 and OMB- BA# 110045

Recognizing contributions from Friends of the Library - \$10,000.00

Local Contribution and donations

600.00

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

16. Discussion of Ordinance 2010-005, Citizens Growth Management & Planning Bill of Rights (CBR)

Chair Taylor called for public comments.

Diane Sheffield:

Hi, My name is Diane Sheffield. I am chair of the Planning and Zoning Commission. I just want to remind you that when we had all our discussions on the Citizens Bills of Rights, we had a unanimous decision by our Planning and Zoning Board on that. To me that was the brain child of John Yerkes because for years, he always asked developers if they had taken the time to discuss their development with the surrounding citizens.

I am also here as a citizen to speak for the citizens. This is the Citizens Bill of Rights. It is the opportunity of the citizens in the vicinity of a development to be notified that a development is being considered. I think it is vitally important for the citizens to have that notification. I read what Mr. Matheny had written up on the cost on implementing it. I think they are a little inflated. My understanding of the Bill of Rights is that notification is to go to just the people who are in the vicinity of the development. That doesn't mean that all three newspapers have to have a notice in it. It should be just the newspaper that is in that area. As we discussed it at our meetings, because we talked about what type of notification would be required, and it did not include the quarter page ads that you see with the quasi-judicial hearings on a development. Just a simple three liner in the legal pages should be sufficient in only one newspaper. Notices should not have to be certified or registered. It could be simple little postcards sent only to the people who are within a half mile. So, I think the expense that was laid out, I think, is a little inflated.

Most importantly, the Citizens Bill of Rights is for the citizens. They deserve to know where there is going to be a development in their area that is going to affect their way of life, their property values – they have a right to know that. So, I think the Citizens Bill of Rights, as it written is very important and I hope you won't be changing it.

Thank you.

Pastor John Battles

I am Pastor John Battles, 43 Lucille Berry Lane.

Commissioners, why didn't the board approve putting this Citizens Bill of Rights on the ballot like they did the ½ cent Health Services surtax. Why wouldn't you do that? You trusted the people with the ½ cent tax. But, this board made this decision for everybody in this county. Why?

It would not have passed. I know it. You know it. When you stuck that ordinance up there, there ain't no development going to come here. Ain't nothing coming here. I know that as well as this board does. Nobody. Why would a business come here with all that – with the Citizens Bill of

Rights there – when there is Leon County, Jackson County, Decatur County and Liberty County? They are going to choose them. And, they probably ask the question, “Why commissioner put such a law into effect anyway?” Why? Why couldn’t we vote on that? Is there something wrong with that?

And another question. How would the Citizens Bill of Rights have helped to bring the Family Dollar Distribution Center here instead that went to Marianna? Can ya’ll answer that? Can you please answer that? If there is some good, please explain it to me.

Sam Palmer

Sam Palmer, 1225 Berry St., Quincy.

I am an opponent also of the Citizens Bill of Rights. This past weekend, I went to Charlotte, N.C. As I went past all these businesses, I thought about Gadsden County. To me, it seems like a dead county. Really.

The Citizens Bill of Rights is a bad bill. It was a bad bill when whoever brought it forward. When in the election in November, the State of Florida turned it down. Unanimously turned it down. So, why in the world would Gadsden County, the only county out of 67 counties, want to pass a Citizens Bill of Rights? I think it is detrimental to the people here in Gadsden County. There is no doubt about it, it is a bad bill. Whoever voted for it and for whatever reason you voted for it was a bad reason also

I encourage you commissioners to look at it again and do the right thing. If you feel that it is a good bill, then put it on the ballot next year. I urge you to consider repealing that Citizens Bill of Rights.

Ed Allen

Madam Chairman and Commissioners, my name is Ed Allen. I live down on Lake Talquin. I am going to put on my other hat now; I also sit on the Planning and Zoning Commission. We went through that Citizens Bill of Rights word by word. We discussed everything on that. Everybody in this county has a right to know what is going on within a half mile or a mile of their home. The Citizens Bill of Rights was not in effect and we’ve got a sand pit down at Lake Talquin sitting on one of the creeks because we didn’t have a Citizens Bill of Rights. Everybody has the right to know what is going on in your community.

Thank you.

Taylor:

That is all we have on this particular item. Now, we will go around the board for discussion. This time we will start with Commissioner Holt.

Holt:

O.K. Thank you, Madam Chairman.

Pastor Battles comment about it being put on the ballot - Members of the Board and Members of the Audience – it should have been. It should have been. As I have said before, this was a

reaction to the proposed biomass plant. It shouldn't have been a reaction. What you do for businesses, you've got to do for homes. This should not be a blanket ordinance. It should be what applies to commercial, industry. What you do for individuals is separate. That is what they do everywhere else in civilized America. They do not cooperate – the two.

In fact, DCA said to have a step-down process. Heavy Industrial, Industrial, Commercial, Light Commercial, Neighborhood Commercial. When you go into more dense areas, you don't want any homes – you step down until you come down to where you want residential. Then you plan within there what you want. This right here is a blanket ordinance that should never have been approved. You cannot hold citizens accountable for what a developer does. These citizens had nothing to do with those dollars. That is why it should be separate. If I wanted to put a house in St. John – now, just think about it. Parts of St. John up there – and parts of everyone's district in here are non-conforming. Why are they non-conforming? Because when people moved off the tobacco farm, they moved with grandma and granddaddy and everybody else. There was no comprehensive plan written. So, when the comprehensive plan was written in 1992, it contradicted what your map was. Now, the only way that they will comply is that all those people would have to move or you are going to have to change the zoning. That is why we grandfathered them in – that part over where Gretna is – we grandfathered in different parts because on the map it showed that there were no homes there. You go out into those community and you will find 20, 30 homes out there because they have been putting their homes around mama and daddy all the time.

Your comprehensive plan contradicts what was happening when those people were moving. So, in 1992, they advertised. I don't know why people are saying that they didn't. They advertised. People didn't know what they were saying in the newspaper, but they advertised. We had no idea. A lot of people didn't know. When they advertised, they advertised per State Statute and no one understood it. Now, you have all these homes out there and you have constricted development among those families. Now, the grandson can't put a house out there or replace a mobile home when there is already a mobile home there. They can't upgrade. This bill stops them from upgrading because they will never be in the right zoning. Grandmama, granddaddy – all of them have 10 houses. That family already has 10 houses there on 20 acres. They are never going to conform because that is AG2. We've got 10 houses and AG2 and AG2 says you can have only one house. So, when they try to replace one of those homes, they can't do it because they are in the wrong zone.

The county is holding the citizens responsible for what developers do and that is wrong. That is why this ordinance is wrong. It is not wrong because you want to know what is going on next door. There are people out in St. Hebron that don't conform. They are never going to conform. How do they get a better house? How do they say, I want to get rid of my mobile home and I want to build? They want to upgrade the neighborhood, but they are not allowed to because the Citizens Bill of Rights says that you can't do it because you need to change your zoning. Now that is just one issue.

That is why this is wrong and it needs to be brought back. It needs to target what the county commission and the citizens really want to target. If you want to target those industries and those developers, then target them.

The other thing is this. With the economy down-turning, it is going to get really nasty. Like I said, I was at the Legislature last week. There are going to be major lay-offs. What are they going to do? As I said before, if Mr. Williams can cut hair and he has been working for the state for 25 years, if he gets laid off, he can cut hair. He goes to his home and says, "I want to open up a barber shop, close in my garage." Neighbors agree. Everybody agrees. But, he can't afford to go through this process of getting that zoning changed. He just doesn't have the money. He got laid off. It has always been the process for the staff to notify those people. That is why we have always sent them out because you are in a poor county. Mr. Williams may only have his severance pay. He has to pay his light bill, his house payment, his car payment and he doesn't have the kind of money to go out and put something in the newspaper and run and get this person's address. I asked in the beginning before I left here in April – How are the citizens going to know all the addresses and how are they going to do it. Remember your population. Some of them- if they knew all of that, they would not have voted for us. O.K. You have to realize that your citizens are separate from your businesses.

What are we going to do with those citizens when they get laid off? They are going to be in our county. These are things that we need to look at. If you didn't want the sand pit down there, they were notified. C.W. Roberts came in here for years. He came here in 2002. He has been coming in here for years because he has had projects. But, what I am saying is this – what we should have done is what everybody else did. Look at what we want to develop out at I-10, 27 and 90 and the railroad. That is what those other counties are looking at. Those major roads. That is what we should be doing.

Commissioners, this ordinance is wrong for your population. If you don't like a company, go after that company. But, to tell someone that they can't replace that raggedy mobile home where the floor is falling out and the windows are leaking and they are stuck right there. I know people that are like that. I get calls, too. They say, "Ms. Holt, why can't I replace it? It is already here." You are holding your citizens captive by this ordinance. This ordinance is wrong. It is just wrong.

Taylor:
Thank you.

Commissioner Lamb?

Lamb:
Thank you, Madam Chairman. This is an ordinance that I think we might have been too hasty in approving. I think we need to go back and look at it. I think we need to get input from citizens. I have no problem putting it on the ballot. I think it would be good to put it on the ballot. I've got no problems with that.

We don't want to run off all the developers because we need economic development here in Gadsden County. We don't want anyone to skip us and go to another county. We don't want to put them through a lot of hoops. This is what this ordinance is going to do. So, we need to look at it a little bit closer and I think we need to let the citizens approve it.

Taylor:
Commissioner Morgan?

Morgan:
I have no comments.

Taylor:
Commissioner Croley?

Croley:
Having to sit here and listen to some of the points that were just made regarding this, I think there is a gross misunderstanding in having listened to what the Planning and Zoning Commissioner Sheffield and Mr. Allen.

Here are the facts. There is nothing in my reading of the Citizens Growth Management and Planning Bill of Rights and this is the reason that I supported it – people have a right to know what is going on around them. That is protection of their property rights.

Now, I have said repeatedly, that map up there is incorrect. I am not aware of anything in this ordinance, and if there is, I would surely like for this thing to be corrected if somebody will show me where it says it, that if somebody has a mobile home and they want to replace that mobile home with a single family dwelling or a site built home, I am not aware of anything in here that would prohibit them from doing that nor anything in here that would require them to go through any of this process of notifying their neighbors. If there are areas in the county that have been incorrectly zoned on that map, I am certainly supportive for looking at that and correcting the map. I think there were a lot of instances where people have had zoning done in their areas that they didn't understand or know about. As long as those same ownerships are there, there is no problem in considering that.

As far as the cost and it having a negative impact on development, that can't be so either. If you are already zoned commercial or if you are already zoned Agriculture 1:10 or if you are already zoned rural residential or industrial – this doesn't apply to you. You can go ahead and get a permit to build whatever you are supposed to in compliance with the zoning.

I think we have had a problem with our Growth Management Office and I don't mean to criticize anybody there, but I think there has been a misunderstanding in the actual application of when the ordinance is to be exercised and when it doesn't. I believe what that was referring to is that when someone is coming in and is going to change a large tract of land, they need to let the surrounding property owners know what their plans are. I don't think there is anything against an individual being able to consider adding a home in rural residential if they have the acreage to do it.

This business of advertising in three newspapers – the ordinance doesn't say anything about three newspapers. It just says a newspaper. If you live over in Concord and you are going to put an application in to rezone your property, you shouldn't have to advertise it in all three county papers. That doesn't make sense. Furthermore, there is no requirement in here – it only says

that you will mail a notice to your adjoining land owners. Those lists are on the public record. They come easily from the property appraiser's office. That is just a post card. It doesn't require a certified letter.

I don't know where all these extra expenses that are being referenced because as Ms. Sheffield pointed out – there is nothing in here that requires all of these elaborate expenditures that I am hearing cited and referenced. I just don't see that.

Ms. Minnis, you wrote this ordinance. The Planning and Zoning approved it unanimously according to what I heard earlier. Is not the intent of this for future land use changes or if the community wanted a "Country Boys" as they did down there, as long as they knew about it, there would not be a problem.

When commissioners on a 3 – 2 vote chose to move a railroad crossing from Havana to another part of the county for a particular benefit for one interest and was trying to take that resource from the whole community – that was wrong and it should have required a supermajority vote. You brought that up before.

I want to come back and ask you, what is your understanding of all of this?

Minnis:

I can only report what my instructions were as far as putting together this ordinance. My instructions were to put together an ordinance because there was a concern about the Amendment 4 that they were going to put on the Florida Constitution to allow much more restrictive development and land use changes and comprehensive plan changes. There was a concern by a number of counties that the amendment would severely restrict their ability to control what went on on their property.

My instructions were to develop an ordinance that tracked the 1000 Friends of Florida Issues to try and give citizens flexibility that they needed. Whether there were issues that had gone on before or specific incidents that occurred, that was not something that was a part of my knowledge base or part of my instructions.

Basically, the way the ordinance was created was that it reviewed Chapter 163, which deals with Comprehensive Planning. To make sure that whatever was in here, the Statute did not prohibit us from doing. It was taken to Planning and Zoning on more than one occasion because they had questions and suggestions. Those were well publicized and advertised meetings. We did have some citizen input from individuals who came up. My understanding is that the way it is written that it applies to small scale and large scale land comprehensive plan amendments and major land development reviews. That was what was put in here. Those were my instructions.

As far as other specific incidents that went on – that was not part of my knowledge base at the time. I was simply tasked with trying to put together an ordinance that would give the county and citizens flexibility in the event that the Amendment 4 issue passed.

Taylor:

In my opinion, this was brought back by Commissioner Lamb. I agreed because of his comments with regard to us looking through it and trying to put something in place that would help to protect the citizens. If it is coming, I want you to know it three or four times. That is the reason that I supported it. I think that people their lifetime to secure their homes and that is their sanctuary. Nobody or nothing should come in and intrude on that. That was my intent when I supported it.

But, what the commissioner said was there are some fine prints here that we probably need to take a closer look at. So, with that being said, obviously the time to do it – tonight is not really the best time because we need to take time to do it. As Commissioner Lamb said, we need to take time to look at it.

I don't want Mr. Williams that lost his job, to not be able to open up a barber shop in his home if his neighbors are in agreement with it. Based on your interpretation (speaking to Ms. Minnis and Commissioner Croley), it really would not affect him. But the citizens need to understand.

Minnis:

My understanding is that small scale, large scale and comprehensive plan amendments and major land development reviews are the items that are mentioned where you have to go through this process.

Taylor:

That is what we need to get clarity on. So, this is what I am going to ask that we do. At our very next meeting, if we can plan to be here an hour or so early and call a special meeting so that we can vote on this once and for all.

Lamb:

Madam Chairman, I would ask that we do the first meeting next month.

Taylor:

I have no problem with it whenever. First meeting in May. We will have it then. Schedule a meeting at 4:30 so that we can hear clarity from both our Planning and Zoning Director, our attorney so that we can get total clarity and get all questions answered. Then we can move forward. We will call it a special meeting so that we can vote on it once and for all. That is going to be my motion.

Holt:

I second the motion, Madam Chairman.

Taylor:

Thank you. That is my motion to bring it back at the first meeting in May with the assistance of our planning and zoning director along with the attorney to give explicit clarity on this particular item. We have a motion and a second.

Holt:

I have one question. The problem that has been with this ordinance and others is that when

citizens see it, they don't understand it because of the way it is advertised. So, if you put in the advertisement that this concerns putting a home on your property – advertise it the way that the general population will understand. If you just say the Citizens Bill of Rights, they won't know what you are talking about.

Taylor:

That is totally understandable. We need to put it in layman's terms so that everybody can understand what we are doing so folks that come in will know. Those of you who have come up to express your concerns, be it pro or con, will have an opportunity to have input. Let citizens know that we are going to vote.

Did I carry that?

Holt:

No.

Taylor:

We have a motion and a second. All in favor, let

Croley:

We didn't have any discussion on that motion.

Taylor:

I am sorry. We will have discussion.

Croley:

I don't follow that motion. There is nothing in here about houses. It doesn't have anything to do with whether or not you can put a house on your property if your property is zoned rural residential, agriculture or whatever. There is nothing in here about referencing a house. It is just what the attorney has said. So, when you say in a legal ad, "This is about putting a house on your property", that is not true. I cannot support a motion that is not based on the truth.

Taylor:

No, no, no, sir. I apologize. Let me make it clear to you. This motion is to bring the attorney and Mr. Matheny back at a special meeting to give clarity to some misconception of this ordinance. It is only for clarity.

Croley:

I was only going by what Commissioner Holt was saying about the advertisement. I don't think that – what is sounds like the issue here is to me – and if this is for the purpose of your motion, I don't have a problem supporting it. If the purpose of the motion is to allow Mr. Matheny and the attorney to get together and come up with the guidelines about how this ordinance is applied and used, I don't mind having a discussion about that. I think it would be very important to the citizens to hear that. But, I do have a problem with it if you are going to advertise it saying that, "This is about putting a house on your property or something like that," that is not what this ordinance is about.

Holt:
Well, this

Taylor:
Just, just hold on, Commissioner. We are going to move this. He has stated his concerns. The best way to resolve it all is like Commissioner Morgan or someone said, let's just discuss it. Now, I understand when you are saying that when we advertise it, not to be so specific. But, when we advertise it, we need to bring in people so we can hear their concerns. So, we will let you see what it is that we are going to say to bring people in on that first meeting in May. So, let's just move it. Let's don't bog ourselves down.

Obviously, we need clarity. It is going to happen on this particular meeting one month from this month. First Tuesday in May.

All in favor of this motion,

Morgan:
Will you restate your motion, please?

Taylor:
Yes, sir. Not a problem, sir. The motion is to have a special meeting the first meeting in May, the first Tuesday in May at 4:30 to bring the attorney and Mr. Matheny before us along with citizen input to discuss the Citizen's Growth Management and Planning Bill of Rights so that there is clarity. That is my motion. We take an hour and a half before that regular meeting to come together and discuss this so that there is clarity and no misconceptions. Then we are going to vote to move it forward or vote to vote it down. That is my motion.

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

Holt: Aye.
Lamb: Aye.
Taylor: Aye.
Croley: Aye.
Morgan: Aye.

Taylor:
All opposed the same sign.

(No response.)

Make that 5 - 0

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 3 – 2 TO APPROVE THE BUDGET AMENDMENT TO MOVE \$10,000 INTO VIDEO SERVICES FOR THE REMAINDER OF THE CURRENT FISCAL YEAR. COMMISSIONERS MORGAN AND CROLEY OPPOSED.

17. Approval to Award Bid Number 11-01 for Video Recording Services of the County Commission Meetings

Commissioner Croley abstained from voting in so much as he is named in a law suit filed by Mr. Southerland.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 3 – 1 TO AWARD THE BID TO SOUTHERLAND ENTERPRISES TO BEGIN AT THE NEXT MEETING. COMMISSIONER MORGAN CAST THE LONE DISSENTING VOTE. COMMISSIONER CROLEY ABSTAINED.

******It is noted here that subsequent to this action by the board, a bid protest was filed and the award was put on hold until the protest is resolved. ******

18. Approval to Request Lease Agreement with Florida Division of Forestry for Expansion of Pat Thomas Park at Lake Talquin Estimated Cost - \$300.00 per year

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE LEASE AGREEMENT WITH THE FLORIDA DIVISION OF FORESTRY FOR EXPANSION OF PAT THOMAS PARK AT LAKE TALQUIN.

19. Presentation of the County Administrator's Evaluation

Chair Taylor:

Alright. Item number 19.

Williams:

Madam chairperson, Item number 19 is the discussion of the county administrator's evaluation. As you all know, I am a contracted employee. I contract off of an annual evaluation. It says that it should be during the budget cycle and I am not sure why it says that, I think it says that in the cases when you want to give the guy a raise, but I don't expect that since nobody is going to get a raise. Last year, it was done in June, but it can be done more often than once, but it is required once a year. You have the forms. Arthur sent out the forms which he also compiled. He may want to come to the podium in case you want to ask him any questions.

Taylor:

Mr. Lawson, very briefly, a summation of the evaluation, very briefly and then we will move forward.

Lawson:

Madam Chair, Members of the Board, we sent out an annual evaluation for usage last year to evaluate the county administrator's annual performance. Each of you were sent an evaluation. You all sent those evaluations back to me. I compiled those evaluations and came up with a cumulative score for each item that was evaluated. I provided that information in the agenda item. I indicated that the overall evaluation. There were five rankings with one being the lowest meaning that it does not meet expectations, two is marginal, three means that it meets expectation and the person was doing the job that they were required, four means exceeds expectation and five was the highest with exceptional. The overall numerical rating for Mr. Williams by the board was 2.63, which is a rating between marginal and meets expectations.

Taylor:

That is the evaluation report. Are there any questions of Mr. Lawson?

(No response)

There being no questions, we are going to move on to item 20. Now, let me say this before we begin. Just like the practice we have had for this evening, I will give each commissioner an opportunity to speak of this particular item. Then, once I have had an opportunity to speak myself, then a motion will be made on this item as to move forward or whatever the direction is that this board would like to follow. So, with that being said, Item number 20, Mr. Administrator.

Croley:

Point of order, Madam Chair. I don't follow what you are saying there because the evaluation of the administrator is a separate item and it asks for, we have to make a decision to either accept the annual evaluation by motion or revise it, not approve the item, table for further study or some other direction.

Taylor:

I apologize, sir. I saw it as a presentation, I didn't see it as a motion to accept, but you are absolutely correct, so I will go back to item 19. You are correct, sir.

With that being said, Commissioners, you have had a chance to ask questions and no one wanted to. If you would like to at this time, discuss it or make a motion to accept one of the five options.

Croley:

I move that we accept it.

Holt:

I am sorry, but I want to know what does it mean to approve it?

Taylor:

To accept the rating.

Holt:

I will accept the numbers, but as far as the evaluation, I don't think it is a good evaluation, but do

I just approve the data that is here?

Taylor:

Yes, to answer your question.

Holt:

I will approve the data, but I am not approving the evaluation because I don't think it is a good evaluation.

Taylor:

Mr. Lawson, could you come back? Mr. Administrator, if you don't mind, I would like to ask Mr. Lawson to be specific.

Commissioner Holt raised a concern with Option 1. Is it asking us to approve the total summation data here, is that was you are asking?

Lawson:

Actually, Option 1 would just be to approve the evaluation as presented. It is a cumulative evaluation by the board.

Taylor:

Alright.

Holt:

I move that we approve the evaluation as presented, not the evaluation itself.

Lamb:

Second.

Taylor:

There is a motion and a second to approve the administrator's annual evaluation as presented by Mr. Lawson. There is a motion and a second. I do appreciate you. Sometimes I don't catch it all. All in favor of this motion please let it be known by saying, "Aye."

All:

Aye.

Taylor:

Opposed by the same sign.

(No response.)

20. Review of County Administrators Contract

Taylor:

Alright. Now on to Item 20.

Williams:

Madam Chairperson, Item 20. You had requested at the last meeting that my contract be presented.

Croley:

I think Mr. Allen, back there, raised his hand back there.

Taylor:

I have been trying to get to it. He is under Citizen's Requesting to be Heard, yeah, and we are trying to get to it. Give me a minute to get to it and I am going to acknowledge you.

Williams:

Anyway, as I said, I and your attorney are contracted employees and you should have a copy of the contract in there. It is an open ended contract meaning that it continues in effect unless and until it is cancelled. If you do nothing, it continues as is. If you want to change it, since it is a contract between two parties, it is negotiated. If you want to cancel it, there is a 30 day written notice plus some severance pay.

Taylor:

O.K. Now that the item has been introduced to us, we will hear from citizens to be heard. Mr. Ed Allen has asked to be heard on this particular item.

Mr. Allen.

Allen:

Madam Chairman, my name is Ed Allen. I live down on Lake Talquin. We have a commissioner who has been on a witch hunt for some time for Mr. Williams. At just about every meeting, she has asked for his resignation or asked for a vote to have his contract cancelled. She says that he is a racist. She brought in Bill Proctor to come in here and tell us that he is a racist. Hasn't said one word about the economy. That commissioner hasn't said one word about 19 white people laid off at the same time 24 blacks were laid off. It is a fact. This whole country is in a recession. Now, people are being laid off and it doesn't matter if they are black or white or whatever. They are being laid off. It is a fact.

Mr. Williams is being accused of being a racist because he has laid them off. It is his job. That is his job to lay people off or to hire people. Now, we all know that this particular commissioner is under investigation for attacking a citizen.

Taylor:

We won't go; we cannot go that distance with a commissioner.

Allen:

Well, I also suggest that she might recuse herself from this vote and also recuse herself from the evaluation. She has attacked a citizen and that is an important thing in this county.

Taylor:

I cannot allow that type of attack on her personally. We don't know that at this time.

Allen:

I am not attacking her personally, it is a fact.

Taylor:

She is not a part of this assessment, so I can't allow that. Please.

Allen:

Would the commissioner care to recuse herself?

Holt:

Is that a question for me?

Taylor:

Excuse me,

Allen:

I can't mention any names, but would the commissioner do that?

Attorney Minnis:

There is no requirement under the law for her to abstain from voting. In fact, under the law, you cannot abstain unless you are going to receive a personal benefit from a particular item.

Taylor:

Again, we are not going to allow any attacks. There is not going to be any allowed by anyone against a commissioner. Make your statement and direct it to the board and we will move forward.

Now, here is what we are going to do again. We are going to hear from each commissioner on this particular item. Then we are going to come back. Of course, I will have a statement. Then we will call for a motion.

We will begin with you, Commissioner Holt.

Holt:

Oh, I am the witch hunt person.

Taylor:

No, you are not.

Holt:

I was just trying to make sure that the screen doesn't go down. It seems to be acting up a little bit.

First of all, I would like to say that yes, I am the person who put in the motions and I will continue to do so if it doesn't work tonight. As I said, there was a full evaluation. I was not in favor of this contract and I will never be. You do not give people open ended contracts in government anyway. There is no reason to. So, we have an open ended contract with no ending date and that is why we don't have an end to this nonsense. If you don't give an open ended contract, when evaluation time comes at the end of that contract and the person doesn't meet the evaluation and you terminate, even if you don't have severance pay. You may not have to pay severance pay. But, since it wasn't written that way, now you're going to have to pay it and it doesn't matter whether you do it in May (because it was signed in May of 2009) or if you do it in June or August or whenever, you are going to have to pay it. That is not a good contract at all for the manager or anyone else since it is open-ended.

What I kept looking for was when is it that you do not have to pay that severance pay. When is it that you don't have to since this is an at-will contract. That means that it is at the will of the board. The manager could be fired at any time. He is an employee of the board.

Now, the county employees that were laid off, and I am just using them as an example, was done individually. They were chosen individually to be laid off. So, when you are looking at that, what process was used then? The board said to re-organize. The positions were chosen, "because I asked in this very room, "Who are in those positions?" The manager said that he didn't know. So, what I am saying is that if we are looking at that and how it has reflected in those lawsuits, then what happens now if we have to pay those lawsuits off? We need to be able to terminate any contract at any time with a 30-day notice. Since it says in here that you only have section 9 and section 8 to look at as far as termination – they are both things that I feel we should look at because of the lack of service. I don't have to specifically say what those are. The reason that I will not is because when we had managers to leave before, I refused to say negative things about that person. I refuse to go down the list tonight. But, I think we should go ahead and do the termination and let's move forward.

First of all, we are going to have to have someone who can get us out of this mess that we are in. We are in a good little mess as far as the economy and these lawsuits. We need someone that can go in and help us get out of this. As I said, as an example, we have Planning and Zoning that came up with Mr. Harris. If we are not actively going after the grants, then who does? That is part of the job of the manager – He should say, "Directors, let's go after this funding." This board, no this board, but the County Commission Board, has done it before. We have asked the manager and all the directors to go after every grant they could get. That was in good times. We need to be able to do that now. Not just go after the grants that they were going to get anyway because you are going to get those anyway. But, if there is some development to be achieved, we need to be able to go after that. The manager is your quarterback. The attorney's job is to keep us out of trouble. But, if we don't have someone going for those items, then that is what I based it on.

We need to go after money. We need to go after revenue. When I went to the capital, I asked for revenue. That is all I wanted. That is all I wanted. How do we go after money? How do we go after it? So, that is why I am concerned here. I think he should be terminated and that would

be a motion if I get to that later on. I said “if.”

O.K. Thank you.

Taylor:

Thank you.

Commissioner Lamb?

Lamb:

Thank you, Madam Chairman.

I am not going to go into a whole lot of details about this one way or the other, but I am going to say that in talking to the community and the citizens throughout the community, and most of all for the betterment of this county – that is the main part – for the betterment of this county and to try to bring this county together – something I have been doing now for the last 7 years, but sometimes it looks like we are going backwards instead of forwards. But, for the betterment of this county, we need to make a change. That is the only reason and that is my main reason for this. His evaluation was not very good. I did not give him a very good evaluation because I felt like for the betterment of this county, we need to make a change. We need to try and bring this county together as a whole.

Thank you.

Taylor:

Commissioner Morgan?

Morgan:

Thank you, Madam Chair.

The overall rating basically indicates that he is meeting the requirements of his job to the extent that it calls for some improvements in certain areas. Bottom line is this – I agreed and disagreed with our current administrator on several different issues. I have always offered my opinion when he asked for it. I have offered my opinion when he hasn’t asked for it. I have always felt like he has listened to that. I feel like he is a man that has been brought into a very, very tough situation. I think that anybody that was brought into this position at the time he came here would have faced a very difficult road ahead because of a lot of things that were beyond the control who sits in the administrator’s position.

To the interests that are in the administrator’s control, I think he was proactive in looking at ways that we needed to restructure county government. I don’t think that in any way he was looking at people. I don’t think there is any evidence brought forward that says he was looking at nothing but positions. Some of those I happened to ask him about and disagreed with one or two. But, again, I gave him my comments, but he brought forward a plan that put us back into a position to be more efficient and to still be able to provide quality essential services.

We, under his direction and the direction of this board, by the way, I think we have all done a very good job at building the fund balance for the county, which has proven to be something that was of critical importance based on what we are faced with in the months ahead. I think we are short-sited to think that whoever is in this position from this point forward for the next few years, (I should say from two to three years anyway) is not going to be faced with similar situations. We are always going to have to look back or look for ways to improve how we are doing things.

I am very concerned based on recent meetings where we have been spending money on things that are not necessarily priorities. I think that is going to lead to further cuts that are going to have to be made in order for us to sustain essential services. I do believe that times will get better, but the fact is that it is what it is on that.

Regarding the administrator specifically, I think he has tried to put his expertise to work for us. He brings some things to the table that we might not want to hear, but it is what it is. I don't think there has been anything done improperly, as far as his position, that I have been able to see is how he has responded to personnel issues or anything else of that nature. I just think that for the stability of the county right now, we need to move forward with who we have in place now and look at this a year down the road.

I do think that there are some frivolous lawsuits that are being brought forward that have no merit. I think, Madam Chair that you actually mentioned that we need to take a stand on some of these. I agree with you. By providing instability with a different administrator, I don't think that lends to that effort. I will also tell you that if I thought in any way, shape or form there was a reason to believe we have an administrator that was not above board in how he pursued reorganization plans or anything else in the personnel that I would be the first one to stand up and scream and shout and snort and holler and raise cane. But, I just don't see that. Nothing has proven that.

That being said, I think we should keep the current administrator and move forward because we have too many more important things to consider.

Taylor:

Thank you, sir.

Commissioner Croley?

Croley:

Well, first of all, let me talk about the evaluation process. Evaluation is not a disciplinary process. An evaluation can be used to indicate areas where an employee needs to improve themselves. Now, I looked at the individual evaluations submitted by members of this commission. Those who were the most critical offered no suggestions for improvement. How can any employee, be it a contractor or otherwise, be able to improve themselves if no suggestions are offered?

Now, having said that, let's move to this contract here, this agreement. This is not a matter that requires our action to continue the contract. It says very clearly in Section 9A, "Either party may terminate this agreement and Williams employment without reason upon 30 days written notice

to the other party without liability with no further obligations except as set forth in Section 8 or as provided by applicable law.”

Now, if you want to terminate this agreement, you don’t need to hide behind a flimsy excuse like the evaluation. If you want to terminate him and you’ve got three votes, terminate him. But, I want to remind you of something. This man here is not the perfect administrator. We all know that, but I can dare say to you all, including myself, that we are not the perfect county commissioner. So, “Let he who is without sin cast the first stone,” as the Savior said. This also reminds me of another little matter. About 2011 years ago, there was another trial. That is what this really boils down to. This man is innocent just like somebody else was.

Here are the facts. You say you want to criticize him. You want to bring law suits and some of you come in here and you want to run everybody down upon saying that he did something wrong About layoffs. Well, guess what, I made the motion that was seconded by Commissioner Morgan and unanimously passed by this commission to reduce county operating costs and reorganize county government for the betterment of the efficiency for the citizens of this county. Now, he was not even here when that motion was made. That came after the busting of the real estate bubble. That was made in January of 2009. He didn’t come until April. He submitted his reorganization plan and it is understandable that Mr. Parmer, who was here under the range rider program, would not carry that forward waiting only to see who was going to be the new administrator on a full time basis. That was understandable.

The man did what this commission instructed him to do. The separation reports show how he did it and the results of that. We come back to that same innocence. He had his Judas. He had the ones who wished to wash their hands of the matter. In the end, the crowd called for Barabbas. So, all I can say to you is that there is no need to go on about it. I know, Commissioner Taylor, you will have your comments, but if you want to terminate the man, terminate him. But he is innocent and he has done nothing wrong and I am going to stand by keeping this agreement.

Taylor:

O.K. Is that your final comment?

Croley:

That is my final comment.

Taylor:

O.K. Alright.

Let me say this. It has been my practice since being elected to this board to request an evaluation of the county administrator. I believe in this evaluation, it is important because we are depending on him for the day to day activities. It is an invaluable tool to use to determine if the vision of this board is being implemented through the workforce.

Now, some of you may think that this evaluation came up because of the lawsuits and all the activities that is going on, but it had nothing to do with this. This is the time of the year that the evaluation comes up. So, all the lawsuits and all the other activity has nothing to do with this evaluation, period. You heard me say this on several occasions and I will say it again tonight.

Everyone should be given due process. I didn't jump out there and try to run this administrator out of this county when all this hoopla came out and these lawsuits and all these petitions and this protesting. Everyone is due due process. One thing that you can always depend on me to do is to do the right thing.

Now, this administrator has been accused of so many different things. Whether they are true or not true, I don't stand in judgment of him. What I can do is go on facts and make my decision based on facts. Fact 1: Let's look at the evaluation. It was not a good evaluation. Again, it wasn't the worst either. What about the morale of the county and employees. I have taken that into consideration as well the vision for where we are going to be, given the fact of what is coming down the tube with regards to cuts, with regard to serious financial issues that we are going to face. What has been put forward? What has been brought to this board to help with our vision? To help with assuring that we are going to be able to continue to provide quality services? Have we seen this come to us?

I want to bring this county back together by being a leader in doing only one thing. I want everyone within the sound of my voice to hear this. I am going to do what is right. I am going to make two more statements, and then I am going to call for it.

In the last week, I have been called, as one other commissioner said, I have gotten numerous phone calls. We got some that were threatening about being voted out, some that were like, "Keep this man," we got some that said, "If you don't do this, then this is going to happen." What do we do when we've got people with different opinions on a particular item? What do we do as commissioner? Well, we do what is right and we follow the policy and procedure that is in place. That is what we have done tonight. We have done what was right. We did an evaluation and the outcome of that evaluation and that evaluation stayed itself. We looked at other issues, we looked at morale, and we looked at vision.

With that being said, I am going to make my own motion right now not to spend another year with this county administrator. That is my motion.

Holt:

I second it.

Taylor:

That is my motion and there is a second. All in favor of this motion please let it be known by saying, "Aye."

Holt: Aye.

Lamb: Aye.

Taylor: Aye.

Taylor:

Opposed by the same sign.

Morgan: No.

Croley: No.

Taylor:

Make that 3 – 2 to not extend another year with this administrator.

Now, there are other things that need to be put into place right now. One thing – because of this action, we are going to have to have legal services along with HR to sit down with the administrator within the next 2 – 3 days and work out this 30 day notice. I have already spoken with the attorney and we do not need to continue the 30 days with him still being here. We need to sit down and work out whatever monetary we need to give him and allow this government to move forward.

Now, we need an interim and I am going to ask if you all would allow my motion to go forward with bringing Arthur Lawson as interim.

Lamb:

So moved.

Holt:

Second.

Taylor:

There is a motion and a second to bring Arthur Lawson in as the interim administrator. There is a motion and a second. Ready for discussion.

Croley:

Florida Statutes require a county administrator to be a resident of the county during their tenure.

Taylor:

That is why it is interim and I am not going to have any other discussion. There is a motion and a second. This is interim. When we get ready to place the county administrator, we will definitely, definitely this time, make sure that it is a resident here and not someone who came in, hopefully someone who is sincere and has an interest for lack of another word. There is a motion and a second to have Mr. Lawson to come in as the interim.

Let me say this to those of you out there, there will not be any threats, pushing, shoving – it does you no good. Be careful of how you come and address people. You let things work itself out.

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

Holt: Aye.

Lamb: Aye.

Taylor: Aye.

Morgan: Aye.

Taylor:
Opposed?

Croley:
No.

Taylor:
Make that 4 – 1.

Lamb:
Madam Chairman, do you need a motion on the severance pay?

Taylor:
That is what we are asking the attorney and Mr. Lawson to do. In our contract, there is severance formula that calls for four months.

Holt:
Madam Chairman, I would like to see the section in the contract that says if all has or has not been met by the manager that you give him severance pay. In any contract, there are some deliverable goods.

Taylor:
The contract was not one that was really effective. So, there is nothing more that we can do other than to be collegiate and offer this man a decent severance package and I am in favor of that.

Lamb:
Madam Chairman, I offer a motion that we, the attorney, Mr. Lawson to offer him six months' severance pay.

Taylor:
There is a motion, is there a second?

I will second that motion.

There is a motion and a second. Those in favor of the motion, please make it known by saying, "Aye."

Lamb: Aye.
Morgan: Aye.
Croley: Aye.
Taylor: Aye.

Taylor:
Opposed?

Holt:
No.

Taylor:
Make that 4 – 1.

Croley:
Nobody voted against it, or at least I didn't. I had a question, but you carried the motion before you even had discussion.

If I remember right, there is six months written in the contract. Why would you need to

Taylor:
Well, it is four months plus two if he doesn't have a job. So, we are just giving him the six.

Croley:
So, you are giving him the additional two months?

Taylor:
Right.

Holt:
But, you've got to wait to see if he gets a job first.

Lamb:
No, my motion was to give it to him knowing that he could get a job.

Taylor:
That was a good motion. We are making it effective tonight, knowing that he didn't have a job tonight.

Croley:
Well, I would like to hear from the attorney on that. What new factor does that have on changing the contract?

Minnis:
It does require 30 days written notice. We would have to negotiate changing the 30 days written notice. He is entitled to 30 days written notice. If you do not want to give him the 30 days written notice that would be a change to the contract and that would have to be negotiated. The way the contract reads further in that section is that he gets four months' severance pay. If he does not have employment at the time of the termination, he gets an additional two months of severance pay. If you want us to negotiate the termination date to be effective today-meaning that we are going to have to negotiate some consideration for him giving up the some consideration for him giving up the thirty days written notice, then the termination is going to be effective today, he doesn't have other employment, so that additional two months would come into play.

Lamb:

We have already done that.

Taylor:

There is a motion. Again, my apologies for not following all the Roberts Rules, but every now and then I side on human error. Since you have you opportunity to comment on this particular item.

Morgan:

Madam Chair, I have one quick question. So, Madam attorney, are we adhering to the contract or have we altered the contract?

Minnis:

Technically, if you are not giving the 30 days written notice, you are asking – my understanding is that Mr. Lawson and I are to negotiate with Mr. Williams for the 30 days written notice clause because if you do not give him the 30 days written notice, that will be an amendment to the contract. There would have to be consideration given for that if he agrees to waive that 30 day written notice. But, you would have to give consideration.

Morgan:

So, as it is here, this motion does not adhere to the contract.

Croley:

That is my point.

Minnis:

To make the termination effective immediately, that is not what the contract allows. The contract allows for 30 days written notice.

Taylor:

Exactly. That is why that I asked that HR and the attorney sit down with Mr. Williams within the next couple of days to work out his 30-day notice requirement. Not to deviate from it, but they are to work it out, and then bring it back to this board. If we need to call a special meeting, we will do so. Otherwise, I will be working with them to try and get this thing worked out.

Morgan:

The motion that went forward, if I am not mistaken, was for the six month severance.

Taylor:

Six months.

Morgan:

This does not adhere to the agreement either.

Taylor:

No. We don't know what exactly will come out of this meeting between the three. I cannot intelligently bring that up.

Williams:

Are we talking about 30 days' notice plus six months?

Taylor:

That is correct, sir.

Williams:

O.K. Alright.

Croley:

Another point of order.

When does this termination take effect? Is it 30 days from this date.

Williams:

No, from written notice.

Croley:

From the date of the notice. When will you be giving that written notice?

Taylor:

My intention is to not go 30 days. Our directions are for HR and the attorney to sit down and let's see if we can monetarily buy out the 30 days or whatever they come up with, but we should not go an additional 30 days with his services. We should cut him right now, get something in writing, get some kind of agreement in writing and resolve the 30 day issue. Again, I am leaning on legal to work this particular aspect of it out.

Williams:

May I ask a question for clarification?

Taylor:

Sure.

Williams:

This is a contract that requires my approval as well, right?

Minnis:

It would have to be, yes.

Williams:

Well, obviously, I would approve what Commissioner Lamb proposes because that is better on my behalf. I would also approve what you are proposing because that means I don't have to work here to earn that pay. I get paid for nothing. I get to go to the house.

Taylor:
That's right.

So, we are going to work out the agreement.

Williams:
I want to be on the record as being in agreement with both of those.

Taylor:
Alright. There is a motion and a second. Are there any other questions? (No response.) Now we are entertaining and you all are going to have to help me, it has been a long night. We are entertaining the 30 days. Are we entertaining the 6 months?

Muriel, help me out just a little bit with you have gotten down so far in the minutes.

Straughn:
You made a motion to set the 30 days' notice in motion, but negotiations are to be made with Mr. Williams about that 30 days' notice – between him and HR and the attorney. To resolve all monetary issues.

The six month severance pay has not been voted on.

Taylor:
That's where we are. Let's back up to the six months' severance because there were some questions with it. Again, there was a motion and second for six months' severance package. All in favor of this motion please let it be known by saying, "Aye."

Lamb: Aye
Holt: Aye.
Taylor: Aye.

Taylor:
Opposed by the same sign.

Croley: No.
Morgan: No.

Taylor:
Make that 3 – 2 to approve the six month's severance.

Now, with regard to the 30-day notice that needs to be impart – we are asking the attorney and HR to work out the agreement with the administrator and then have a special meeting to bring back those figures - Will we need to have a special meeting or can we just vote to –

Minnis:

It depends on how you want to have it done. You can have a special meeting or if the negotiations happen quickly, you could probably have something to bring back for your second meeting in this month.

Taylor:

O.K. We will just have that brought back at the second meeting in April. So, that is the motion on the floor. Have the negotiations to be worked out with HR and the attorney with the administrator so that we can move on and have by the next meeting.

Holt:

I will second that for purposes of discussion, but I do have a question. So, that means that he will be getting six months plus one more month and that is seven months?

Taylor:

We have to give him those because it is in the contract.

Holt:

Right, the written notice, but when we give him the written notice, he could back up another month.

Minnis:

What you have done basically means that you are giving him 30 days' notice, which means that he would be working and getting a salary for that month while he was working. But, if you want to buy that piece out, then you are going to have to give him some consideration for not working those 30 days.

Holt:

I understand what you are saying. I am just saying that his severance is four months and we are giving him 30 days and his 30 days could mean another month.

Taylor:

His 30 days are from this point. We are giving him notice tonight.

Holt:

Right. And, it could be another month and that would make seven months all together.

Minnis:

That is correct.

Holt:

This is a sorry contract. Very sorry.

Taylor:

Well, you know what, Commissioner Holt, I am glad you made the comment. No, no. I am not glad you made the comment, but since you have made the comment, let me restate that. Since you made that comment, the attorney and I have had discussions of this particular contract. She

is going to come back and revisit the terms in this contract and try to make it a little bit more county friendly in the event this situation should come up again. I hope we can get this thing settled.

Holt:

One more comment and I am through with it. I am so happy that I voted against it when it came up. It is awful.

Taylor:

You are being picky now. Let's have a motion to have HR and the attorney negotiate with the administrator.

Holt:

I second.

Taylor:

We have a motion and a second. Are there any other discussions? (No response) All in favor of this motion please let it be known by saying, "Aye."

All: Aye.

Taylor:

Opposed, the same sign. (There was no response.)

5 – 0 to allow them to move forward.

COUNTY ADMINISTRATOR'S AGENDA

21. Update on Board Requests

No report was given.

COUNTY ATTORNEY'S AGENDA

22. Update on Various Legal Issues

Ms. Minnis had no report.

Discussion Items by Commissioners

23a. Commissioner Lamb, District 1

Commissioner Lamb made no report.

23b. Commissioner Croley, District 2

Commissioner Croley made a report regarding what happened at the CRTPA meeting:

Governor Scott signed a letter, which was filed with each commissioner and with the clerk relating that all of Gadsden County and all of Jefferson County is now included in the Tallahassee Metropolitan Area Planning Organization.

In response to the Resolution adopted by the BOCC and sent to the FDOT, the I-10 interchanges will have lighting installed as requested in the resolution.

23c. Commissioner Holt, District 4

Commissioner Holt had no report.

23d. Commissioner Morgan, Vice-Chair, District 3

Relocation of the Quincy Police Department to the W.A. Woodham Justice Center

Commissioner Morgan reiterated that he was not opposed to locating the Quincy Police Department with the Sheriff's office at the Woodham Justice Center, however he felt it was critical to go through the right channels before they should entertain that idea with another governing body.

Side-bar Comments

He referenced an earlier remark made by another commissioner regarding side-bar conversations during board discussions. He clarified that he was simply asking Commissioner Lamb when the next TCC Board meeting would be held. He wanted the record to reflect that his conversation was perfectly appropriate.

Spending Freeze

He asked the board to consider implementing a spending freeze between now and the end of the budget year because it could prevent future layoffs in the next year.

23e. Commissioner Taylor, Chair, District 5

Commissioner Taylor thanked the administrator for coming to Gadsden County to do what he could to help with the financial struggles. She wished him well in his future endeavors. She also thanked him, county staff and the Sheriff's department for what they did on the evening of April 4 to help with the storm that took place.

Health Issues

Gadsden County ranked next to the bottom of the 67 counties in Florida in terms of being healthy. She asked that the Health Council and the Health Department come back to the board to explain what they are doing and going to do to help with the health issues of the county.

Emergency Services training – She stated that the county needs to begin having mock training sessions on how to react to various emergency scenarios.

Department concerns – She stated that she has major concerns about some of the county departments. “There has to be changes. It is insane to expect change when we allow everything to remain the same.” ...”There should not be people fighting to get building and development plans out of Planning and Zoning. I hear that there is so much fighting in there with trying to bring businesses through that process. Very rarely hear any comments from anybody that has gone outside to help them. I need to hear some of that so I can get rid of this opinion that I have that there is always a fight to get a development. That shouldn’t be because we need this.

The same thing with EMS. The things that are coming out from down there – you know – I am hearing some things and I don’t know if they are true, but we are going to have to get on our front porch and start looking a little closer. It is not going to business as usual. The same thing with the Library. People are not happy with these services. Business as usual? No, we are going to have some workshops on these different departments and being very sensitive because this is day to day operations, but this board has to set policy and procedures and it impacts departments. We have to figure out a way to make sure that these departments are implementing services according to how it should be.”

Ron Sachs Communications

Ron Sachs is a program that we gave \$75,000 to. All I get are invoices. I don’t know anything about services. So, we need to get a presentation from Ron Sachs. All I get is invoices.

Kimley Horne

Kimley Horne is a service that is supposed to help us complete this EAR amendment and I know that Preeble Rish is also a part. We have some issues and we need to bring those two before us – Kimley And Preble Rish to see which of the two can get us through this EAR amendment process so that we can get proper documentations over to Tallahassee.

I sat down with Preble Rish and I was not pleased with what they had presented at all. We need to listen to some options about what we need to do or listen a little bit more to Preble Rish and what they can do and should do.

Again, tonight was not the best night. If I had a choice, I would have skipped this meeting. It is a difficult situation, but I looked at it as an opportunity to serve you.

Motion to adjourn.”

RECEIPT AND FILE AGENDA FOR THE RECORD

- 24a.** Letter from Florida Department of Management Services regarding Second Amendment to Gadsden County’s Intergovernmental Communications Program
- 24b.** Letter from FEMA Regarding Settlement Concerning the Endangered Species Act (ESA)

- 24c.** Letter from Preble-Rish Regarding DCA Disaster Recovery Grant – Crawfish Island Project -
Request for Release of Funds and Certification Contract No. 10-DB-K4-02-30-01-K13

ADJOURNMENT

Sherrie Taylor, BOCC 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 19, 2011 AT 9:00 A.M.,
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ.**

Present: Sherrie Taylor, Chair, District 5
Gene Morgan, Vice-Chair, District 3
Eugene Lamb, District 1, appearing via telephone
Doug Croley, District 2
Brenda Holt, District 4
Debra Minnis, County Attorney
Arthur Lawson, Interim County Administrator
Muriel Straughn, Deputy Clerk

Invocation, Pledge of Allegiance, Roll Call

Chair Taylor called the meeting to order then opened the meeting with a prayer followed by the pledge of allegiance to the U.S. flag.

The roll was called by Deputy Clerk Muriel Straughn. The attendance is noted above.

Amendments and Approval of the Agenda

Move Item 10 to 4A: Selection of Candidate Projects for the Small County Outreach Program (SCOP) so that it could be discussed along with Item 4.

Add as Item 10: Post approval for the purchase of playground equipment For Eugene Lamb Community Park and authority for the Chairperson to sing the Notice of Intent with Kaboom Grant

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

Awards, Presentations and Appearances

1. Presentation of the Concept to Co-locate the Quincy City Police Department with the Gadsden County Sheriff's Office

There was no one present from the Sheriff's office to make the presentation. It was temporarily passed to Item 4B.

2. Discussion of Continued Support of Riparian County Stakeholders Coalition (RCSC)

Mr. Lee Garner, City Manager of the City of Chattahoochee addressed the board and then introduced Mr. David McLain who made a presentation on behalf of RCSC.

RCSC jointly represents the six FL counties that border the Apalachicola River. It was formed in

2007 by resolution of each county commission. It seeks to get an equitable distribution of the waters of the Apalachicola-Chattahoochee-Flint (ACF) Rivers. RCSC was created specifically to advocate for that basic truth of resource management. It involves three states: Florida, Georgia and Alabama. See the attached memorandum filed for the record.

Until recently, the RCSC was funded by the Apalachicola Riverkeeper. However, due to budget constraints they are asking the six counties to fund the project collaboratively by contributing \$5,000 each.

A brief board discussion followed.

McLain:

There was a resolution back in December of 2007 and this is a continuation of the intent of that resolution by Gadsden County when they joined the other five counties that border along the Apalachicola River and basin in support of an organization called the Riparian County Stakeholders in order to have a focused voice in the water wars with Atlanta. We are seeking an equitable distribution of the waters of the Apalachicola. We promised in this resolution to come back and provide you with periodic reports and updates on what your organization was doing. That is what I am here for today. So, I will run through a very short presentation. One of the things that I erred in the last time I came before you was that I didn't have my Power Point presentation with me to assist me. I do have that this morning and your tech person has helped me with it. So, with your patience, I will run through it very quickly.

Our Coalition was built on the premise that we needed to have a megaphone for our voice; we needed to have an opportunity to be heard both at the state level and the regional level on our concerns. This sort of concern also drove us to build bridges to the people north of us in Alabama and Georgia. There are a lot of people downstream of Atlanta, not just us. So, we did so. This organization, the Riparian County Stakeholders Coalition (RCSC) grew into now what is known as the ACF or the Apalachicola Chattahoochee and Flint Stakeholders. It is the same intent, the same purposes, to work together to share a common resource. I will go through this with you.

The six counties in Florida that we are dealing with are Gadsden, Jackson, Liberty, Calhoun, Franklin and Gulf. All of these have particular legal rights because they are bordering on this particular resource. With the resolutions back in December of 2007, they joined and unified the creation of the RCSC. Each county nominating two people to participate. Charles Chapman was one and Commissioner Dixon was the other to represent you on the RCSC.

This is a small map of the basin itself. It has four sub-basins of which we are one. The lowest one there is clearly the Apalachicola and it extends up into Alabama a little bit, but it is mostly Florida. There is the Apalachicola sub-basin. The one in red is the Flint River Sub-basin. The one in the green in the middle is mid-Chattahoochee sub-basin. It takes in Columbus and up to LaGrange and Eufaula Alabama. The northern one is the Atlanta or the Upper Chattahoochee sub-basin. We are organized into those sub-basins. Those four sub-basins each have 14 representatives representing a particular stakeholder interest. The ACF mission, as you see on this particular slide, is trying to get equitable solutions to among the stakeholders to balance economical,

ecological and social values. So, it is not just an environmental concern, it is also social and economics....

What we lack is some sort of scientific basis to say that we are due this amount of water. The Riparian County says that you are entitled to it because of the eastern water law, but it doesn't say how much. So, equitable distribution is one of the things we have been trying to determine. Goal 3, there, is one that we are working on right now. To try and come up with a common scientific solution to what the equitable solution would consist of.

In a democracy, any solution has to have participation of those who are going to be most directly affected by it. If those don't have those people involved in the process, then, as far as we are concerned, it is not a democratic institution. What has happened in the recent past here is that they have used a legal term called the Client Privilege to deny any public understanding of what they were doing and negotiating behind closed doors. They are continuing to do something. We don't know what it is. We have no view of it. We think that the lack of public participation is a critical flaw in what we are trying to do.

So, we are going to build instead, an opportunity for them to see what the people who vote for them, what their constituencies have to say about what they are trying to do.

There are diverse interests in the basin – everything from sports fishing to oysters in Apalachicola to the economic development in the cities of Atlanta and LaGrange and elsewhere. We have been at a 20 year impasse. We have tried litigation. We have negotiation, we have tried mediation and right now, it is in the federal district court in Jacksonville. Judge (inaudible) decreed about a year and a half ago, that the use of water out of Lake Lanier, north of Atlanta, was not a congressionally approved use. That was not why they paid to build Buford Dam. Therefore, they have to stop after three years. It is almost like an injunction. After three years, beginning in July of 2012, they have to stop drinking water out of Lake Lanier. Well, that is not really an end solution. Who is going to go marching up to Atlanta and say, "Are you going to quit drinking water?" So, what he was trying to do was to prompt the states to come closer together in agreement. They have not done so.

Now, Georgia has appealed to the 11th Circuit Court of Appeals and said that we want you to throw Judge Mangeson's verdict out, his finding out and send it back to the Corps of Engineers. So, we are about to enter a critical period of time between now (actually in June) when the Corps of Engineers issues a draft water control manual. It tells its dam operators, like at Chattahoochee, how do we manipulate the flows so that you get so much through and so much held back. They are about to publish this draft water control manual and we need to be able to comment on it and correct whatever we feel is not an equitable solution to the waters.

Right now, we are working on a study to present scientific basis for an equitable distribution.

When we say Stakeholder Interests, there are particular interests involved. Navigation, recreation, water quality, water supply, etc. We have an individual representing each of these in our sub-basin conference. Lee, because he is with Chattahoochee, is our representative in terms of hydropower. With these 14, there are the same 14 in each of the four sub-basins. When we

get together in the governing board with all four sub-basins, then we are able to make decisions. We make those decisions by consensus. It isn't that one side can overrule the other. All of them have the same number of people. All of them represent the same sort of functions in them.

There may be some familiar names to you. These are the people that we meet with on at least a quarterly basis down in Blountstown at Calhoun and try to make decisions. We found that it works much better when we get a unified position and say that, "Our sub-basin caucus believes, "X", or whatever it is. It is much more powerful or persuasive in the governing board.

My job, as the coordinator for the sub-basin caucus, I am responsible for organizing it, briefing it, trying to come up with position papers that we can present to the governing board and generally shepherding the process through and making sure that we do have representation from all the Riparian Counties.

Consistent with the resolutions of December of 2007, the six counties were asked this past year for a budget line item in your budget. The problem was that we did this late in the budget cycle. Therefore, we came to you and it was almost like a surprise after you had already gone through all the work of getting a budget together and said, "Oh, by the way, will you go ahead and vote to support this organization." It was late in the budget cycle and you didn't see fit to do so. Two other counties did not see fit to do so. Three counties did. So, we got three of the six counties that supported us and three that couldn't do so because of problems with the budget cycle.

We are coming around again now trying to present this sufficiently in advance to answer any questions about what we are doing and where we are going with this and ask again that you consider putting us as a line item in your budget.

If you choose to do so, there is a lot of information about our organization that is available on line at www.ACFholders.org. I commend it to you now. They are much more articulate than I am standing up here with this Power Point slide. If you will take a look at that at your leisure, you will learn more about what we are doing.

I am here to answer any questions that people may have about this organization and about why Gadsden County should care and why it is worthy of your support.

I will take questions anytime, Madam Chairman.

Taylor:
Thank you for your presentation.

Board members, are there any questions of Mr. McLain?

Now, it is my understanding that you are seeking funding for the 2011-2012 budget, Am I correct?

McLain:
Yes, Ma'am, that is correct.

Taylor:

Obviously, we are getting ready to go into that cycle sometime in June or July. So I guess consideration will be given at that time.

McLain:

Thank you, Ma'am, that is a –

Morgan:

Mr. McLain, thank you for coming. We do appreciate it. I do recognize the importance of protecting one of the largest resources here in the county. It is important - Lake Seminole and the Apalachicola River and we are very aware of that.

You mentioned that three of the six counties funded you last year, is that correct?

McLain:

That is correct.

Morgan:

That would have been Calhoun, Jackson and Liberty?

McLain:

Calhoun, Jackson and Franklin.

Morgan:

And they funded ya'll at what level, \$5,000?

McLain:

\$5,000. What we did was simply say there are six counties and an equitable share was \$5,000.

Morgan:

Right, so you are going to be asking for that same amount, I assume, this fiscal year?

McLain:

Yes, that is what the funding level is.

Morgan:

The water levels right now seem to be much higher that we were seeing two or three years ago. Is that directly tied to the real estate activity in the Atlanta Lake Lanier area and if the economy improves and the activities pick up, do you think that will be a threat to the levels we see at Lake Seminole and the river?

McLain:

Our view of it right now is there is a basic inequity between ourselves and Georgia. In Florida, if you are going to put a set of condos or development out here, you have to find a way to identify where the water is going to come from for the new population that you are going to create.

That is not so in Georgia. When Georgia wants to go out and create a new development, they do so without any kind of requirement for a permit that shows where they are going to get their water from. They are, in fact, permitted to draw as much as they wish to forever.

Morgan:

We had at one time; three governors (FL, GA, AL) were meeting together. We've got all new folks in there now. Are they making plans, to your knowledge, to get together to discuss this?

McLain,

Commissioner, that is one of the great frustrations that I was trying to express. They are doing it behind closed doors. They will come up and throw something to you and say, "Here, this is what we are going to do." They haven't done anything. I don't know whether they are going to do anything. They do have three new governors there along the way. But, we have no hint of it. I try to work with DEP or anybody else that will listen to me and say, "What is it that we are doing so that we can come up with a joint strategy?" So, the way we are going to try to handle this is, because it is the Corps of Engineers that is going to determine how much water goes through the dams up there, we want recognition by the Corps of Engineers that this Stakeholder Group that represent constituents all the way from Lake Lanier to the Apalachicola Bay. We think we have a powerful voice to use and we are going to use it that way.

Morgan:

Do you think maybe, from a priority standpoint, all the budget concerns and that kind of situation that the economic situation of the three states has taken a front seat to this issue?

McLain:

I am sure that it has and it will until the dry season, which is upcoming now, as soon as we get through this late winter or early spring rains, the dry season comes back on us and then we will go dropping down to the lower levels of flow in the river basins and the people will be hurting.

Morgan:

Thank you.

Thank you, Madam Chair.

Taylor;

Mr. Croley?

Croley:

Good morning, Mr. McLain, I appreciate you coming in.

Certainly, I support the consideration of the item in the budget.

You mentioned that we had two representatives on there. I believe you said Mr. Chapman and Mr. Dixon.

McLain:

These were the original representatives that the county offered. We asked each county to give us two names to start with. Charles, I know, has a new job now. So, we are asking for replacements. We asked that Mr. Presnell and Lee Garner be the representative for Gadsden County on our group.

Croley:
Who did you ask that of?

McLain:
Well, now, you've got me a question, sir. Who did I ask that of? I guess that I asked Charles about who should be the replacement, who he would recommend be the replacement. Then, I talked to the predecessor of this gentleman here, the county clerk.

Chapman:
At the time that the request was made, Mr. Williams, when he was here, we sat down and discussed who would be appropriate to take my place on the Riparian Stakeholders Coalition because my job duties had been taking up so much of my time that I was not able to attend properly. I had suggested that Mr. Garner was already serving. Mr. Presnell is serving in my former capacity, so we made that adjustment and it has been working out fantastically.

Croley:
Well, here is my concern about all of this. Everything that you talked about, I appreciate as a valid concern and certainly we need to have input in it. But, from my standpoint, I want to see a financial report on your group. What are you doing with this \$5,000 in public money? I want to see a regular report from these representatives that are supposed to be going. I would also like to see what is going on with soil and water conservation districts. I understand that Mr. Presnell is serving on that Gadsden County Soil and Water Conservation Board now. But, we haven't seen anything other than you came over last time wanting an additional \$5,000 because Riverkeepers didn't fund you. I support Riverkeepers, but do you understand?

McLain:
I understand, Commissioner. What you are saying is

Croley:
I am not getting any reports. This is the first time that we have gotten a formal presentation from you and I appreciate that very much. But understand, I am on board with the mission here and what you are trying to do, but I just need to know a little more about what is going on with the money and those reports from the representatives for Gadsden County.

McLain:
Commissioner, both of those are reasonable requests and again, I am back here now from the last time I presented when we did not have this kind of report. We can do what you are asking for. I would like very much to get your reassurance that Mr. Presnell and Mr. Garner can continue to be your voice in this group. I have already paid, for example, out of the funds that we got from the other three counties; I paid for the annual dues for Mr. Presnell before I was told that he was not going to be available to be on this group.

Croley:
What dues?

McLain:
There are annual dues of \$250.00 for each governing board member who is involved and it comes out of the donations that the counties make. I just ask for its line item.

Croley:
Well, again, as far as confirming anyone's representation on behalf of the county, I may have to defer to the county attorney on that, but I believe that has to be properly agendaed rather than just automatically. I might be misstating that, but I am not prepared to vote to do that until it is agendaed.

McLain:
I understand. I just want to be sure, if we can, Commissioner, I want to be sure that we have representation from this county because this county has a legal right to weigh in on the process of that water, that resource.

Taylor:
What we need to do at this time is to move this item along.

Mr. McLain, this board will take up the appointment and look at what qualifications we need to make sure the appointments are best met for this county. If it is still Mr. Presnell and Mr. Garner, then we will go forward. If not, then we will certainly notify you well in advance of who this county selects. Again, that will be a board direction taken. I think it won't be a moot point to take it up during our budgeting period. We will make sure - Mr. Lawson, please make a notation that we will do so at that time.

McLain:
I very much appreciate it.

Taylor:
Do you have a comment?

Holt:
One comment. I think you are doing a good job as far as looking out for us on that end and I do appreciate it. I appreciate the other people that are working on that. I worked with Mr. Garner before on the Tourism Council and he was working hard on that issue. Mr. Presnell is a good representative and I think when we look at it, we will see that and we can move on.

Thank you.

Taylor:
Thank you very much.

3. Presentation of the FY 2010 Audit Report by Purvis Gray and Company

Ron Whitesides and Ryan Tucker of Purvis Gray addressed the board with the Audit Report for fiscal year ending September 30, 2010.

Whitesides:

Good morning, Commissioners. I am Ron Whitesides, audit partner with Purvis Gray and Company, the county's outside independent auditors. I have with me today, Ryan Tucker. Ryan and I managed the audit and we are here to present the results of the audit for the year ending September 30, 2010.

I have met with the majority of the commission members individually already and gone over in detail the results of the audit. What I would like to do today is in summary fashion go over it at a little higher level. Then, if there are questions that any of you have, I will be happy to address them as best I can.

As with every audit, we do have certain recommendations for accounting internal control improvements and other efficiencies that can be obtained. We had those on the audit of the Board of County Commissioners and we had them on the audits of a number of constitutional officers. Most of those deal with accounting internal control and process improvements. I don't know that we have found anything that I would consider particularly alarming. All in all, I think for a first year engagement, since this is our first year back in Gadsden County that the audits went very well from our perspective. You never know quite what you are getting into with a new client, but we were pleased with the results.

What I would like to do – everybody should have a copy of the bound audit report there – I would like to touch on just a couple of financial items. If you will open it up and look at page 2, once you get past the Table of Contents and such, what we have there is our opinion. As a result of an audit service, an audit firm issues an opinion. This opinion is what we call "unqualified," which is good. That's right. It is a clean opinion and that is the highest level of assurance we can give. That is first and foremost what you want to get out of the audit and you have gotten that.

Now, if you will look at page number 8, this is a highly summarized income statement for the entire county for the fiscal year. That includes the board and all constitutional officers. You can see that it contains data for 2010 and the prior year 2009. Now, again, at a high level, what you will notice is at midway through the page, there is a line item for "Total Revenues." The total revenues for the county decreased by \$3.3 million from the prior year from \$39.8 down to \$36.5 million. Now, a number of things happened there. The vast majority of that changed because of two items. One is that was just less road grant money available. \$2 - \$2.5 million of that decrease versus 2009. There was just less spending on the road grants from the state and federal government.

The other item has to do with EMS. When we did the audit, these numbers that we are looking at is on an accrual basis of accounting. They are only prepared once a year and that is during the audit process. What you do normally on budgetary cycles is more of a cash basis of accounting.

So, this isn't something that gets looked at frequently. What we noted during the audit was that in the EMS Department, all EMS receivables were created for accounting purposes as if they are fully collectable. There was about \$2.5 million of total EMS receivables. Well, that is factually not how EMS receivables work. The vast majority of them are typically not collected. So, we had to make an accounting adjustment for close to \$2 million in order to drop those receivables down to their net realizable value. The way that is done is you reduce your current revenue for that change. So, we reduced the current EMS billings by \$2 million, which is about much they bill a year, so we essentially wiped out this year's revenues in order to make that accounting change. So, when I say the total revenues are down \$3.3 million, understand that \$2 million of it is really an accounting issue that we had to deal with this year.

O.K. On the expense side of the ledger – total expenses of the county are essentially unchanged at \$36.9 million each year. Now, you may say, "Wait a minute, during the 2010 budgetary cycle; we did a number of things, many of which were painful to reduce compensation, layoffs and things of that nature." You did achieve those savings. There was about \$1 million of personnel cost savings in this period. The reason that you are not seeing it in total expenses is that there were some new expenditures that took place.

The largest expenditure being the SHIP Proviso and the Impact Fee Proviso program where the State made available funds for housing rehabilitation. Gadsden County participated in that program and got State dollars to do those projects and those costs are included in here. There is about \$800,000 of those costs. So, you've got new revenue and you've got an additional cost. So, while it looks like expenditures are unchanged, in fact, you have economically realized the benefits of those payroll cuts that you had to go through. So, don't let the fact that your total expenditures in total are unchanged mislead you.

Now, the end result with the declining revenues and the unchanged expenditures for the year, the increase/decrease in net assets – that is essentially the income, as it were, for the county for the year. It was a loss of \$400,000 compared to an excess last year of \$2.8 million. But, here again, remember that we have done \$2 million EMS accounting adjustment. That is not a cash loss. I think that if you want to consider it more from a cash basis approach and did our cost cutting measures succeed, you would be looking at more like \$1.5 million excess for the year if it were not for that accounting adjustment. So, you were effective in those. You can see that back on the previous page.

This is the balance sheet. It lists the assets and liabilities of the county. The third section there, the difference between the two - net assets is the equity that the county has accumulated over time. The largest category there is called "Invested in Capital." That is your ownership interest in these buildings and equipment – not spendable items. The next two items are restricted/unrestricted. Those are pretty good measures of funds on hand to do projects. Restricted has some external restriction imposed on it. There is \$5.6 million in restricted funds. The largest restriction is for transportation – about \$2.5 million of those dollars. \$.5 million is public safety related – things like grants. \$2.6 million is other types of grants that serves/reserves for other things.

Then, the last item you see there is unrestricted equity. That is a pretty good measure of

unrestricted resources for any governmental purpose. Now, a frequent question is, “What is a good number to have there? And How much money should Gadsden County accumulate for contingencies, for hurricane, an unforeseen financial issue that has to be dealt with without having to immediately go to borrowed funds?” The Government’s Finance Officers Association recommends that local governments try to maintain about three months reserve. So, on a \$38 million budget, a quarter of \$38 million would be \$7 – \$8 million and you are at \$4 million instead of \$8 million. So, you are about half way there, as an accountant. What is a prudent financial situation to be in? The industry standard recommendation is \$8 million.

You have done a lot of good things, financially, I think during this year. I know it had to be a difficult budgetary consideration. My opinion, as your accountant, is that you probably need to stay that course for a bit yet. But, it was a positive year fiscally.

That concludes what I wanted to go over. Again, I feel like the audit, from our prospective, went well. I am pleased with the accounting activities being done by all the officers and the board.

I am happy to answer any questions you may have.

Taylor:

I am sure that there are quite a few, so I will start with Commissioner Holt.

Holt:

I am not ready yet.

Taylor:

O.K.

Commissioner Morgan?

Morgan:

Thank you Madam Chair. We sure appreciate you coming and updating us. I appreciate the meeting that we had earlier to go over this and discuss it.

You made a couple of comments, which I was very pleased to hear. That was the cooperation that you got from all our constitutional officers. We have one here, the sheriff. I know we really appreciate those efforts. That is something - you know, there are a lot of things to do and work together to get this information back in and that enabled us to be able to get the audit back by March, which is something we haven’t had since I have been up here. That is very helpful and we appreciate all our constitucionals for aiding you guys and ya’ll responding and getting it to us. So, thank you for that.

If I took what you said, you mentioned that from a cash standpoint, we are much healthier than we were in recent years. Is that correct?

Whitesides:

Yeah, strictly from a cash standpoint, there are statements in here that analyze it from that basis.

There was a net increase of \$1.7 million this year over prior year. So, an additional accumulation of funds. So, yes.

Morgan:

I did look at page 7 on unrestricted funds that we are talking about here. There is growth there from a little under \$2 million to \$4.2 million. That is a significant growth as far as that goes. I know you mentioned that that is trending in the right direction. I don't want to put words in your mouth, but I think I heard you say that we need to keep that trend as far as how we budget and how well we stick to that budget from a conservative standpoint. Am I correct in that?

Whitesides:

Yeah. What I said was that the Government Finance Officers Association recommends that you keep three months of operating cost in reserve. If my mental math is right, that would be close to \$8 million. You are half way there.

Morgan:

Your recommendation would be that we need to stay on course in as far as how we are managing the tax dollars and budgeting and sticking to that budget. Am I correct?

Whitesides:

I believe that would be fiscally prudent. Yes.

Morgan:

I certainly appreciate that. I agree with you 100%.

That is all I had, Madam Chair. Thank you very much.

Taylor:

Commissioner Lamb?

Lamb:

No questions.

Taylor:

Commissioner Croley?

Croley:

Thank you for coming and thank you for the good presentation. You hit the key points. I think that Commissioner Morgan has covered several of my areas of interest already. But I do want to say this publicly.

When I first came up here, there were commissioners who made the comment that we didn't need all this money just laying around doing nothing. It needed to be spent. Well, you know, that is at odds with the position that referenced with the Governmental Finance Officers recommends. We certainly are always faced with possibilities of storms and other natural disasters and emergencies that have to be dealt with in law enforcement and EMS and other

groups. We sometimes miss that very important point. Clerk Thomas has frequently pointed that out. We do need those cash reserves. Yeah, it is going to be painful to build them up because a lot of people don't seem to understand the point that there are only two ways to improve the bottom line. You've either got to reduce expenses or increase revenues or a combination of the two.

Based on everything we are hearing, and I think in the counties that you audited based on our conversation, there is not a lot of increases in revenue anywhere available.

Whitesides:

No. Folks are dealing with decreasing revenue basically across the state.

Croley:

I want to again, though, personally, on behalf of District 2, acknowledge the timely manner and professional manner in which your firm has gotten these audits completed. That is good. Thank you very much for having done that.

You mentioned that our constitutional officers, which we have the responsibility, as a board, to fund and see that they are held accountable for how they use those funds by the completion of the audit. I believe you said that all have passed your review with no problems. Because Sheriff Young is here and he and I had a meeting last fall, I would like to say to him, Sheriff Young, thank you for the good job and the follow up on our conversation. I really want to say to you publicly that I appreciate what you and your staff have done to help in this effort. Thank you so much for working with the new audit firm and helping them meet their time frame. I can't make it any clearer that we appreciate that. Or, at least, I do.

Sheriff Young:

Yes, sir. Thank you.

Croley:

That is all.

Taylor:

Commissioner Holt?

Holt:

Thank you.

How are you doing?

Whitesides:

Just fine, thank you.

Holt:

Good.

Under expenditures, you noted something about SHIP. What were those two?

Whitesides:

The next two largest increases in expenditures?

Well, let's see. This one, the next largest has to do with capital outlay. This is going to get a little "accountingish," I am afraid. When the county does roadwork, if a project is over a certain dollar threshold, it gets capitalized as an asset on the balance sheet. If it is a smaller project that is more of a repair project, it gets expensed in these numbers.

Because there was less grant money available, there were more small repair projects that were done, so they have been expensed rather than being capitalized as assets. As a result, \$600,000 increase in the transportation function is a result of that dynamic. Less money, overall, spent on roads, but because more of them were repairs, they were expensed.

The next largest increase looks like it is in physical environment of \$180,000. To be honest with you, this one, well physical environment – waste hauling. Connie might be able to help me with this as to the cost increase. I don't know recall what drove that just off the top of my head.

McLendon:

Just the hauling contract for the waste.

Whitesides:

Just the contract with the hauler – that would be the next largest item.

Holt:

Those numbers were pretty steep. I know the reduction in the capital outlay was because there was no grant money floating out there. So, the repairs are not considered to be an increase in capital outlay and I understand that, but I was just wondering what those numbers were and where we could look at seeing any decreases in expenditures other than (inaudible). To say that we did well in that we lay off county employees is contradictory because if you lay off employees, that means they are spending less money in the county and we get less taxes in from them. We have to look at it going back and taking care of those families and other projects and other areas. As I said, they are going to the emergency room whether they have insurance or not. We need to be looking at that. When we are looking at expenditures, we need to look at those areas.

Whitesides:

I know that the, and I don't have all of that information available here, but I do know that I recall, for instance, general government function, that there was a \$300,000 decrease in various contract services. I don't have the information as to whose contracts that was, but that is data that I am certain that the finance office in the clerk's office can provide it. It is not detailed in that way in this report I have in front of me.

Holt:

Like I said over at the Legislature, I am interest in revenue. If we can decrease the expenditures, great, but I don't want to do it at the expense of people. I want us to cut wherever we need to

cut in order to keep those dollars. Is there anything included in your notes that we need to do. You say that we have clean audit, but we are not progressing and that is my concern. As I said to the subcommittee at the Legislature. If we are the sunshine state and we are not making solar panels, I am upset. We need to try to make money off of what we can make money off of.

Whitesides:

I will say that, like I said in my comments, I think that Gadsden County, because of the budget enhancements that were made, has improved your financial condition between 2009 and 2010 to the tune of another \$1.5 million in the bank. Now, how you got there, whether payroll is the right way to do it or not, then that is this body's decision. Effectively, you have improved your financial condition.

Holt:

Thank you.

Taylor:

Are you finished?

Holt:

Yes.

Taylor:

I need to ask this question to Mr. Lawson. I don't have any questions of you. I met with you and you have answered all my questions. We kind of need to move along a little bit, but an unqualified audit is a good audit. A lot of people don't realize that with and a red light goes off when they hear it, but that is what we are looking for. We would like to get great exposure on this through our media. The county has done well. Something positive to come out of this government.

MR. LAWSON, SHOULD THERE BE PUT ON THE FLOOR A MOTION TO APPROVE THIS AUDIT HERE?

LAWSON :

I THINK SO, SHOULDN'T IT CONNIE?

HOLT:

SO MOVED.

CROLEY:

SECONDED.

TAYLOR:

THERE IN A MOTION AND A SECOND TO APPROVE THE AUDIT. ALL IN FAVOR OF THIS MOTION?

ALL:

AYE.

**TAYLOR:
ALL OPPOSED?**

MAKE THAT 5 – 0 TO ACCEPT THIS MOTION.

Thank you so much.

4. Presentation of Candidate Project Methodology for the Small County Road Assistance Program (SCRAP) Florida Department of Transportation (FDOT)

Mr. Justin Ford of Preble Rish Engineering addressed the board.

The FDOT periodically has funding available under the SCRAP program. If the selected project is successful, the county and the FDOT will enter into a Joint participation Agreement for the County to administer the project. The project will then be designed and bid.

The grant funds are available on a competitive basis for roadway projects which will reduce congestion on the state roadway system. There will be no financial impact on the county because Gadsden County Public Works will administer the project through a Joint Participation agreement with FDOT. It is 100% funding.

Mr. Ford referenced a list of projects that have been accomplished in Gadsden County using the SCRAP funds. He explained that the funds could only be used for resurfacing. He reported that the applications for the SCRAP funds are due to DOT on June 1, 2011 and the county may only submit one candidate project.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO SUBMIT BRICKYARD ROAD FOR THE SCRAP PROJECT THROUGH A LAP AGREEMENT WITH FDOT.

4A. Selection of Candidate Projects for the Small County Outreach Program (SCOP)– Florida Department of Transportation

FDOT periodically has funding available under the SCOP Program. The Florida Legislature has expanded the scope of the SCOP Grant to include widening of roads. Bridge repair and rehabilitation work is also included. Historically the program has only been available for resurfacing projects. Since the selection of potential projects is now more broad, the Public Works Staff presented several options for the submitted project that could possibly get funding. If the project is selected for funding, the county must enter into a Joint participation Agreement for the county to administer the project. There should be no fiscal impact on the county.

The grant application must be submitted by May 2 making it necessary to name the candidate

roads at this meeting.

A MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECONDED BY COMMISSIONER HOLT TO SUBMIT LEWIS LANE TO FDOT AS A CANDIDATE PROJECT FOR THE SCOP FUNDS.

DISCUSSION FOLLOWED.

Morgan:

Couple of comments. I do understand that District 3 is not going to be in the loop here because of recent years and I understand that. Maybe I can play the role of (inaudible) and be as neutral as possible, but I do think, and Charles, maybe you can speak to this. I know Justin just answered about SCOP and SCRAP differences, but if we are talking about resurfacing, we have a dirt road improvement plan that lists and ranks dirt roads in the order of priority that we put together. It has been put together several times, but recently updated since I have been here because I requested it. Since I don't have any skin in the game in District 3 here, I would ask and I think it is very important and Lewis Lane may, in fact, be on there, but that we adhere to that list. That is the reason we have. I think Lewis Lane may be close to the top, but I am not sure.

Chapman:

Lewis Lane is the No. 2 project for 2010-2011. Beck Betts is the adjoining road that is directly adjacent to it and is No. 1. So, it is the same neighborhood, the same area would benefit from Lewis Lane as well.

Morgan:

I think that it is important that we move forward to stick to that Dirt Road Paving Priority list.

What was the other road, Charles? I don't know what that was.

Chapman:

Peck Betts. It is actually an "L" intersection into Lewis Lane. Lewis Lane moves horizontally across the county. Peck Betts is an "L" intersection that exits onto Lewis Lane.

Morgan:

Well, I was going to say, how did that one get ranked ahead of this one?

Chapman:

This is not in ranked order. It is in dollar estimate.

Morgan:

It is not ranked?

Chapman:

This is not a prioritized list. It is in order from highest cost to lowest cost for the year.

Morgan:

So, when those folks who live on other roads say, "Hey, we were number 1 on the list, why did

you go to number 2 around us?” Do you have an answer to that?

Chapman:

The answer to that would be that Lewis Lane connects two other major arterial roads where Peck Betts only connects -

Taylor:

That is the answer I have needed to hear. That is what I was waiting for you to tell me so that we can move on.

Morgan:

So, the reason that it is not ranked number 1 was strictly because of cost?

Justin Ford:

Again, the list is not ranked by need. It is listed from highest cost to the lowest cost. Lewis Lane happens to be the second highest cost.

Morgan:

Cost and no other priority. Thank you, that is all I had.

Taylor:

Are there more questions?

Croley:

Let me ask you about the bridges. Where does that money come from, the same funds?

Justin Ford:

That is right. That is a recent addition to the SCOP program. They now allow bridges.

Croley:

O.K. But, do we have other programs for bridges?

Justin Ford:

To be honest with you, not that I am aware of.

Croley:

When you give these lists, and it was my understanding that there was a criteria that had five things by the state that was used. You were scoring those “points” out and you mentioned on the road in Commissioner Morgan’s district (Flat Creek Road) – is that right?

Justin Ford:

269. Sycamore Road.

Croley:

Sycamore. The point that I am trying to get to is that I don’t understand how these roads all

score out point-wise. They are pretty difficult here and it seems like we are doing political horse-trading up here – business as usual. You are going to go and pave a dirt road, which I don't have a problem with Lewis Lane. I am very familiar with it and I understand about Peck Betts Road, but I also know that the bridges are falling down. When you take money from anything else and spend it on something besides these bridges that everybody drives on, you are doing a disservice to the public as a whole. That is a problem.

Bridges are falling down. They are coming apart. I have been talking about that for the last four years and I am going to talk about it for the next four because I am going to be here for 44 more months. I don't know about some of the rest of you, but I am going to be here and I know Commissioner Holt will probably be here, but something has gotten to be done.

The Law Enforcement men, the ambulances, the fire engines, the people getting to work – they can't get to work if the bridges are falling down. When you say that we need to spend right at a quarter million dollars on paving 1.1 miles of road, that all sounds good. If I happen to be one of the few folks who live on Lewis Lane, and I don't mean that in a disrespectful way toward anybody that is living up there, but I do know this. The bridges are coming apart. You know it. Is that not true?

Justin Ford:

There are several bridges in the county that are ranked below what DOT would like for them to be.

Croley:

Well, they are not getting any better, are they?

Justin Ford:

No, sir.

Croley:

Now. So, I've got a problem with such an approach as this, Commissioner Taylor. You may have the votes to do it and if you do, so vote. But, at the same time, until I see what we are going to do with the bridges, I want to see the plan. So far, I haven't seen one other than whoever horse-trading that you all are doing up here.

Taylor:

I hear your comments and I hear them very well, sir. These same bridges and conditions that they are in have been in the same condition for the last 4, 5 or 6 years that you have been up here. Certainly, the last two years there hasn't been any change at all.

We have entertained this grant the last two years. While then, sir, you could obviously

have had those bridges repaired, but instead,

Croley:
(Inaudible)

Taylor:
Excuse me, sir. I am speaking.

Croley:
I apologize.

Taylor:
Thank you, sir. At that time, you had opportunities, but now, we want to look at it and be fair. Horse-trading and all this other may have been in the past, but now, it is fairness that I am trying my best to do, which is why I looked at all of the districts. It is fairness.

When you talk about being economically wise and feasible, running somebody up to the county line whenever it rains doesn't make sense to me. You want to holler about these bridges falling down now, when as I said, they are in the same condition now that they have been in for the last two years when we had opportunities. All of a sudden you run across one more day and then they are under water.

One of the things that the auditor did bring out is that there is more than \$2 million sitting in reserves right now to do such work. You wanted to know where there were funds. There is restricted money - \$2 million for roadwork that is sitting right there. It has been rolled forward. In case there is an emergency where we do need to repair bridges, there are dollars available.

But shenanigans, I am praying and I am going to do my best to stop that kind of behavior. Most sitting out there in front of me listening to my voice right now can echo these sentiments. Commissioner Holt and I are not the best of friends and will never be, but I respect the fact that there is a need. I take personal things away and look at what this county needs to do. So, personal agendas are not here and it is not a part of my repertoire – never has been nor ever will be. Now, I am going to go forward with this particular item because it makes sense fiscally to fix this road and to move forward.

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

Lamb: Aye.
Taylor: Aye.
Holt: Aye.
Morgan: Aye.

Taylor:
Opposed, the same sign.

Croley:

No.

Taylor:

Make that 4 – 1 to submit Lewis Lane as one of SCOP roads.

Now, there is another one that we need to look at. Any ideas and any suggestions? (No response.)

Good, I have one.

(Laughter)

I am going to go with – let me ask a quick question. The auditor made a comment that kind of resonates in my head. We did receive less funding in road construction from DOT. I want to make sure that the road we submit has the better opportunity for being funded and be in line with the cost. Are they funding \$1.2 million, \$1.4 Million and \$1.5 million dollar roads?

Justin Ford:

Yes, Ma'am. This program – typically, you will receive projects up to about \$2 million that will be funded, but you have done one good thing by selecting Lewis Lane. We would recommend that you select one higher cost project and one lower cost project. That way, if it comes to the DOT table and they say, "We just don't have the money to do this \$2 million project," they still have a candidate project within the county that they can fund even if it is at a lower cost. So, Lewis Lane accomplishes that. I would recommend now that you look toward one of those higher cost projects.

Taylor:

What about Little River Bridge since the bridges is an issue here. Little River Bridge – is that feasible?

Justin Ford:

Yes, Ma'am. There again, I think there are three bridges listed on this list. These of three of the four lowest ranked bridges in the county.

Taylor:

Well, that is my motion. To look at Little River because I know it has a major impact on ingress and egress.

Croley:

Second.

Taylor:

Sorry, but I lost one of the commissioners. (The telephone communication was lost with Commissioner Lamb.)

That is my motion. Is there a second.

Now, while we are trying to get him back on, the next one is the SCRAP program.

So you have this?

O.K. Go ahead and give me a SCRAP road in District 1 that will qualify.

Justin Ford:

Brickyard or Shady Rest would qualify. Horseshoe does not because it is a dirt road.

Taylor:

Hold on just a second, we have him back now.

Commissioner?

Lamb:

Yes.

Taylor:

What we have done is that we have a motion and a second to submit Little River Bridge as our project for that SCOP money because we are looking at a small road and then a big one. So Little River certainly would qualify. There is a motion and a second.

Lamb:

That is to submit the application?

Taylor:

That is on Highway 90 that is all our districts.

Morgan:

It is in District 5.

Justin Ford:

This bridge is the bridge on Highbridge Road.

Taylor:

Highbridge Road. We've got a motion and a second. The second came from Commissioner Croley. There is a motion and a second. All in favor of this motion let it be known by saying, "Aye."

All: Aye.

Taylor:

Opposed, the same sign.

(No response)

That is 5 – 0 for Little River Bridge.

Now, we are going on to the one SCRAP Program. What I am going to do now is ask them to go down the list of all five districts and tell me which roads qualify for the SCRAP money. O.K.?

Lamb:
O.k.

Taylor:
In District 1, which of the roads qualify for SCRAP?

Justin Ford:
Brickyard and Shady Rest.

Taylor:
District 2?

Justin Ford:
Scotland would be the only one because the SCRAP will not do bridges.

Taylor:
Thank you. District 3?

Justin Ford:
District 3 – all three roads would qualify.

Taylor:
District 4?

Justin Ford:
Ben Bostick and Mt. Pleasant.

Taylor:
And, District 5?

Justin Ford:
McCall Bridge, Strong Road and Lake View would all qualify.

Taylor:
Commissioner Holt and I are not going to be considered in this one out of all fairness.

Holt:
I have no problem with it, but I would like to say this, though. If there is a second road if anything goes wrong with any of these, then if something doesn't go, we will have a second.

Justin Ford:
Do we have a second project?

Holt:
Right. If they were to ask us.

Justin Ford:
I mean, you can always decide on an alternate today if you would like. We don't anticipate –

Holt:
We only want one.

Justin Ford:
We don't anticipate submitting one candidate project to DOT.

Holt:
Right. I only wanted to make sure that there is a back-up just in case.

Lamb:
Madam Chair?

Taylor:
Yes, sir.

Lamb:
What roads in District 1 did they say qualifies?

Taylor:
Brickyard and Shady Rest.

Do you have comments, Commissioner Morgan?

Morgan:
Thank you, Madam Chair. I will just go back to my remarks before. These are all resurfacing projects?

Justin Ford:
For the SCRAP. It is a 100% grant.

Morgan:
O.K. I have no other comments.

LAMB:
I MOTION FOR BRICKYARD ROAD.

TAYLOR:
COMMISSIONER LAMB WANTS BRICKYARD TO BE CONSIDERED. BRICKYARD IS ON THE FLOOR.
THAT IS YOUR MOTION, SIR?

LAMB:
YES.

TAYLOR:
I SECOND HIS MOTION. BRICKYARD HAS BEEN MOTIONED AND SECONDED. ARE THERE ANY
QUESTIONS?

(NO RESPONSE)

ALL IN FAVOR, PLEASE LET IT BE KNOWN BY SAYING, “AYE.”

LAMB: AYE.
HOLT: AYE.
TAYLOR: AYE.
MORGAN: ASSUMED AYE.
CROLEY: ASSUMED AYE.

TAYLOR:
OPPOSED, BY THE SAME SIGN.

(NO RESPONSE)

MAKE THAT 5 – 0 TO DO BRICKYARD FROM YOUR SCRAP PROGRAM.

So, SCRAP and SCOP have been satisfied.

One last thing, Commissioner Lamb, while the Sheriff is getting ready to do his presentation, thank you for your patience.

Lamb:
I am still holding my patience.

(Laughter)

4B. Presentation of the Concept to Co-locate the Quincy City Police Department with the Gadsden County Sheriff's Office

This item presents the concept of co-locating the Quincy Police Department with the Sheriff's Office at the W.A. Woodham Justice Center. The co-location would improve services to the citizens of Gadsden County by sharing resources and data. It will also significantly improve the communications that currently exist between local law enforcement agencies and other first responders.

Sheriff Morris Young and Police Chief Walt McNeil have engaged in dialogue and are in agreement to co-locate the departments. Since the Justice Center is not owned by the county, but leased from Tallahassee Community College for \$1.00 per year, it is necessary to seek approval from them (TCC) as the lease calls for their approval in the event the county desires to sublet a portion of the building.

Sheriff Young addressed the board. He referenced the printed material that he had provided to each commissioner prior to the meeting.

Sheriff Young:

I scheduled a press release this morning to talk about the good things that we have been doing over the years as it relates to traffic in Gadsden County. Five years ago, we were losing 28 folk here in Gadsden County to traffic fatalities. We have been working hard here in the last five years to minimize the number of fatalities. This morning I scheduled a press conference at 10:00 a.m. I was hoping to be finished, but that is O.K. They await me now.

Last night I got finished with a packet here to get out to the commissioners. Raise your hands if you received them. I have quite a bit of information in this pamphlet about the co-location of the Quincy Police Department and the Gadsden County Sheriff's office. I know there are some questions.

Mr. Morgan, I spoke with you about some of the concerns that you had with this co-location. If you have read this, I can go through it thoroughly or quickly. This is not a task that I want to just throw on you all. Even when we started this, protocol was taken and I went through with it by contacting the Chair and the county manager. I did a small presentation for them along with some of our citizens here in Gadsden County. This is not a task that I wanted to just throw together. I took into consideration that when you move somebody into your house, you want to make sure that you've got some things in place, just in case that if things don't work out, you could throw them out just like we brought them in.

I have prepared some information here for you all. I don't know if you read over it. But I can go through it thoroughly. I can tell you this. I can tell you this – Being the Sheriff in this County, as far as Law Enforcement, we are losing the battle to criminals. We are. We are losing the battle on our state, federal and local government. Sometime I feel that we don't look at public safety like we should. We lose folk in fires, house fires; we lose folk from natural causes when we have to get our EMS personnel quickly. Time is of essence when someone calls 911.

We have some criminals who just want to terrorize our community constantly. I don't know about you all, but if you want me to, I can provide you a radio, a sheriff's office radio so that you can listen to some of the calls that we have in this county. Some are just minor – get my cat out of the tree. But there are major calls. Let me tell you this. In receiving over 68,000 calls in this community, in this county, let me tell you something, we stay busy. We try to entertain a lot of folk here in this county getting out our message about crimes here in the county and our citizens concerns that they have.

Most think that law enforcement is really not representing them well. I want to apologize and I am going to go out to various communities to apologize to the people about law enforcement. We spend too much time as a county agency here in Quincy. 85% of my staff is here in Quincy doing business. As it relates to the number of employees I have at the jail and running the jail – the jail is in the city of Quincy. My office is in the City of Quincy, which by State Statute, I have to be in the county seat. Not only that, we man the courthouse, which is in the City of Quincy. We spend a lot of time and resources here in the City of Quincy.

In this pamphlet here, I will just skip through it. If you have read over it, this is a lot of information. There are a number of calls that we answer and go to here in the City of Quincy. We serve civil papers here in Quincy. We take one of our Constitutional Officers to the bank daily here in the City of Quincy. Not only that, we have to go to the Probation Office to pick up parole and probation violators and take them to jail.

We are one of the only agencies in the county that unlocks vehicles. If you have ever locked your keys in a vehicle, you don't want to pay \$45 - \$65 to get it unlocked. I know that I have had these (I forget what they are called) that unlocks vehicles. They have called me and said, "Hey, you need to stop unlocking vehicles." But, I want to save our tax payers' dollars. If I can save you \$45-\$65 by getting your keys out of your vehicle, that is a savings. We do unlock vehicles. We constantly roam this county unlocking vehicles and that includes the City of Quincy. Some of the things that we do here in the City, through this co-location, we are going to allow the City of Quincy to do these things.

I want to move further out in the county. We have been in discussions with our fire chiefs. What I am going to do is that we want to co-locate in our fire stations. We want to make sure that we work hand in hand with our volunteer fire departments. We want to use these as substations and put deputies in these substations. These communities will be represented by law enforcement and they will feel like they've got their own police department. These are some of the things I was telling to our citizens when we gave this presentation. I know that one of them stood up and said, "That is the best thing ever. I live way out in the county near the GA line and it would feel great to have a police station right in the community."

These are some of the things that we are looking at doing. I can tell you that we are losing the battle to our criminals. We are losing the battle. I don't like to lose. I really don't and I don't any of you like to lose. You all ran for office and you won that election and this is what I would like to do. I would like to win the battle. Now, we want to continue to educate our community about crime and have this co-location where the City of Quincy will start doing some of the things that we do here in the City of Quincy. We are going to push us further out into the county.

Are there any questions?

Taylor:

What we are going to do is go around this table and get some input on your presentation and try to get you out of here and get you to your press conference.

We will start with you Commissioner Croley.

Croley:

Well, Thank you Sheriff for coming here and explaining this. As I stated, the first I heard about this was when I read it in the paper. That is a fact.

Young:

And I am sorry for that, but I went according to the protocol with the chairman and the county manager and I was hoping that he would call ya'll and let you know this. I sort of got upset with the City of Quincy because they put it out there in the press. They took it before their board and I wanted the city manager to have that discussion early on with his commissioners until I could get what I needed, this Memorandum of Understanding in Place before I went any further.

Croley:

Let me make it very clear. I don't have any problem with supporting the concept here at all. I am on board with you. But, here is the question I do have. On page 5 of your agreement J, K and L - there is a commitment there on your part that sounds like that this is going outside of the legal jurisdiction of the commissioner over the facility and you are the one who is "leasing" the facility out to the City or whatever arrangement there that is being done. And, I am sure that probably wasn't your intent, but it could be interpreted in that fashion. And, then of course, the lease agreement, to be quite candid about it, I don't think any of us realized that TCC Board has to approve any sublease from the County Commission to a non-county agency. If we could get those two things resolved and include how the utilities are going to be handled, I don't see any problem from my standpoint, about immediately pushing this on through to support you in what you and Quincy Police Chief McNeil are trying to do.

I think it is really just a matter of the county attorney and the interim county administrator here making sure that the proper things are done to get something to TCC Board in a proper fashion for them to approve. I think you want to have this done by August.

Young:

We are looking at some time in May.

Croley:

Excuse me. I may have misread that. I thought it said August 1 under Item G, but maybe not.

Young:

That is on dispatch. There are some things that we've got to do and FDLE must approve on our concept.

Croley:

We do appreciate that those business points or legal points need to be in here.

Young:

Well, I know on "K", we've got 25%, but we can work that out.

Croley:

As far as the legal contract and whatever to get to the TCC Board properly and that we are the ones that the City of Quincy is leasing the space from. This board has the responsibility under the lease agreement that says, "Gadsden County Board of County Commissioners." That is the only thing that I am seeing here that needs to be done. If that is all done, it looks to me like that everything is in good order.

Taylor:

Let's hold your comments and your response and let's continue to hear from others.

Commissioner Morgan?

Morgan:

Thank you, Madam Chair. Sheriff, thank you for coming up here to let us know about this. I appreciate the effort last night and this morning for Ltd. Turner to get this information to me.

I know that we have talked at length. I have actually been down to the Sheriff's office and looked at the space we are talking about. I commend you on looking for ways to improve public safety in the county and our municipalities. I certainly agree with the concept, but I have a couple of questions about it.

I read in here that the City of Quincy is going to be assuming 25% of the utilities. I have walked through the space down there, but I don't know how big the building is, but is that –

Young:

It is 40,000 sq. ft. That includes the boiler room and other storage spaces.

Morgan:

So, percentagewise, is that in line. Are they assuming 25% of the building? Or are they assuming 40% of the building.

Young:

Yes, 25% of the building.

Morgan:

O.K. That seems fair. There has been some remodeling done. I have seen carpeting and some other things down there, so it sounds like it is a done deal. I don't have any problem with it. The City of Quincy, did they pick up the tab on the remodeling?

Young:

Yes, sir.

Morgan:

That was my only question there. The term of the agreement. I know you and I had mentioned and I know you want to get started in May and I don't have a problem with that, but I saw that this lasts for one year. Do you think it would be wise to maybe have this initial agreement end on September 30 and let us have another agreement that runs in conjunction with our budget year? In other words, start October 1 and run for 12 months. I'll tell you the reason that I suggest that. I know we talked on the phone, I think that gives you guys' time to kind of get your feet wet and

all this and iron some things out. If there are some things that are not included in this agreement that the City of Quincy would like to see or you would like to see, you guys can tweak it and go from there beginning with the new budget year. Also, you would have a tracking of the utilities in line with the percentage. It may be that only 20% is all we need to do. Or maybe 30%. This is just a suggestion. I think that would keep things cleaner and easier. I would like to know a year from now how it is going. From a fiscal standpoint – does it make sense? Are things coming up that we didn't foresee? If you could do that from a budget year standpoint, October 1 to September 30, it would be a lot easier for your department and maybe even the City of Quincy to get a cleaner look at it and see if this is still something that you want to do.

I commend you. I think it is a good idea. I really would like to see that. I don't want to speak on behalf of anybody at TCC, but I talked to Dr. Murdaugh about this. He wants to support us. We are assuming all of the liability on that building anyway. We just basically for \$1.00 per year. It is a long term lease.

I think that what you probably see is that TCC is going to end up giving this building back to the county. I certainly can't speak for that board, but if that be the case, the county would obviously then own that building again. I do agree that legally, as Commissioner Croley mentioned, the county should be the one that is listed in the contract. But, if our attorney has looked at this and there isn't anything glaring thing that stands out that we need to be concerned about, then I recommend it.

I didn't know that you were going around unlocking car doors and things of that nature. If you will change a tire, I can save my annual AAA Membership.

(Laughter)

Young:

We do that, too. I do a lot of it.

Morgan:

O.K. Good.

Taylor:

Thank you, Commissioner Morgan.

Commissioner Lamb, do you have any comments for the Sheriff?

Lamb:

I think it is a great idea for them to want to come together. I have no problem. I approve it and I support it 100%. I am ready to approve this and get to the commissioners request to the TCC Board of Trustees.

Taylor:

Thank you.

Commissioner Holt?

Holt:
Thank you.

Co-location – like I said before, I think it is a great idea. I was trying to get several governmental groups down there.

Also, as far as the lease agreement – as Commissioner Morgan said, push it on to the attorney and let it go on through. I don't think it is economically sound to do a short term lease...but that is something that you tweak anyway over time. So, I think a year is pretty short term for governmental organizations to lease. That is quite short. Most people lease for long periods of time. It is another governmental entity. You don't want to lose money there. So, a year's lease – (inaudible) it just needs to be tweaked by our attorney and move on. We need to go ahead and approve this with the attorney looking at it. Let's move forward.

Taylor:
There may be some modification in the way the names of the lessee and lessor, but at this juncture, what we are looking to do is to move this for board approval so that TCC can entertain it with the modifications we have made.

**HOLT:
SO MOVED.**

**TAYLOR:
SECOND.**

WE HAVE A MOTION AND A SECOND TO APPROVE THIS PLAN WITH MODIFICATIONS THAT HAVE BEEN IDENTIFIED BY THE ATTORNEY WHO WILL ALSO MEET WITH YOURS SO THAT WE CAN HAVE A SMOOTH TRANSITION.

ALL IN FAVOR OF THIS MOTION PLEASE INDICATE IT BY SAYING, "AYE."

ALL: AYE.

ALL OPPOSED BY THE SAME SIGN.

(NO RESPONSE.)

MOTION CARRIES 5 – 0.

5. Presentation of County Finance and County Clerk Issues

The clerk was not present, but submitted a memo asking to be excused due to a conflict with another appointment with his son.

6. Approval of Minutes of February 1, 2011 Regular Meeting

7. Ratification of the Approval to Pay the County Bills

Accounts Payables Dated: April 8, 2011
April 15, 2011
Payroll Dated: April 7, 2011

8. Resolution No. 2011-016 Declaring the Week of May 15-21, 2011 as Public Works Week in Gadsden County

*****Commissioner Lamb left the meeting via the telephone at this juncture. *****

9. Approval to Accept the FY 2011 Second Quarter Financial Report Proposed Budget Calendar

Summation: The departments operating under the supervision of the county administrator have expended approximately 42% of their allotted budgets through the second quarter of the fiscal year. The county's established benchmark at this point is 50%. The report is through March 31, 2011, but does not include any budget amendments that were recently approved nor does it include any finance adjustments which have not been posted.

OMB Senior Analyst reported that the report would be posted to the county's website.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE ABOVE STATED REPORT AND BUDGET CALENDAR.

~~Selection of Candidate Projects for the Small County Outreach Program (SCOP) – Florida Department of Transportation~~

~~FDOT periodically has funding available under the SCOP Program. The Florida Legislature has expanded the scope of the SCOP Grant to include widening and bridge repair and rehabilitation work. Historically the program has only been available for resurfacing projects. Since the selection of potential projects is now more broad, the Public Works Staff presented several options for project that could possibly get funding. If the project is selected for funding, the county must enter into a Joint participation Agreement for the county to administer the project. There should be no fiscal impact on the county.~~

This item was moved to 4A.

10. Kaboom Grant Application – Post Approval for equipment

The budget and the project for the Eugene Lamb Jr. Park at Rich Bay was previously approved by

the board, however, the grant application itself was not approved. Approving the application will not add any more financial impact to the county as it has been included for the planned program in the Capital Improvement Budget.

Mr. Charles Chapman stated, "This will allow us to not only get the infrastructure done on the park, but also install one playground unit. We have planned two, so this will get us well on our way to begin the final completion of the project. It is a fairly large parcel. It is about six acres in size. There are many different aspects of the park that are included. This will help us to get at least one playground unit in. There is a steering committee made up of citizens from the District and our Rich Bay Community in Havana. They have worked hard to get this. They actually wrote the bulk of the grant. We have just been the fiscal agent to pass through. This is their project for the playground units, so we are happy to assist."

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO GIVE POST APPROVAL THE GRANT APPLICATION FOR PLAYGROUND EQUIPMENT FOR EUGENE LAMB JR. PARK AT RICH BAY.

11. Change Order No. 1 for the Local Agency Program Project – Florida Department of Transportation – Hardaway Highway (CR 265) Contract with Peavey and Son Construction Company, Inc.

The proposed change order reduces the cost of the project contract by \$7,925.75 due to cost savings realized through the joint efforts of Peavey and Son and Greenhorne & O'Mara Engineering and Preble Rish Engineering.

The grant was funded with federal dollars and there is not an option within the program to use these funds for anything but the specific project awarded. Therefore, the unspent funds must be returned to FDOT to provide for a clean audit of the project.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE CHANGE ORDER NO. 1 (REDUCING THE CONTRACT PRICE BY \$7,925.75) WITH PEAVY AND SON CONSTRUCTION CO. (FDOT LAP AGREEMENT) FOR HARDAWAY HIGHWAY.

12. Approval to Enter into a Mutual Aid Agreement between Gadsden County, FL and Decatur County, GA for Fire Protection and Authorize the Chairperson to Execute the Agreement

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE MUTUAL AID AGREEMENT WITH DECATUR COUNTY, GA FOR FIRE PROTECTION.

13. Approval of 2011 Small County Consolidated Grant Agreement with Florida Department of Environmental Protection (DEP) and Authorize Chairperson to Execute DEP Grant Agreement No. 109SC for \$70,588 Solid Waste Grant period October 1, 2010 thru September 30, 2011

There was some discussion of applying this entire grant toward the recycling program. Mr. Presnell was directed to come back to the board with information about the services that are provided with this grant money.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE ABOVE STATED GRANT AGREEMENT WITH FDEP.

14. Update on Board Requests

Mr. Lawson reminded the board that county offices will be closed on Friday in observance of Good Friday.

15. Update on Various Legal Issues

Ms. Minnis reported that the county received a bid protest on the award of the Videoing of the Commission meetings. She also reported that the board would have to hire separate council to prosecute or defend the bid protest.

16A. Commissioner Lamb, District 1

Commissioner Lamb had left the meeting via telephone at this juncture.

16B. Commissioner Croley, District 2

Commissioner Croley restated his guiding principles: Sensible economic development, protection of the environment, transportation and infrastructure improvements – all done at the lowest reasonable cost.

“I support the public’s right to know not the status quo. My focus remains on the improved operational efficiency and improved financial accountability throughout county government. To this end, I will continue to advocate the general public interest on behalf of all Gadsden County, even if I stand alone and incur the wrath of special interest groups with a different agenda.

Now, I am restating this because I want it in the record so that every one of you, whether you are on this board or out in the public, understands exactly where Commissioner Croley is coming from. I may lose every vote. If I do, that is fine. But, I am not abandoning these guiding principles and I am not abandoning this commission. If you’ve got a problem with that, I reckon you can try to get me out of here. But, so far, I don’t think that is going to happen. Anyway, again, Madam Chair, again, I am going to come back. All the professional politicians focused on power, re-election and legacy aren’t going to make any difference to me.

You are always asking me my attitude. Well, my attitude is good. Very positive. I am going forward.

I thank you for your time.”

16C. Commissioner Holt, District 4

Revenue Possibilities

“I am trying to find out how we can go about getting in revenue without having to go to the state. There are still businesses out there that are looking for places to re-locate. We are going to have to find them. We are going to sit down, get with our Chamber, get with other entities and see how we bring in jobs. We need jobs. Other counties are doing it. I met with them when we were meeting on healthcare over at the Legislature. They are trying to do the same thing. They are meeting with everyone from Skin Boards to Cities to everyone to see how they can put their resources together to entice businesses to come to their area.

Commissioner Taylor, you started off really well with the meeting at the center. We need to come back now and have these workshops and put our minds together. We are all running out of money. It is a matter of going after revenue. As I told them over there, we are the sunshine state. We should be making solar panels. We are not collecting the sunshine that God has given us. We need to look at this. I implore you. We need to look at this. As Commissioner Croley said, whether I am here or not, we still have to have a county. We need to look at this item. I am asking that it be put on the agenda so we can sit down and have a discussion on economic development here and see what we need to do to go after that economic development. The state is not going to send us another penny more than they sent us last year. The federal government is not going to.

I even asked some of the other larger counties and at the state. If you have businesses that are trying to come to your area and they don't fit, then please send them to us. We may not want them or accept them, but we need to at least have the opportunity to look at them.

That being said, the only thing I have to say is we can pass the FCAT. Instead of looking at what you read in the papers and see on the television about Brenda Holt, you can still call my number. 627-2527. Pull the records from the courthouse and read them yourself. Very interesting reading, I must say. My attorneys have all said, “Don't worry about that, we will take care of that part.” I told people this morning, “It may not come out in the wash, but it will come out in the minutes.” So, let's make sure that we pull the records and read them. I have never thought about this. It has been the most interesting thing I have ever seen. I never had contact with any of the entities before. But, I am having contact and I am one that loves to read. So, I think that it is almost exciting to have this going on in a small county. Not good. Not bad. But it is unusual because you have to look at that. You wonder how many people that it has happened to that didn't deserve it.

Thank you. “

16D. Commissioner Morgan, Vice-Chair, District 3

Timely Submittal of the Audit by Purvis Gray and Company

“I hope that the board will pay very close attention to what our accountant is telling us in as far as how we are trending and the importance to build up the fund balance for so many reasons.

Commissioner Holt is right. Our revenues from the state are going to go down this year. We know that. We got several threats. We have heard it from our former manager and from the clerk. Now, we have heard our accountant say that we need to look at getting between \$7 – \$8 million cushion as far as funds go. So, I do hope we keep that in mind.”

Requested to agenda a discussion of a Spending Freeze

“For the rest of the budget year, I think it would be wise for us to agenda an item for discussion that centers on a spending freeze. What I mean by that – Obviously any unbudgeted items, but also to go back and look at our budget to see if we can cut back in certain areas. We are basically at the half way point in the fiscal year. I think anything that we can do now to manage those dollars better fiscally will help offset anything that we have to face in the next fiscal year and offset the potential layoffs or furloughs and things of that nature. Every county is going to be faced with this; it is not just for Gadsden County. I think it is just the reality and it is something that we need to try and minimize. Out of respect for our employees and their families. If there is any way that we can preserve dollars in this uncertain economic environment and legislative environment, then we certainly need to make every effort to do that. In my personal opinion, we owe that to them. We certainly owe it to the tax payers of Gadsden County. So, I would ask, Madam Chair, that whatever procedure we go through now, that we agenda an item for discussion and action regarding a spending freeze for the remainder of the budget year. For discussion of our spending habits.

Commissioner Holt brought up Economic Development. Since I took seat here two years ago, I have tried to focus efforts on economic development. Something I have seen pay off handsomely so far. I think I would ask Commissioner Holt to have some discussion with our Chamber about economic development, but specifically some of the things that you mentioned before. I think you will find some interesting information there. So, we have done a lot of things well, there are a lot of ways to improve. But, again, we do need to continue to focus on that.

The only other thing that I wanted to mention was to commend the public works department. I have had several calls recently about how pleased the public is with the response, issues and regularity of the schedule and how we are addressing needs. We have addressed some things that we took off last year and their reinstatement made sense. I really commend the efforts of those employees out there at public works. In particular, Mr. Chapman. He has done an outstanding job with making that department run more efficiently. He is progressing through that and to that end again, have we discussed paving of any roads?

We have a dirt road improvement plan that is in place. We owe it to our citizens to adhere to that if not 100%, real close to that. That is the fair and proper way to do it. One of the reasons

that I chose to make an attempt to sit on this board is because it was handled previously. It was not handled properly. Ms. Rowan spoke about that and she is absolutely right. You have heard about bridges to nowhere. Well, we have roads to nowhere. It is changing. There has been a lot of money that could have been better well spent. But, that is water under the bridge as they say. So, we are going to move on forward in a positive manner. “

That is all I’ve got. Thank you. “

16E. Commissioner Taylor, Chair, District 5

“First of all, let me say thank you to you, Commissioner Morgan for working with us through the road selection process. I think it showed a lot of dignity on your behalf to allow others to get some assistance. I applaud you on your professionalism in that.

Request for Presentation from Ron Sachs Communication

Mr. Lawson, I have asked for a presentation from Ron Sachs. I have seen invoices, but I have not seen any presentations. So, in a few minutes, I am going to motion to have a presentation. Something to update us and give us an idea of what they have done thus far so I can speak intelligently about that particular item.

Public Works Staff to attend School Bus Meeting

We need to make sure that someone from public works attends the School Bus Meetings that are conducted through the director. These drivers are on the road and they know where the critical areas are as they go up and down traveling with our children. I was minutes watching an accident. I mean, minutes. The people had just exited their automobile and the bus and the automobile collided right there at South Adams and Strong Road. I brought that to the attention of Mr. Lawson. There is a steep drop-off right there that has caused an accident once a month. Right there at Strong Road and South Adams, there is a drop-off there. I implore you, sir, to have someone look at that because it is a road issue. It has been reported several times, but nothing has happened with regards to eliminating that situation. Someone needs to start attending those meetings so that we can get abreast of those road conditions that we might need to give (inaudible)

Grass and Mowing Schedule

Roadway cuttings, grass is growing and I am sure you all are mindful. If we could get some kind of schedule as to how it is being cut and when you are going to be in particular areas, so that we can tell the citizens, “They will be here at this time or they will be here this week.” So they can get some kind of assurance that it is on its way or at least some kind of timeframe in mind so that they can be a bit more comfortable. As we all know, living in the rural area, once grass starts growing, snakes start moving. We don’t want to cause any incidents.

Joint Meetings with Municipalities

The other thing. This is something that I have been harping on for the last two years. That is meeting with the other municipalities. Economic Development and all else needs to be a joint effort. We know that there is one of our sister cities that is doing well with getting grants. We should be able to combine our efforts and our resources to be able to work and help this county as a whole. I am going to put that back out there again. We need to start talking and working through these issues as a body of people. I have spoken with the City Manager at the City of Quincy. He is amenable. He did want to narrow the scope. Economic Development was one and public safety was the other. That way it would be concentrated in two main areas that we could certainly use some help with. Public Safety and bringing dollars into this county. So, this is something that we need to start focusing on and looking to do with them.

Now, there three items that we need to motion to get on the agenda.

Mr. Lawson, I will leave it up to your purview as to when you want them, but certainly hopefully within the next couple or three meetings, some will appear there. I think Commissioner Holt has asked for economic development.

Commissioner, you are asking for some kind of concept or vision as how to develop it?

Holt:

Yes, and to entice. Maybe we need to look at some other areas throughout the state and some other venues. There are companies out there. Not just companies, but organizations that may be helpful. One of the county commissioners in Tallahassee called me and left a message for me and I still have to get back. I forgot. I was in a meeting when he called. But, he was discussing some things with me at the capital about them doing some of the same activities over in Leon County, some things that they are doing.

Taylor:

Well, with that being said, let's see when we can get it on the agenda.

Holt:

Yeah.

TAYLOR:

LET'S TAKE THAT AS A MOTION. THERE IS A MOTION TO PUT ECONOMIC DEVELOPMENT ON THE AGENDA AND WE WILL WORK OUT THE DETAILS BETWEEN YOURSELF AND MR. LAWSON AND WHOEVER ELSE WE CAN RECOMMEND OR SUGGEST THAT MIGHT NEED TO COME TO THE BOARD AND HAVE SOMETHING FORMAL THAT WE CAN LOOK AT.

HOLT:

AND THE OTHER COMMISSIONERS – IF THERE IS ANYTHING THAT ANYONE KNOWS.

TAYLOR:

WAS THAT IN THE FORM OF A MOTION?

HOLT:
THE ECONOMIC DEVELOPMENT TO BE AGENDAED, YES, I SO MOVE.

TAYLOR:
THERE IS A MOTION AND A SECOND TO BRING THIS BACK AS AN AGENDAED ITEM. ALL IN FAVOR OF THIS MOTION, PLEASE LET IT BE KNOWN BY SAYING, "AYE."

ALL: AYE.

TAYLOR:
OPPOSED, THE SAME SIGN.

(NO RESPONSE.)

4 – 0 TO BRING THIS ITEM BACK.

Spending freeze? Is that universal to put a freeze on their spending.

Morgan:
Yes.

Taylor:
LET'S BRING THAT BACK FOR DISCUSSION AND LET'S LOOK AT IT AND SEE HOW WE CAN HELP OURSELVES BY GOING THROUGH THAT AS AN AVENUE.

MORGAN:
I SO MOVE, MADAM CHAIR.

TAYLOR:
THERE IS A MOTION. IS THERE A SECOND?

HOLT:
SECOND.

TAYLOR:
IT IS MOVING. THERE IS A SECOND.

Morgan:
I do have a question. I would like to, because it is a priority and everything stems from that, if we could have that at the next meeting, I certainly appreciate it.

Taylor:
Not a problem. Can you agenda it?

Lawson:
We can agenda it, Commissioner, but the deadline for the agenda will be at noon today.

Morgan:
For the next meeting?

Lawson:
Yes. We have a short week.

Morgan:
Oh, I see.

Lawson:
We can put it on there. We may not have the information.

Morgan:
I would ask that. We still have time to gather information. If we can, I want to do that. I would appreciate it.

Lawson:
Alright.

TAYLOR:
IT WILL BE FOR DISCUSSION ONLY. IF WE NEED TO MOVE IT ON A LITTLE FURTHER, WE WILL DO SO. THERE IS A MOTION AND A SECOND TO HAVE THIS ITEM AGENDAED AT OUR NEXT MEETING IF AT ALL POSSIBLE. ARE THERE ANY OTHER QUESTIONS? THERE BEING NONE, ALL IN FAVOR OF THIS MOTION, LET IT BE KNOWN BY SAYING, "AYE."

ALL: AYE.

TAYLOR:
OPPOSED BY THE SAME SIGN.

(NO RESPONSE.)

MOTION CARRIES 4 – 0.

Thank you.

AGAIN, I WOULD LIKE TO HAVE A PRESENTATION FROM MR. RON SACHS JUST TO GET AN UPDATE ON WHAT WE HAVE REGARDS TO TOURIST DEVELOPMENT. ANOTHER AVENUE TO GENERATE REVENUES. WE NEED TO MAKE SURE THAT WE PUT FORTH OUR BEST EFFORT. HE MIGHT NEED SOMETHING FROM US TO ORCHESTRATE WHAT HE IS DOING. WE WANT TO BE IN FRONT OF IT. SO, THAT IS MY MOTION TO HAVE THAT AGENDAED.

HOLT:
SECOND.

TAYLOR:
THERE IS A MOTION AND A SECOND.

MORGAN:
I HAVE A QUESTION.

TAYLOR:
YES, THERE IS A MOTION AND A SECOND. QUESTIONS.

MORGAN:
I AGREE WITH YOU, MADAM CHAIR AND I THINK IT WOULD BE HELPFUL IF WE ASKED THE CHAIRMAN OF THE TDC TO AGREE TO BE PRESENT. THAT WOULD BE VERY BENEFICIAL.

TAYLOR:
ABSOLUTELY. LET'S TRY AND GET THEM TO COME ONE MONTH FROM TODAY. THAT WILL GIVE YOU SOME TIME.

(THE MOTION WAS NOT VOTED ON)

Thank you so much for your patience this morning.

MOTION TO ADJOURN?

HOLT:
SO MOVED.

17A. For the Record: FDLE Grant Adjustment Notice – Area Drug Taskforce 2011-JAGC-GADS-1-B2-072 Adjustment No. 1 - Naming Project director to Sergeant Rodney Moore and clearing the special condition S16337 regarding Task Force Training.

17B. For the Record: Budget Amendments OMB-BA # 11-001 through 11-0030

17C. For the Record: Letter from Smith, Thompson, Shaw and Manausa, PA Regarding Warranty Deed for the Tax Collector/Property Appraiser's Building and Title Insurance and Quit Claim Deed

May 3, 2011 – Special Meeting at 4:30 p.m.

May 3, 2011 – Regular Meeting at 6:00 p.m.

May 17, 2011 – Regular Meeting at 9:00 a.m.

ADJOURNMENT

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR DECLARED THE MEETING
ADJOURNED UPON MOTION BY COMMISSIONER HOLT.**

Sherrie Taylor, 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 3, 2011, AT 6:00 P.M. THE
FOLLOWING PROCEEDINGS WERE HAD, VIZ.**

PRESENT: Sherrie Taylor, Chair, District 5
 Gene Morgan, Vice-Chair, District 3
 Eugene Lamb, District 1
 Doug Croley, District 2
 Brenda Holt, District 4
 Nicholas Thomas, Clerk
 Debra Minnis, County Attorney
 Arthur Lawson, Interim County Administrator

CALL TO ORDER

The chairman called the meeting to order at 6:00 p.m. followed by the invocation, pledge of allegiance to the U.S. flag and the roll call. (See roll call results as noted above.)

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE CHAIR DECLARED A RECESS FOR 10 MINUTES.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO END THE RECESS AT 6:13 P.M.

AMENDMENTS TO AND APPROVAL OF THE AGENDA

Add as Item 2A: Appointment of Representative of the Gadsden County Board of County Commissioner for the Torreya State Park Advisory Group

**UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 – 0, BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED.
(COMMISSIONER CROLEY WAS NOT PRESENT FOR THIS VOTE.)**

AWARDS, PRESENTATIONS & APPEARANCES

1. Information Regarding Possible Impact of Senior Citizen Ad Valorem Tax Exemption

Property Appraiser Clay VanLandingham addressed the Board. He passed out materials to each commissioner.

VanLandingham:

The counties I have included are Calhoun, Franklin, Jackson, Leon, Liberty, Madison and Wakulla. All counties similar to us somewhat in nature, somewhat in population and somewhat in parcel count. Please be aware that each of these counties offer senior citizens discount to the fullest amount, which is \$50,000. The best thing that I could do was gather the data from these counties from the last three years. We have no idea of what the numbers will be in Gadsden County.

If you will turn to the second page, I took a bit of census information and compared that to total number of homesteads in Gadsden County. The latest census information that I could find said that 13% of the population of Gadsden County is over the age of 65 and 26% of our population is below the poverty level. I took the number of paid homesteads and multiplied it times the 13% and the 26% and came up with 349 homesteads that would qualify for the senior exemption in Gadsden County. That is the best guesitmate that I can come up with.

If you will go back to page 1, and we will just pick a few of them out for you to examine. In 2008, let's look at Calhoun County. They have 317 seniors that qualify for the senior homestead exemption. The total value of all the senior property exempt in Calhoun County for 2008 was \$6.375 million. The millage rate was 10, so they lost \$67, 00 in taxes. Keep in mind that this is a \$50,000 exemption. If you look in that last column, that is the average exemption amount. None of those columns equal \$50,000. None of those columns in Gadsden County would equal \$50,000. The reason for that is that some properties would not qualify for the full \$50,000. They may have only \$10,000 in taxable value above the standard \$25,000 exemption, so they could no use the full \$50,000, they could only get \$10,000 leaving \$40,000. Remember also that the Senior Citizen Homestead exemption applies to the second \$25,000 in value. Everyone gets the first \$25,000. Currently, as it stands, the second \$25,000 (that value between \$25,001 and \$50,000) is fully taxable.) Then the next \$25,000 is exempt from all taxing authorities except the School Board.

If you will look at Wakulla County in 2009, they had 341 seniors that qualified; a little over \$8 million in taxes were available for exemption. Their millage rate was similar to ours at 8.25 mills. They lost about \$68,000. The average homestead exemption was less than \$25,000.

Let's look at Leon. It is a big one for the year 2010. Leon has 1743 qualifying seniors. About \$39.750 million available for the exemption. Their millage rate was 8.35 mills. They lost \$232,000 out of their budget. The average senior citizen homestead exemption was \$22,000.

So, you can see that even though you give a \$50,000 exemption, you will never – I will say never, let me take that back – but more than likely you will not see the full \$50,000 on every parcel for a year. It just won't happen unless somebody hacks into the property appraiser's computer and changes things.

On Page 2 the scenarios that I made up are the \$50,000, the \$25,000 and also a \$15,000. For the \$50,000 senior homestead exemption, the total money lost that would be taxable is a little over \$17 million. At this past year's millage rate, that would be \$155,000 that the board would be unable to collect because of the exemption.

The exemptions on the prior page seem to be running about half of the \$50,000. That average that I gave you is anything from \$16,000 in some counties to \$24,000 on some other counties. So, if you drop down to the \$25,000 exemption, that would be \$77,000

and if you drop down to the \$15,000 exemption, that would be \$46,000. That assumes that every parcel would get the full benefit of the \$15,000. We probably can assume that it will be closer to the \$15,000 rather than the full \$50,000. But you will not have 100% participation at the \$15,000.

I put these together so that you could ask the committee to convene a meeting and we can sit down and discuss whatever the board directs the committee to discuss. This application has to be filed annually. The applicant must return through federal income tax return or some other document stating the adjusted gross income and it is for the household. It is not for the person applying for the exemption. So, if Grandma is in the house and it is here house and I live with Grandma and I work and my child lives with Grandma and he works, then it is the combined adjusted income on all three of us. It is for the household and not the individual. You must file each year.

Any questions?

Lamb:

Clay, you know, I am the one who presented this to the board because a lot of questions have come up to me in the past from citizens over the last four or five years.

VanLandingham:

I have done my best to refer them to you all.

Lamb:

And I told them that I would present this to the board and ask the board to have you to go and do some research and present it to us. I think you have done a good job on this. I would definitely have a committee to be active and come back to us with a recommendation. I don't think we can afford the whole \$50,000.

VanLandingham:

Correct.

Lamb:

But I will - there should be something. I told them that I would do everything I can to the citizens that qualify. You have explained to us exactly what the qualifications are so far as income of the household. I hope that they don't think that you are going to base it on just one person in that household if you've got more than one adult in that household working. It is based on everybody.

VanLandingham:

Correct. And that number, Commissioner, comes from the State of Florida. They change it every year. It goes up. In past years, it has been going up a small percentage. But this year it is \$26,263.00.

Lamb:

So, if the household is bringing in more than \$26,000 –

VanLandingham:
If they are bringing in \$26,500, they are missing it.

Lamb:
I would definitely would like for the committee to consider it at \$15,000 and \$25,000 and bring back to us a recommendation.

VanLandingham:
By Law, the commissioners can allow from \$1.00 to \$50,000 by Statute. That is an Ordinance that this commission must adopt. I have included a copy of FS 196.075 as part of this handout.

Lamb:
This county has not exempted senior citizens in the past.

VanLandingham:
No, sir.

Lamb:
I would like to see this commission give the committee to go and come back with a recommendation to us so we can help some of our citizens. Our senior citizens that need help. They have to qualify.

Thank you.

Taylor:
Thank you, Commissioner Morgan?

Morgan:
Thank you Madam Chair. Mr. VanLandingham, we appreciate you coming and showing us this. It is easy to look at and understand. I have a question.

If we take your example of the \$25,000 level and there are 349 households – is that correct?

VanLandingham:
349 homesteads. Let's assume that would be a household.

Morgan:
Homesteads, o.k. In your example at that level of \$25,000, that would be tax dollars lost to the county at the present millage rate of a little more than \$77,000.

VanLandingham:
Let's say that is the worst case scenario. That is assuming that everyone that files gets the full \$25,000 exemption. In order to do that, the house would have to have an assessed value of at least \$50,000.

Morgan:

O.K. So, let's say that in those households, there is an average of two individuals. Would it be fair to estimate that - Just for math purposes, let's call it \$60,000 rather than \$77,000 – and there is an average of two per household, would it be fair to say that you could take \$60,000 and divide that by 700 (349 homesteads with two individual per household) could you divide those out to see what true tax dollar savings that would be to each of those individuals.

VanLandingham:

I am not sure what you are asking, commissioner.

Morgan:

O.K. We are going to see – all the citizens of the county are going to see a loss in tax revenue, by your example, of we said \$60,000 in this case. What does that mean to Gene Morgan as an individual citizen who sees those savings? How much is that going to save me on my property taxes? I mean, as much of an estimate as we could do. Say that I had a \$60,000 house.

VanLandingham:

\$60,000?

Morgan:

If I was a senior who had a \$52,000 and there were two of us in the household. We are making some assumptions there, but we are just using an amount of \$60,000 or whatever you want to use.

VanLandingham:

Alright. It depends on how you work it.

Morgan:

What is your best guess?

VanLandingham:

If you had \$60,000 and your example of two people per home, so we had 349 of them, so we had 700 total people. So I took the \$60,000 and divided it by 700 and multiplied that times the millage rate and it came out to be \$.75.

Morgan:

That is what I was doing. That is why I am trying to wonder why we would want to give up \$60,000 in tax dollars to benefit someone of only \$.75.

VanLandingham:

You are assuming that 100% are going to qualify and that 100% are going to be full value.

Morgan:

Well, just use half.

VanLandingham:
Then it would be \$1.50 per person.

Commissioner, I could be applying the mathematics just wrong. I would, like most people that try to understand homestead exemption and taxes, I would have to sit down with a pencil and a blank sheet of paper and scratch my head for a few hours.

Morgan:
I guess the reason that I am asking is because I am like Commissioner Lamb. Anything we can do to help our senior citizens, we obviously want to do that, but we want to do it in a manner that makes more sense. When we are helping that group of folks, which I don't think there is anybody up here that doesn't want to do that, but all the citizens in the county are contributing to that. I mean, we are giving up \$60,000 worth of services that we cannot provide because we don't have it in the general revenues, so that is why I'm wondering if it makes sense to do it?

VanLandingham:
Commissioner, if I am living in that house by myself or me and my spouse are living in that house together and my income is less than \$26,200 and my homestead is valued at \$50,000, my tax savings are \$222.66.

Morgan:
I guess what I am saying is that we've got to have a way to measure it and see if it makes sense to do it.

VanLandingham:
All I've got to have from you all is how many people are over age 65 and how many households make less than \$26,200 and what is the value of their property then I can give you that answer.

Morgan:
So, we can do that - right?

VanLandingham:
No, sir.

(Laughter)

I do not know how many homesteads are over 65. I certainly don't have the financial information on all those homesteads.

Morgan:
But, doesn't some of that information come from the census.

VanLandingham:
Sure. 13% of the population is over 65.

Morgan:

O.K. If you can't pin it down, that's good.

VanLandingham:

I mean, it is like trying to nail Jello to a tree, Commissioner. It is hard to do.

Morgan:

I hope you agree that in order to do this, it needs to make sense financially.

VanLandingham:

It does. We just need some numbers to measure it by. If you assume, like on Page 1, where the total loss to the county in terms of tax dollars is only half of the \$50,000 for each parcel, you know, let's go by that because that is good solid data that I got from the Department of Revenue. So, I know what that is. If you applied that to Gadsden County, that is \$60,000 that all of a sudden turns into \$30,000 that the county is not due. Maybe I will only get \$100 back instead of \$200. But, it is still \$100 in my pocket.

Morgan:

Now, if we had changed the millage rate in the last two years, we had the ability to go to 10. If we do that, that is additional revenue that the county would be losing out on, correct?

VanLandingham:

It is because, in effect, you would be increasing taxes by raising the millage rate.

Morgan:

Right. Thank you, I appreciate your help.

Taylor:

Commissioner Holt?

Holt:

That was a nice one at the end. That was cute.

What I think we need to do is decide on whether we want this to be \$15,000 or \$20,000 or \$25,000 and go ahead with that. If you are looking at the number of people, they are not all going to meet the criteria anyway. So we go with what we think we look at – at least a starting point. If it says them \$.50, we say it is only \$.50. They may not even mind or \$.75. It does give us something to start and there are some people who did need the \$200. Everyone is not going to qualify. It is as simple as that.

VanLandingham:

Excuse me for interrupting, Commissioner Holt, but if you would look at the list of the counties, that is every county that is around us. We are a stand alone in a pocket so to speak. Like I said before, this commission has the power to set the amount from \$1.00 to \$50,000. I would ask you to take note under the exemption count columns for each year. The first year is generally the lowest year as far as the number of applicants is concerned.

The next year, word gets out and more people come in and apply. The third year, the word gets out and more people come in and apply. So, my suggestion would be to pick an amount that is not the full \$50,000 and implement it and then see how it grows.

Holt:

Madam Chairman, May I?

Taylor:

I'll tell you what. Clay, what we want to do is move on through this. The explanation has been very clear. Let's hear from commissioners, and then we will give you some direction.

VanLandingham:

Very good.

Holt:

I was about to say basically the same thing that you are saying, though. Not everyone is going to come in and apply. Put it low at \$15,000 or \$20,000. That gives us starting point. People are going to find out about it and they are going to come in and apply for it. I think it helps them out some, but it is not really going to give us anything. If we turn around and look at economic development, we can replace that money quickly.

Croley:

If I understand this right, using Commissioner Morgan's \$60,000 scenario, the first \$50,000 is exempt with \$25,000 applying to the Senior Exemption.

VanLandingham:

Correct. That would then be a \$10,000 taxable bill assessed.

Croley:

So, that would be about \$8 or \$9? As far as I am concerned, I think the seniors ought to get the full \$50,000. I certainly don't see it being that big of a problem. It is their money and by state law, they should be able to get it back. I know a lot of senior citizens who are on fixed income, living on Social Security and this might mean a lot to them, especially if they live by themselves. Obviously, because all of them are not going to get it because you have others living in the same household and that additional income would automatically eliminate them by qualifications.

And I look at a county like Madison, which is a very similar history and demographics to Gadsden County, and we can see that if we can afford to do some of the things we do around here, we ought to be able to afford to let citizens keep their own money. Those are my thoughts. I am for \$50,000 and going forward.

Taylor:

Thank you as we have moved through. I agree with Commissioner Croley, let's give them \$50,000. However, you and I had this conversation some two or three weeks ago. What I thought we would be entertaining tonight is that we would come and do a minimum amount for the first one or two years just to get concrete information. Right now, you are

basing this information off of here. You are guessing that you are going to have 349. WE don't know many will really come out of that many. We don't know what percentage will receive the full amount. We just don't know. There are a lot of unknown variables that are out there that we need to get answers to. So, the idea is that we probably need to gather information first and not put this county in a quagmire with regards to funding that we are going to need. But, again, Clay, let me finish and then we are going to move. But we need to do something and I don't want to be the lone dog, especially in a situation like this. I am so pleased with Commissioner Lamb for bringing this before us and getting some action. I am at the juncture right now to do the minimum of \$15,000 so that it becomes more a fact gathering scenario and then come back here in a year or two and bring it to a different level, maybe even \$50,000. I do want to get it started, so we can find all the information we can know and have a more concrete direction that we going into instead of moving into this thing blind. We have to consider the 46,000 or more that we are working for. So, that is my only issue right now.

So, right now, I am only taking a motion. No more discussion, please. I need a motion from the board.

Croley:

I will do that, but I have just one quick question.

The counties that you have listed on here, do they use the full \$50,000?

VanLandingham:

Yes, sir.

Croley:

They all use \$50,000.

Lamb:

And they have been using it for some time.

Taylor:

Let's take some direction. Whatever you all want. If you want to go with \$50,000, but let's move.

Holt:

I will move \$25,000.00

Lamb:

I will second it.

Taylor:

There is a motion and a second to move for \$25,000. Are there any questions.

Croley:

I move to entertain an amendment to increase it to \$50,000.

Taylor:

She would have to amend her motion for that. Would you?

Holt:

No.

Taylor:

The motion won't be amended for that, so let's carry this particular motion.

Morgan:

Are we putting this on the agenda for the next meeting to do or is this

Taylor:

We are moving forward to look at this thing with a senior exemption of \$25,000 to bring to your citizens group to entertain it and then come back to us.

Clear as mud?

VanLandingham:

I will get with you after the meeting.

Taylor:

That is a promise.

Now, there is a motion and a second to move forward with \$25,000 as the starting point. Any other questions? (No response) All in favor of this motion please let it be known by saying, "Aye."

All: Aye.

Taylor:

Make that 5 – 0 to move forward with the \$25,000. Now, again, as Commissioner Morgan has redirected, that is just for discussion only with the advisory committee. Again, you will have to give yourself some time to get some data in here, some Gadsden County data, not other counties. We will talk about that afterward. Right now, \$25,000 is the threshold.

News people, please indicate somewhere that under the direction of Commissioner Lamb, this measure is going to do something for our seniors. That is important to do that.

Thank you.

Holt:

On that previous item, is it possible that we could have that brought back at a regular agenda for a vote? That way, if it moves quickly.

Taylor:

Good point made.

Mr. Interim, Commissioner Holt along with Commissioner Morgan asked about bringing this item back as an agendaed item for a real vote. General Business, I think would be the appropriate place, being as this \$25,000 threshold to move forward to a committee for more research. We could get it on the next agenda at the proper time.

A MOTION WAS MADE BY COMMISSIONER HOLT AND SECONDED BY COMMISSIONER LAMB TO MOVE FORWARD WITH THE EXPLORATION BY THE CITIZENS ADVISORY COMMITTEE OF IMPLEMENTING A \$25,000 SENIOR HOMESTEAD EXEMPT FOR THE PURPOSE OF FACT FINDING AND RECOMMENDATION TO THE BOCC AT A LATER DATE.

2. Estimated 2011 Property Values for Ad Valorem Purposes

Mr. VanLandingham reported that the county is in better shape than he had originally anticipated. He explained that the property values in Gadsden County are down by \$3.5 million on real property only. The result will be approximately \$100,000 to \$175,000 loss in revenue from ad valorem taxes revenue. Good News!! (Last year, he estimated that the county would experience a loss of \$500,000 to \$1 million in tax revenue.)

Chair Taylor referred by to Item 1 and stated that she would like to have a formal motion to bring Item 1 back on the May 17 agenda as an agendaed item for a vote.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO AGENDA ITEM 1 ON THE NEXT MEETING AGENDA FOR A PROPER VOTE AND DIRECTION.

Mr. VanLandingham asked to clarify whether the BOCC was directing the committee to meet. Chair Taylor replied, “We will talk afterwards. We will have the interim to give you directions so that he can get what he needs for the follow up meeting from you.”

2A. Appointment of Representative of the Gadsden County Board of County Commissioner for the Torreya State Park Advisory Group

Lew Scruggs, Assistant Chief of the Office of Park Planning, Florida Division of Recreation and Parks appeared before the board. He explained that each of the state parks is required by law to have a management plan. That plan is updated every ten years. They are in the process of updating the plan for Torreya. A public workshop is scheduled for May 18th at 7:00 p.m. at the Visitors Center by the park. The following morning they convene a meeting with local adjacent land owners and other managing agencies. They are provided a copy of the draft management plan two weeks in advance of the meeting, and then sit down with the stake holders to discuss the proposed management plan and take their input. The Florida Statute requires that local elected officials be represented at the workshop meeting with Torreya State Park Advisory Group.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO APPOINT ROBERT PRESNELL TO THE TORREYA STATE PARK ADVISORY GROUP AS RECOMMENDED BY INTERIM MANAGER ARTHUR LAWSON.

CLERK'S AGENDA

3. Presentation of County Finance and County Clerk Issues

Clerk Nicholas Thomas reported that all departments are still within their budgets. He recommended that they can continue their spending within the budget and the things should be o.k. in spite of having used the un-appropriated fund balance to add expenditures to the original budget adopted last September. He cautioned them not to add any more spending to the budget.

He reported that the Revenue seems to be coming in as anticipated at this juncture. He encouraged them to focus on being conservative with next year's budget. He summarized by saying, "Just follow your budget, and you should be o.k. but, it looks like you will not be adding any money to the fund balance at the end of this fiscal year."

Taylor:
Are we still within our spending budget?

Clerk:
Yes.

Taylor:
Are we still not exceeding, in each department, the amount of money that has been allocated?

Clerk:
Yes.

Taylor:
We are not exceeding?

Clerk:
You are still within your budget.

Taylor:
We are still within. Thank you for your report.

Morgan:
I have a question. Clerk Thomas, thanks for coming by, I appreciate that.

When you read us some information, I think you had commented or someone from your office did that you say us trending in the right direction as far as fund balances go, for

building back. I know what it was; it was the Audit Firm in your office over there.

Do we need, in your opinion, to continue to stick to this budget and spend our money wisely throughout the balance of this year? We are basically half way through this year.

Clerk:

I say where you had something on this later in the agenda.

Morgan:

Yes, but I didn't know if you were going to be here at that point, so, I want to get your input on that.

Clerk:

I think you can continue the way you are. Sure, you can put a hold on spending or clamp down if you like, you might. I am not saying that you have problem. You did spend some of your fund balance. You know that. You have spent almost all of your budgeted reserve for contingency. But, the main thing is to simply not add any additional expenditures that are not already in the budget. So, what you have added already is almost \$700,000 of spending that was not originally budgeted. The big part of that was a building that was a onetime thing and that was needed and we had been paying for it for many years and it was something that you just needed to get out of the way. So, that was the biggest chunk of that. So, you have done quite a bit of spending that wasn't originally in the budget coming from both fund balance and from the budgeted reserves for contingency. So, the main thing is simple. Don't add any more spending. Just don't add any more spending and hold tight. The revenue is something is something that we are going to have to monitor. But, I don't see a real problem. That is why you can only budget 95% of your projected revenue. You have that 5% cushion in case some revenues don't come in. Sometimes in the summer, revenues don't come in the way you budget.

It is hard to make major cuts during the course of the fiscal year. I would recommend that you focus on the next fiscal year versus making cuts in this budget. If you've got major expenditures that you don't really need to make, sure – don't make them. But, I am not saying to put a freeze on every single thing. I don't think it is that drastic. But, if you see some things that are excessive, sure, don't make those expenditures.

Morgan:

So, follow the budget and don't amend it to add any more money. That would be fair to say.

Clerk:

That would certainly help. Just don't add any more expenditures. That is it. Just stick to your budget.

Croley:

Mr. Clerk, good to see you.

The \$95,000 estimate that we got for redoing a roof. I am not sure that is a budgeted item.

Is it, Mr. Lawson?

Lawson:
I don't think so.

Croley:
So, just out of curiosity, how would you address and respond to that?

Clerk:
Is this one of those roofs that was a part of the court facilities fund?

Croley:
No, this is for the Agriculture building where we have tenants occupied.

Clerk:
I am sorry; I am just not familiar with this. Was it at the last meeting?

Croley:
(inaudible)

Clerk:
So, you voted to do a roof that will cost \$95,000.

Croley:
We haven't voted yet. It is just a proposal.

Taylor:
I was about to say, we haven't gotten to that.

Croley:
Are you saying in your report that a repair of that nature is something that we couldn't afford to respond to?

Clerk:
So, you are talking about taking money from fund balance?

Let me go back to what Commissioner Morgan said. His question basically was, being concerned about fund balances moving forward, do we need to make major cuts in spending. My answer is that we can go basically as we are and not add any expenditures, but, if you've got a major project like that that is not budgeted, (and I don't know if Clyde has money in his budget) and he doesn't have money in his budget and it is not part of the court facility, then the only way to pay for it is to amend the budget and take \$95,000 from other balances. You have to understand what you are doing. I am not saying you can't do it if it is something you need to do. But you could put it into next year's budget making that project a real priority. Certainly, you can take it from fund balance, but you have to understand what you are doing. That fund balance is not at \$4 million any longer. It is going to be less at the end of this fiscal year. At the end of this fiscal year, the fund balance will go

down. It will not increase this fiscal year.

Croley:

That is what I wanted to know. Thank you.

Taylor:

Any other questions, right quick?

Holt:

Yes. I would like to try – I am going to imitate Commissioner Morgan. Thank you for coming. (Laughter) You always add something. We are getting used to you being here, so –

What I wanted to know – we always discuss the timing of spending. We never – and I am trying to get this board to workshop economic development. We are not looking at the revenue side. You either have money or you don't. So, if you don't have it, you tighten up. We are not looking at that.

Do you see any trends or anyone around the state going after economic development? I am hearing from the other commissioners that is what they are doing.

Clerk:

I have just seen some articles and you probably have seen them, too, from the Florida Association of Counties of some governmental entities focusing on that. It is something that the board has to make a priority.

Holt:

Right. O.K. I just thought that maybe I was the only one that is seeing this. We haven't had one workshop yet and I am trying to figure out how we get to that point that we say, "There is not enough money here, let's go after it." I am not posing it to you; I am basically posing it to the board and probably to the citizens.

I am seeing it as if you have money or you don't, you after funding and you go after economic development. That goes back to exactly what I was saying about the Citizens Bills of Rights. You set your trend and you set your zoning and all of that to attract who you want so that you can get them in here. We need the revenue and we are not getting it.

I can hear you saying as some of the other commissioners are saying to tighten up, but they are all zero. 100% of zero is still zero. It is just zero. If there is no money, there is no money. We need to be proactive in going after money so that when he gives a report it says that we added to the fund balance, not that it was taken away or that it held steady.

Thank you, Madam Chairman.

NO ACTION WAS TAKEN.

CONSENT AGENDA (Items 4 – 6 and 8 - 10)

Item 7 was pulled for discussion.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO APPROVE THE CONSENT AGENDA AS LISTED IN ITEMS 4 – 6 AND 8- 10 BELOW.

4. **Approval of Minutes of March 1, 2011 Regular Meeting**
5. **Ratification of Approval to Pay County Bills**

Accounts Payable Vouchers Dated:	April 21, 2011
	April 29, 2011
Payroll Dated:	April 21, 2011
6. **Approval of Resolution 2011-017 Proclaiming May 15 – 21, 2011 as Emergency Medical Services Week and Authorization for the Chairperson to Execute**

7. **~~Approval of Interlocal Agreement with City of Quincy for Mosquito Control Services~~**

This item was pulled from the consent agenda for discussion. See below.

8. **Approval to Declare Obsolete IT Equipment as Surplus and Grant Authority to Dispose of the Surplus Equipment**

The county has accumulated a large amount of lap top computers, CPU's and copiers that are no longer functional or usable by the county. The staff has inventoried the property and compiled a list, which describes the condition of the equipment. All the items are listed as being in bad/poor condition. The staff has requested permission to dispose of the property. The BOCC must first declare that the equipment is obsolete and grant authority for its disposal.

9. **Approval to accept the Standard contract Between the State of Florida Department of Revenue and the Gadsden County Board of County Commissioners Contract Number CSS20**

This contract is the standard agreement between the Department of Revenue and Gadsden County that is routinely renewed every three years. The agreement reimburses the county for services provided for the delivery of subpoenas and writs of bodily attachments on all Title IV-D Child Support Enforcement actions by the courts.

Services under this contract are paid on a percentage basis and there is no set budget amount. The State of Florida's performance and obligation to pay under the terms of this contract is contingent upon annual appropriation by the Florida Legislature with matching funds available by the Federal government. It is slightly different than past agreements in that it doesn't include a firm budgeted amount but will use a Rate Agreement. It will preclude having to do amendments to increase the contract value as has been the case in the past years. Invoices and supporting documentations must be

mailed to the DOR rather than emailed or faxed.

10. **Steritech Pest Control, Inc. – Post Approval of the Contract and Renewal Agreement between Gadsden County and Steritech**

The above named agreement is for pest control services for the unused portion of the hospital space and the grounds. Steritech is the choice vendor of Capital Regional Medical Center who is leasing a portion of the hospital. As a large corporation, they were able to facilitate the service at a lower rate due to the volume of work that Steritech does for them.

The only contract in place bears the signature of Clyde Collins, Building Inspector who is not authorized to sign contracts that will obligate the county to pay. However, due to the urgent situation to get the hospital open by the June deadline date, under the emergency provisions granted by the board dealing with the hospital, the county administrator authorized the services and Mr. Collins signature. It was an oversight by staff that the agreement was not brought to the board for ratification of the contract. However, almost a year has passed and it is now up for renewal. Finance Director Connie McLendon has requested that the original agreement be brought to the BOCC for post approved and be signed by the chairman. As well, she has requested approval of the extension of the contract until May 30, 2012.

CONSENT ITEMS PULLED FOR DISCUSSION

7. Approval of Interlocal Agreement with City of Quincy for Mosquito Control Services

This item was seeking BOCC approval to enter into an Interlocal agreement with the City of Quincy for the purposes of acting as a fiscal agent for funds from the State of Florida for the City of Quincy Mosquito Control Program. The Florida Department of Agriculture and Consumer Services approved and authorized the City of Quincy to perform mosquito control services under the Gadsden County work plan. As such, Gadsden County would act as the fiscal agent to deliver State of Florida funds to the City of Quincy in the sum of \$6,500 to fund their mosquito control program.

The agreement holds the county harmless for any acts of the City of Quincy. This Interlocal agreement is required by the county's procurement policy.

Chair Taylor reported that Mr. Jack McLean, City Manager for the City of Quincy, has requested that payments be made to the City quarterly rather than on "per invoice basis."

Taylor:

The city manager may come in, but he indicated that he would like to have payments made in quarters on this particular item as opposed to invoicing for the services. I spoke briefly with the Clerk about this particular item, but he wants that language to go in here that payments will be made quarterly. Obviously, he will submit whatever supporting documentation needed, but not random invoices – that is what he is looking at.

Chapman:

That is not a problem ma'am. We pursue our funding from the State in quarterly installments, so we can just handle the financial pass-through in the same manner.

Taylor:

That is exactly what he had indicated, that this is how it comes in to you. You might want to look at the two payments that are in arrears there and see if the supporting documentation is the cause or whatever the case may be, but that is what he wanted to see going forward. So, if we can get the language amended so that payments will be made quarterly on this particular item, Mr. Lawson.

Lawson:

We can get it amended as long as we've got the proper documentation that finance needs to pay it.

Morgan:

And, you are talking about only if the services have been provided, correct?

Lawson:

That is why I said if proper documentation has been provided.

Taylor:

Absolutely.

Croley:

You made a comment about something being in arrears.

Taylor:

Two quarters amount of money that they are supposed to have that has not been collected by the city.

Croley:

So, the city still owes the county for mosquito control?

Taylor:

No, the county owes the city for two quarters that are in arrears. You understood what I was saying to you, sir?

Chapman:

Yes, ma'am, perfectly.

Taylor:

We are acting as the fiscal agent for this money and we pass it through. That is my only request to have amended. To meet the request of the city. So, with those amendments, I will move for approval.

Lamb:

So moved.

Morgan:

Second.

Taylor:

Are there any other questions or concerns?

There being none, all those in favor of this motion, please let it be known by saying "Aye."

All:

Aye.

Taylor:

Opposed, the same sign.

Motion carries on this item, Ms. Muriel by 5 – 0, on the consent.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO DISPERSE THE QUARTERLY PAYMENTS UPON PROPER DOCUMENTATION TO THE FINANCE DEPARTMENT.

CITIZENS REQUESTING TO BE HEARD ON NON AGEDNA ITEMS

Alice DuPont invited commissioners to Quincyfest on Friday night and all day Saturday in downtown Quincy.

PUBLIC HEARINGS

11. Request by Charlie Harris and Agent Auburn Ford for Gadsden County to Apply for 2011 CDBG Economic Development Grant and to Hold Two Public Hearings in Support of the Application

Chairman declared opening of a public hearing. (The first of two required hearings)

The purpose of the CDBG grant would be to install infrastructure at the site of Gussie's Garden Inn Assisted Living Care Facility located on West US 90 next to Bradwell's Funeral Home. Mr. Harris is converting his Sirrah Mini Storage Facility into the 48 bed Assisted Living Facility. It will create 11 jobs that will benefit low to moderate income people.

The site is currently serviced by septic tanks. With the improvement of infrastructure, Mr. Harris would be able to hook up to the sewer lines from the City of Quincy. In addition to the sewer lines, the grant would allow for lighting and paving of the access roads.

The county staff is proceeding with the grant.

Mr. Matheny asked that everyone sign the attendance record for the public hearing.

Auburn Ford addressed the board. He read into the record the proposed use of the grant funds. He asked the board to make a recommendation for which category the staff should apply for.

Chair Taylor called for public input. There was no response.

Taylor:

The goal at this time is to build infrastructure going west on Highway 90 and that particular area known as Blue Star. We are applying for a grant to help build that infrastructure. You do have a right, you who are sitting here, to speak on this item at this time being that it is on the agenda as a public hearing. So, at this time, I am going to ask if there is anyone who would wish to come up and speak on this item.

Ms. Muriel, let the record reflect indicate that no one came forward to make a statement.

We will now entertain discussion around this board, and then we will move this item. We will start with Commissioner Holt.

Holt:

I have a question for Mr. Ford since he has done grants for a while. This project is running in District 4, but it is going to help all districts because people will be able to apply for jobs out there.

Enterprise Zone and Empowerment Zone funding. Is there any funding out there? Since you've done grants for a while. I know if Mr. Harris opens his business, he will be able to get - there are people within our Enterprise Zone or Empowerment Zone, they are two different funding mechanisms from the federal government. If he hires someone from there, they will help subsidize that payment of that person's employment if he fills out the forms. So, what I am letting this board know and everyone else know is that helps that business. Some other businesses are still waiting for this board to be more proactive. Piggly Wiggly is one of them. Some of the other businesses. They can get compensated for hiring people that are low income just for being in business. Most of the employees that they have including Winn Dixie and other grocery stores, most of the people that they have bagging groceries and cashiering are low income. We are not taking advantage of that along with the CDBG money. So, that is what we need to do and that will put more people to work because they are only getting \$7.00 per hr and then be able to get \$3.00 back, then they can hire more people and get them off the street. It also helps with the Economic Development side of it. That is one thing that I wanted to say.

I need to ask something. This sewer line was going to go out to Bradwell's anyway for the \$750,000. What I am wondering is how far is Mr. Bradwell's property from the property, Mr. Ford?

Ford:

I think it is about 500 ft. Mr. Harris's parcel is right adjacent to Mr. Bradwell's property. What the engineers did with the prior process when they were going with Mr. Bradwell – the lift station was going to be located between the two properties because some right of way was given. Since we are foregoing that project, the lift station will be located on the east side of Mr. Harris property. If Mr. Bradwell wants to tie in it, he will have to go about 500 – 700 ft. to tie into that lift station.

Holt:

Commissioners, I wanted to look at if Mr. Bradwell is intending to do some development later on, to have the lift station near the middle, so if he decided to hook on to that same pipe, it would make more sense for him to hook onto that lift station and then to get some more development out there. I think he is looking at a couple of them. I have not talked with him about this, but it makes more sense to have a connection there so that way that pipe can run on down U.S. 90. It would also help any of those other property owners out there because that is a commercial area. It is also in the enterprise zone. It is also in an empowerment zone. So, you can get those extra dollars out there. If we approve this, I want to try to look at trying to extend it. The same thing happened out 267 and I-10 with the two hotels out there. Where to put the lift station? So, once we found the place that solved it, it was between the two. They were able to work together. I hope we can do that with this one. If we get the grant, we are going to get the same

amount of money we were going to get, if you went further down the road anyway.

Taylor:

I am glad you are eager to be a particular part of this item. That is your district. To get the two businesses out there working together, also is your district. Make sure they move forward and get developed going forward.

Listen, are there any other comments? Otherwise I think we should just move this item. It is a public hearing.

Croley:

Mr. Ford, I support it, but I just wanted to ask a couple of questions. What is the diameter of the sewer line?

Ford:

I believe it is an 8" force main.

Croley:

The question I have for you is for the benefit of future business. Will that 8" line be adequate to take other commercial interests?

Ford:

Yes, sir. When I did the Walmart project for the City of Quincy, that is the type of line that we ran all the way from Walmart to the lift station down on GF&A drive. Other businesses have now tied into it. So, I think that is their norm. I am not an engineer, but I think during that process, that was the type line that they use in that process. So, they ran miles.

Croley:

Do we have reasonable degree of assurance that all other businesses could have adequate capacity to tap in?

Ford:

Yes, sir.

Croley:

O.K. Well, I will yield

Holt:

I am sorry, I thought you were finished. I wanted to say this and I am glad that you brought that up. We had a discussion on the line going from the corner by Walmart out to I-10 for the hotels. I think that if was larger, to 10" or something, it affected the flow. There would be so much air in the line or something like there, "Can you cap it off so far to make it flow and it wouldn't have the air in the line?" But that is a very good question and I wondered about that. I said that we want to add on more businesses, but the engineer said something about the size of the line with that force, the pumps would not work as well.

Croley:

That is an important consideration for everybody and I appreciate Commissioner Holt reinforcing the merits of it.

The other question - You know, Mr. Matheny had some comments the last time about there might be other competing projects and all, but I am not aware of any other competing interests trying to pursue the grants at this time. Is that correct?

Ford:

That is a fair assessment, but what we are trying to do is – because of the economy and the federal funding coming down to the states, that is why we are still trying to get in. The money is available right now in the 2010 cycle. But that money won't be available after July 1st. They anticipate starting the new cycle on July 1st So; we still plan to apply for the 2010 funding cycle. So, if another business does approach the county, they can apply for the 2011 monies that will be available at that time.

Croley:

So, there is nobody else?

Ford:

Nobody to my knowledge.

Croley:

Commissioner Holt and Commissioner Taylor, I strongly support this.

Holt:

I move approval.

Taylor:

There is a motion.

Lamb:

Second.

Taylor:

There is a motion and a second to move approval of the first of two public hearings required for Gadsden County to apply to the Department of Community Affairs 2011 funding cycle.

Holt:

2010.

Taylor:

Well, it's say 2011, so Mr. Lawson, make that correction, Ms. Muriel make the correction to 2010.

Ford:

I would also like to add Madam Chair, that we will be having a Citizens Advisory Task Force that will give citizens the opportunity to have their input on May 18th.

Taylor:

Any other questions?

Being none, all in favor of this motion, please let it be known by saying, "Aye."

All: Aye.

Taylor:

Opposed by the same sign.

(No response.)

Thank you.

Ford:

Thank you.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, TO APPROVE FILING A CDBG ECONOMIC DEVELOPMENT GRANT APPLICATION FOR THE 2010 CYCLE FOR THE PROJECT DESCRIBED AS GUSSIE'S GARDEN INN ASSISTED LIVING FACILITY.

GENERAL BUSINESS

12. Board Discussion and Approval of New Fire Service Contracts for all Volunteer Fire Departments in Gadsden County

Chief Crum appeared before the board saying that all of the volunteer department contracts expire September 30, 2011. He explained how they derived at a formula used to determine the funding distribution.

Crum:

Madam Chair and Commissioners, this item is before you for the approval of the approval of the new fire contracts. The current contracts go out September 30th of this year, so we will need to get these done before that time. Staff has worked with all the fire chiefs over the past few months and ironed out the details of these contracts and that is what is before you today for approval.

Taylor:

You had indicated that Mr. McKinnon is here, sir?

Lawson:

Yes. Based on the scenario, Madam Chair, if I may, the Chief has based the proposed funding for the new fire contracts on call volumes. Based upon the number of calls that each volunteer fire department makes. Under that scenario, the Town of Havana will take a significant decrease based upon what they are currently getting. Therefore, I just wanted to throw that in so that you are aware of what Mr. McKinnon's concern is. From Staff's standpoint, I think looking at call volume; it is a very equitable way to distribute the funds. Of course, that will be your decision. But, I will let Mr. McKinnon tell you.

Taylor:

Mr. McKinnon, would you state your name for the record as well as your current position.

McKinnon:

My name is Howard McKinnon. I am the Town Manager of Havana. Thank you for allowing me to be here tonight.

I do know that there was a lot of work on these contracts. Mr. Lawson talked about them being based on call volume and I would point out that we are one of the highest call volume departments in the county.

You know, you were taking your money and an approach was developed to just re-divide the pie. As a result, we took a little over 3% decrease. I would just ask that you would consider increasing us some. That is a large amount for us as we move forward in our new budget. This is contractual services and all the departments have performed well at some point. Havana has been doing it for years – to contract for services to fight fires. Our volunteer fire department is very good. They are professional and they enjoy doing the work and we are glad that we can have this partnership.

I think that as they developed these tiers, they developed it on call volumes and they also gave a little increase for workers comp insurance and other things. We also provide about – We have 52 fire hydrants that are in the county that the Town of Havana maintains. I am not sure that any other fire department has that. I don't know. Chief Crum, do you know the answer to that?

Crum:

They don't.

They (Havana) are one of the only towns that have a water system other than Talquin.

McKinnon:

So, that is a service that we provide and we understand. I am not up here about the previous amount. I don't have a problem coming down some, but just that big of a hit. I would just ask that you would consider giving us another \$7,000. If I take my direct cost that we do and the percentage of fires that we do in the county, I can justify that number with that. Businesses like to get their direct cost reimbursed. But, anyway, thank you for the opportunity to mention how Havana is responding and I understand how the process worked. We would have been here sooner. I got the contract at the end of

last week about the same time that you all did. But, anyway, thank you for the opportunity.

Taylor:

Commissioners, do you want to chime in on this. I am sure we will hear from Commissioner Lamb because it will impact your particular area. You may not really want to chime in, but I will entertain comments starting with Commissioner Croley.

Croley:

Thank you, Madam Chair. Half of Havana certainly is in District 2.

Mr. McKinnon and Chief Crum, I just want to make sure that the formula is fair to all interests concern.

How many of those fire hydrants did you say the Town is maintaining and servicing?

McKinnon:

We have 52 fire hydrants.

Croley:

And they are all in the unincorporated area?

McKinnon:

All in the unincorporated areas.

Croley:

Did you take that maintenance into consideration, Chief?

Crum:

No, I didn't.

Croley:

Well, would that not merit some consideration if other municipalities are not providing the same service?

Crum:

It could, but that is something they would have to do regardless of what happens with the fire services. They would still have to maintain their fire hydrants and water system as a town.

Croley:

Well, I understand within the municipality, but I am asking about the unincorporated areas.

Mr. McKinnon, would you required to do that as a part of your water department?

McKinnon:

As far as maintaining the hydrants, there is no requirement. Of course, we do it because it is best management practices. But, I guess we could have the option not to go out there and service those fire hydrants if we chose to do so, yes.

Croley:

So you service them as a public service in support of fire protection, which in my opinion, I would support some consideration being given for that extra effort. That is not intended to short change anyone else, but I do believe that the total amount – and this does come from the ½ cent doesn't it?

Crum:

I believe so, yes.

Croley:

And it says, "for maintenance of the fire infrastructure" and fire hydrants are a part of that infrastructure. So, I certainly, you know, we may not come up the whole \$7,000 that is requested, but at least, I think it is worth \$5,000 for those fire hydrants. I know that if you buy one, that is about \$5,000 in them. By the time you take the legal responsibility for them, they ought to be worth \$100 per year for the hydrants.

Taylor:

That is a point well taken, sir.

Croley:

When you get ready for a motion, I want to move on that item.

Taylor:

Alright, we will hear from the other commissioners and I will come back to you.

Lamb:

Madam Chairman, Thank you.

I communicated with Mr. Crum concerning the allocation that he has here. I know that he has really done a good job on this. I did ask him to go back and see if he can come up with something to offset the amount he took from Havana. If he could give up to \$5,000 back to them. I haven't talked to you since that conversation.

Crum:

To me and everything that I dealt with the fire chiefs, we tried to keep it 100% straight across the board. Everybody that receives county funding, every resident in the county is receiving the same amount as the next resident. One is not receiving any more than another. That is kind of the way it was with the previous contracts. After speaking with Mr. McKinnon, I found out that those numbers actually came from when there was an MSTU tax, which is a tax to the residents for fire services. Those numbers, once the MSTU tax went away, were never adjusted to what the county was then providing. Those numbers stayed the same for those individuals. So, this is the first time that anything has come before this board that I know of where it has been based on

workload. As you do more, you get more. As you respond to two more calls, you get more money because it obviously takes more money to run a department that responds more. The way that we looked at this was strictly 100% across the board to every department. Every department is a volunteer department. All individuals are county residents. So, that is how it came to be. I do understand that Mr. McKinnon taking a \$25,000 a year hit. But, that is why ya'll have to make these hard decisions with the funding. We can't do anything but propose what we think is right and what was worked out with everybody. I will say that you can take the Town of Havana out of it. Had this situation come up with Greensboro, it would be just Greensboro taking the hit. So, it is not necessarily Havana because it is Havana. It is Havana because they were receiving so much more money than everybody else was receiving for quite some time.

Lamb:

Mr. Lawson, have a look at this.

Lawson:

Mr. Manager, we will be glad to go back and look at this situation considering the fact, in light of the fire hydrants that Mr. McKinnon has brought up and we might be able to come back with some type of consideration for providing the Town of Havana with some additional resources based on the fact they do maintain those fire hydrants. I just have one question.

Mr. McKinnon, do you all sell water services outside of the city to county residents?

McKinnon:

Yes, we do.

Taylor:

Alright. Commissioner Holt.

Holt:

Yes, Mr. Lawson just made my point. I was just about to say that. If you sell water outside of the city limits, then you are receiving some compensation. That is why the fire hydrants are there. That is something that I looked at years ago when some of the residents call me over to Havana for whatever their problems were, but it has been a long time before Commissioner Lamb got there. We looked at that scenario also.

I am not really, really crazy about the call volume formula. I worked that before and I am one that fought against the call volume back in the early 2003/2004. I don't know what is going on now and I can't say, but, during that time, the dispatchers called who they liked. They may not be doing that now. If you look at call volume, they would say, "I am going to call you," then "I'm going to call you," and "I'm going to call you." Then, the other ones did not get called. I was amazed when a fireman told me that. So, I went to the place and they were calling the state fire in and I went and stood by the truck. They said, "Ms. Holt, they are not going to call us." I went and stood by the truck and listened to the radio and they never called them. It was in the same community that the truck was sitting in.

So, I would like to know a little more about this scenario here. Not necessarily saying that the call volumes are wrong. Like I said, that was a long time ago. But, in this, if you are going to look at the water providing for the services, you've got to look at Gretna and I think Chattahoochee. If you are going to do that for Havana, then do it for all three of them together and see about that. Otherwise, when you look at call volume, I amazed that there were 502 calls. How many fires were there here last year?

Crum:

That was over a 2.5 year period.

Holt:

O.K. I was getting worried. The whole county seemed to be on fire.

Crum:

We basically went back to nipper system, which is where all the reports have to be logged in by the State Fire Marshall. We went from the time of the last contract. From the end of the last contract all the way through the current contracts.

Holt:

You don't have to explain it, I was just looking at the number – 502.

Crum:

I will say that that the closest department gets called out to the call. The only reason that another department will come is if the department does not respond or requests additional backup.

Holt:

I understand. I wasn't saying that is what you were doing; I am just saying that it has happened before.

I think we need to look at it. If we are going to look at the water system, then look at all the towns that provide water. If we are going to do that and also look at the call volume. Havana does have a lot of calls. Midway has a lot and Havana is next. They do have a lot of calls. I just think we need to look at it and tweak it and go on.

Taylor:

Commissioner Morgan?

Morgan:

Chief Crum, I really appreciate the effort that you have made in the last several months to work these contracts out. I know that you have been in constant communication with the different fire department chiefs and the municipalities. I know that was no easy task. My primary concern on all those fire contracts when I first got on here; they all expired at different times. There seemed to be no rhyme or reason on how we came up with these dollars. You know, this amount is for this department and not this department. I started asking some questions about that. What you are proposing now, I think, is very fair.

There is no perfect system, but all of our volunteer fire departments are seeing an increase in the amount of funds that they have seen except for Chattahoochee, which is looking at a \$45,000 a year decrease and then obviously, Havana is taking a major decrease. I had actually discussed that with a couple of folks over there. So, obviously, Mr. McKinnon and his group have a cost in providing these services and we've got to be aware of that and try to address that. I would suggest – if he is saying \$7,000, we need to find a way to find that \$7,000. It may be, I don't know if you can go back to each department and find those funds from the formula that you came up with because they are all going to be seeing an increase anyway and just go ahead and meet that deficit that way. That might be something that can be done. I don't know.

I do want to commend you in the fact that they all are running two years continuously and they all expire at the same time. That seems to be a very fair way to do that.

There was another point I was going to make and I am losing my train of thought here, so –

How the equipment is dispersed throughout these different volunteer fire departments. I think that is something that needs to be looked at and addressed regarding how they respond or how the different volunteer firefighters respond. The other thing that you did as you were working through these contracts – it came to my attention that we are pre-paying for these services or payment s weren't being made because proper documentation was not followed through. I know you have overseen that and apparently that is not an issue anymore. So, I commend you on those efforts.

I would ask that if there is a way that this board can meet Mr. McKinnon's shortfall, we certainly ought to entertain doing that. If he didn't need it, he wouldn't be asking.

Taylor:

No further discussion is needed on this particular item. I think we all stand in unison on this in saying to Mr. Lawson to let's try and find the additional dollars for Mr. McKinnon. I don't have any problems with that either. Let's move this contract on and keep the volunteer fire fighters happy with the additional dollars. Certainly don't have any problem with that. So, what we will do – with an amendment to this motion if someone will make it that we find the additional dollars to supplant the

Lamb:

I offer a motion that we go with this proposal with the administrator finding the additional dollars for Mr. McKinnon.

Taylor:

Please state a specific amount, sir that you want to see in there.

Lamb:

I think \$7,000.

Taylor:

\$7,000. That is the motion. Is there a second?

Croley:
Second.

Taylor:
There is a motion and a second. Now there is a question.

Holt:
Yes. Are you saying \$7,000 for any particular city? What are you saying?

Taylor:
We are saying \$7,000 for Havana specifically. They are the ones that had the biggest shortfall on this one.

Crum:
If I may, I don't know if the water system at Gretna actually goes into the county.

Holt:
I don't know either. That is why I said for them to look at it. They will know. I don't have any problems with Havana.

Crum:
As Mr. Lawson said, everybody is getting an increase.

Taylor:
I think with the exception of one.

Morgan:
Chattahoochee and Havana are the only two who are getting a decrease.

Lawson:
We are good, Chief.

Taylor:
There is a motion and a second.

Morgan:
I do have one quick question. Those additional funds are coming from this pot of money?

Lawson:
Yes, from the fire money that is already allocated.

Taylor:
There is a motion and a second.

Straughn:
Who made the second?

Croley:
I did.

Taylor:
The motion was by Commissioner Lamb and the second was by Commissioner Croley.
The motion is to approve the contracts going forward with an amendment to the Town of Havana's contract to increase it by \$7,000.
There is a motion and a second. There will be no more questions. All in favor of this motion please do so by saying, "Aye."

All:
Aye.

Taylor:
Opposed by the same sign.

(no response)

5 – 0, Ms. Muriel.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO APPROVE THE FIRE SERVICE CONTRACTS WITH AN AMENDMENT TO THE TOWN OF HAVANA TO INCREASE THEIR FUNDING BY \$7,000.

13. **Board Approval to Continue Florida State Hospital's Certificate of Public Convenience and Necessity (COPCN) until Revoked or Suspended by the Gadsden County Board of County Commissioners and Authorization for the Chairman to Execute**

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE COPCN FOR FLORIDA STATE HOSPITAL UNTIL REVOKED OR SUSPENDED BY THE GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS.

14. **Approval to Terminate Interlocal Agreement with the City of Chattahoochee for Delivery of Solid Waste to the Byrd Landfill**

Mr. Lawson explained that there has been an Interlocal agreement in place for many years to provide \$1500 a month to the City of Chattahoochee for them to carry their waste to the Byrd Landfill. That no longer happens, so there is a need to formally terminate the agreement.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO TERMINATE THE INTERLOCAL AGREEMENT

**WITH THE CITY OF CHATTAHOOCHEE FOR DELIVERY OF SOLID WASTE TO THE BYRD
LANDFILL EFFECTIVE AT THE BEGINNING OF THE FISCAL YEAR.**

15. Discussion of a County-wide Spending Freeze

Commissioner Morgan requested this item to be placed on the agenda. He stated that the county knows that the ad valorem revenue will be down \$100,000 to \$175,000 and it has not been determined what state funding will be coming. The fund balance is going down and it is not expected to increase this year as the clerk reported earlier in the meeting. He said his intent was to ask that staff be very aware of the dollars that are spent between now and the end of the year. He asked that they focus on staying within the budgeted expenditures.

Morgan:

I appreciate the board putting this on the agenda for discussion, but I think we have already covered it to some degree with the Clerk and discussion that followed. My concern stems from the fact that our revenues, even though we celebrated over only a \$100,000 reduction in hearing Mr. VanLandingham's presentation. That is great, but it is still \$100,000 reduction. I believed he used the range of \$100,000 to \$175,000 is what we may see. I don't see that trend changing in the year ahead. I could be wrong about that and I hope we are. I don't want to appear too optimistic I guess. I want to be conservative.

I am fairly certain in thinking that our revenues are going to be down in the year ahead to some degree. There are so many questions that are unanswered yet with the Legislature wrapping up. It looks like they may wrap up on time. We don't know to the extent in what we are going to see as far as reduction in revenues and just how things are going to shape up as we go into the present economy. My point being, obviously, we can't have a spending freeze on every item for the rest of the fiscal year, which is basically 6 months, but my intent is for us to be focused on that which we do spend and continue to prioritize the needs versus the wants in the county.

As the clerk said, our fund balance, because of some of the dollars that we have spent thus far year to date, we potentially will see a negative in our fund balance that we had left from last year. The major purchase that he commented on was the building at the Tax Collector and Property Appraiser. That is going to prove to be a very wise decision on the part of the county because we are going to make that difference up within a year and a half and we will actually see a positive trend. That will contribute, if that money is not wasted, that money will contribute to fund balance in the years ahead. That was a very wise move, I think, for us to do that.

Beyond that, we have had, in my opinion, some questionable spending that could have been averted just due to the current economic conditions. My only intent here and I won't have any further discussion on it, but I will be glad to listen to discussion around the board if there is more. But, I just want us to be very aware of the dollars that we spend between now and June 30th. Thank you Madam Chair.

Taylor:

Thank you. I heard what the Clerk said. A freeze on spending is not necessary, but to monitor and to pace ourselves according to what we have approved for this fiscal year. I think that this government is running on a shoe string budget as it is. I don't think there is any fluff; I don't think there is any excessive spending. It is more of a need than a want, so we will just mind the store, Mr. Lawson, and keep these expenditures within what we have budgeted. I think at the end of the year we are going to be fine.

Now, you made a statement a moment ago that our fund balance is at zero. I don't think that is correct.

Morgan:

No, I didn't say zero. No.

Taylor:

O.K. I just wanted to clarify that because that is not correct. I think the auditors gave us a number. It might be different now since we have used some of our savings account, for lack of a better word. I think we are o.k., but certainly, we will monitor the store and make sure that we don't exceed what it is that we are supposed to do with regard to our spending.

There being no other discussion from this side, we will move on, Mr. Lawson.

NO ACTION WAS TAKEN.

16. Approval to Retain Government Services Group to Perform Special Tax Assessment Services for Allen Ranch Road and Approve the Chairperson to Sign the Work Program

Lawson:

You all approved for us to move forward with the one third/two thirds assessment for the citizens on Allen Ranch Road to get their road paved. In order to do that, we have to secure the services of experts who have expertise in that particular area. This is basically a request to retain the Government Services Group. Mr. Chapman has more information on this if you have specific questions concerning this item.

Chapman:

Good evening Chairperson and Commissioners. I will answer any questions you have at this time.

Taylor:

I do, sir.

Commissioners, is there anyone who wants to talk on this particular item?

Lamb:

Yeah, where are we on it right now?

Taylor:

I do see a cost tag to it. It is kind of hard.

Mr. Chapman, the question was, "Where are we on this?"

Chapman:

Currently we are at the point to formally retain a consultant group to go through the processes of researching out the petition fully. There are several steps within the work program (that is in the attachments in the agenda item) that help us not only to look at the petition that was formally submitted, but also for the county with the consulting group to vet out the petition to make sure that the appropriate majority of the homeowners that will be impacted by this improvement are aware and in agreement with the actual special tax assessment in the area. There are two ballot processes that will take place. An initial ballot process, which is just a "Hello, we are the county. We have been petitioned to go through this process. Are you in favor of this road being paved through a special tax assessment? Check yes or no. "They mail it back to us. If it confirms that there is there is the appropriate majority according to the state statute, then we proceed with developing the formal budget. Once that formal budget is in and we have the hard numbers, there is a second mail out that goes to all the property owners. In fact, it says, "O.K. We are the county. Here is how much this is going to cost you. Are you still in favor of this project?" And, they have to mail it back to us. And if the appropriate majority according to statute is reached, then we go through the process of adopting a resolution for the Property Appraiser and Tax Collector and so on.

Taylor:

Thank you. Commissioners? Comments?

Holt:

This is going to sound pretty bad because one of the roads is in my district. But, was the other roads paid up?

Chapman:

Not to my knowledge. I think there were some problems with the special assessment was conducted. That is why we are here tonight to get these folks in up front.

Holt:

Let me say this. I am more concerned about that process than I am anything else. If we can get one in every so often and we approve the one third/two-thirds years ago, it was to get them in and fit them in, you didn't interrupt your regular schedule of paving or pulling ditches. You didn't interrupt their schedule. If you got them in at the end of the year and at the end of the process, it was fine. So, that didn't bother me. But, what I am saying is that I am concerned about how we did that and can we get some of those funds back to pay for this? It was supposed to be a pay-back program.

Taylor:

What has happened since I have been here is that we put this particular measure in, we came up with the concept of going through the county and have an assessment made to

the property and through them they will pay the money to the county.

Holt:

Instead of the tax collector?

Taylor:

That is how they will have to come about paying the dollars of their shared amount. At one point, we had no mechanism in place and it was an honor system from what I understood.

Holt:

No, they were supposed to be paying it through the tax collector. It was assessed on their property to be assessed on their property and that is how it was to be paid back. That is our MPOs and NBOs are done. They pay directly to the Tax Collector because they could say, "I don't want to pay the county."

Taylor:

Well, I think the mechanism put into place some time back was supposed to put a little more teeth in getting the dollars. There was an issue, as you mentioned, with them not paying the dollars in once the agreement had been struck and the roads were subsequently paved. There was an issue in bringing folks back.

Holt:

Well, I don't remember technically how that was worked out. I really don't. Let me tell you that I don't know of any other way that you can require that property owners pay back unless it is assessed and taxed on that property. I don't know of any other way that they are required to pay it back by law.

Taylor:

Let me yield to the attorney so she can give you more specific language.

Minnis:

I think you are talking about Quail Roost and Ames Barrineau Road. What happened with that is that – you have to look at two different things. Your ordinance says one-third/two-thirds. The separate piece is actually collecting the money through a special assessment. What we found out when we retained the expert firm to come in and conduct the special assessment, their indication to us was that because of the way it had been set up initially, they could not move forward with the special assessment in accordance with the Statute needs it to be set out. Therefore, it was not feasible to do a special assessment to collect those. You have to assess all of the property owners that are going to be benefited by the project. The way it was set up initially is that it was an opted. If you wanted to pay it, you could pay it. If you didn't want to pay it, you didn't have to pay it. That is my understanding.

Holt:

That is not how that was set up. It was not set up that way.

Minnis:

What we had was affidavit from people who said they agreed to pay, but we did not have all the property owners saying that they agreed to pay. There was no indication that the assessment was going to be against all of the property owners who would benefit. They had already been a calculation of how many people had agreed to pay and a set amount that was going to be assessed against each property owner. Based on information in the record and the recommendation of the expert firm that was hired to do the special assessment, they said that was not the way we could do it because of the way the Statute reads.

Holt:

The reason I am asking that question is because you will have to have all of the property owners to agree to the assessment. And one-third/two thirds. Am I not correct?

Minnis:

Well, you see, the thing is if the majority agrees to have the road paved, that is one piece. But, once the majority agrees then everyone who benefits from that process must pay the special assessment.

Holt:

You are right where I wanted to be. O.K. I am a property owner on that road. I don't want the road paved. I don't agree to it. O.K. I never agreed to it. I never signed a form for it. Can you legally make me pay for anything that I never agreed to do?

Minnis:

That is the way the statute works because the way that special assessments work. For example, you get a lot of special assessments for fire services. You may have someone in that area that says, "I don't want to pay that extra money for fire services," but because they have the ability to get the benefit from that fire service, the statute allows you to assess them for that benefit. The special assessment in this instance is the same way. They are going to benefit.

Holt:

I understand. I worked on the tax board, but what I was going to say is this. On the other two, to bring those forward and let's see what happens with that. I am concerned about that a little bit. To say that we are going to get a road and we are going to pave a road, it was up for paving. It was the right thing to do, let's do it. But, what I am saying is that you are almost saying that this group is going to pay and the others are not. It is an error, but you could be challenged legally on that. That is my concern about that. We received a benefit.

Minnis:

The challenge could be on the other side, too. You know that we have to follow the statute precisely and it was not done that way for this. You may have to look at other options to try work through that issue, but it is my understanding from the expert firm - because we had queued up with the expert firm to go forward with the special assessment. Their information to me was that they could not go forward with it.

Holt:

When you said other options, which is good. I can get with you. Thank you.

Taylor:

Based on what she just said though, understand though that the statute says that even though they not vote for it (I mean the one-third), even though they may not vote for it or sign off on it, because of the special assessment, they still have to pay if they benefit from that road. Obviously, they will if the paving is done in that area. But, here is a problem (and I don't really know if it is a problem), but, here is what is in front of us. We need to address it and move on.

In order to move forward on this, there is a price tag. What I wanted to see and wanted to ask, since these people have been diligent in coming back and forth and trying to get services, is how much in-house work can be done to offset this cost. It is almost \$70,000.

Minnis:

Are you talking about the cost of the expert?

Taylor:

The cost for Government Services.

Minnis:

I can tell you that this is a highly specialized area. I don't believe you have the expertise in-house to do what a group like this can do. Not whether it is this particular group or another group. This is a highly specialized area and the concern is that if you don't follow the statute exactly, it could put you in jeopardy.

Taylor:

O.k. With that being said then, let me get some recommendations from the board, and then we will move.

Yes, sir.

Croley:

Question. See, I agree with Commissioner Holt about this. I don't have a problem with any group of citizens who live on whatever road it may be, as long as it is lawful for them to petition and want to pay the one-third/two-thirds. I thought we had envisioned (I don't know about Quail Roost), but certainly Ames-Barrineau Rd., I thought we were going to set up a revolving fund. You put some money in there, citizens pay it back, and they would allow you to entertain more petitions and help to pave more of these roads as they are requested.

My concern is that you've got two roads that were apparently not done correctly. Now the question is, your predecessor, Ms. Minnis, that firm went through all of this and told us that was the way it was supposed to be done. Now, do we have any "opportunity" to look back at their work to see whether – you mentioned that there were mistakes made,

it wasn't done right – if there is some kind of legal error there, the citizens of Gadsden County shouldn't bear that burden. It should go back to the person responsible. No different than anyone else that causes you injury. If that is a situation there, I think we ought to be looking at that, Madam Chair and Commissioners. I am not saying that there was, I am just saying that somebody needs to be held accountable for any mistakes made. We do need to get the tax payers money back. If you get that money back or at least start a process, then we can use it on somebody else's road. Now, that is the main reason that I voted against Allen Ranch Road at the time because we have no means to get the money back.

So, that is my first question. Ms. Minnis, is it possible for us to look at where this error occurred and see if we can recover?

Minnis:

I have been asked that question before and to be perfectly honest with you, I am not in a position to answer that question. I was not involved in any of the meetings that they had or any discussion, who they talked to, who they dealt with. I can't say what was or was not happening. What did or didn't happen. I can only speak to what I was personally involved in. So, I am not in a position to answer that question or make any statement about what they did.

Croley:

You don't see that as an avenue worth pursuing?

Minnis:

I don't have an opinion one way or another on that.

Croley:

Alright then, let me move to my next question. If we do hire Government Services, and I really don't have a problem with the concept since you apparently have some money in your budget for it, this \$5,000. Is it \$5,000 every time you do a project or is it \$5,000 and we become a client of theirs for each project?

Chapman:

It is individualized per project. The depth of research that Governance has to do, the depth of the work that they have to perform is quite detailed and this is a highly specialized business as Ms. Minnis said.

Croley:

Then let me ask this. How many people live on Allen Road and how many have indicated an interest in having it paved to date.

Chapman:

I do not have that number right off the top of my head this evening, sir.

Croley:

I know there was one man who came here to say that he didn't want the road paved. I

don't know what happened on that.

Anyway, Commissioners, I am not opposed to doing this the right way and I definitely agree with doing it the right way. If we had done it the right way we could have avoided some of the other problems. But, if we want to move forward with it, I support hiring Governance to do it. I don't know where we are going to get the money to actually carry out our share of the project in this year's budget.

Lamb:
Madam Chair?

Taylor:
Yes, sir.

Lamb:
I think what we need to do is just Charles go through the procedure that he is following. He's on top of it. He is going through the right procedure. So, just let him continue to do what he is doing.

Taylor:
Right now he needs to get authorization because of the cost that is involved in it. So, if you want to move forward on that.

Morgan:
I have some questions.

Taylor:
I am sorry. Just a second. Let me go back to you, sir. DO you want to see it move on through?

Lamb:
Just let him to continue with what he is doing. He is going to make sure that the procedure is followed. He's going to make sure that they will pay their money through tax assessment.

Taylor:
Sir?

Morgan:
Thank you. To Mr. Croley's point, obviously, it was not handled properly when we did the two roads before. I don't know that there is anything we can do about that from everything that I have understood. I wish there was, but you may spend a dollar and get a dime and I don't think you can undo all of that. But, moving forward, I think all of us want to make sure it is done correctly. The residents out there have been very diligent in wanting to come forward and do this the right way. If there is a right way to get it done, we want to help them. We can, I know.

My question, Charles, it said in the write-up that you talked to the tax collector and the property appraiser about this. What did they say?

Chapman:

They both recommended Governance Services to go through the process step by step.

Morgan:

Fiscal impact to the county is?

Chapman:

Currently, tonight you are deciding the first step of the actual work program. I am asking to encumber \$5,000 this evening through a purchase order that would cover the full cost of services that Governance will be performing. If at any point through the work program their work should cease - let's say that we do the mail out ballot process and an appropriate statutory majority is not reached and we end the work at that point, that is all that we pay for.

Morgan:

What is the \$62,000 figure that I read about?

Chapman:

\$62,000 included any legal fees with working with the deed, if any title issues that come up, that is actual construction cost, it is infrastructure, it is base work, it is heavy equipment, that is asphalt, which is the total project wrapped into one price.

Morgan:

Where is the \$5,000 going to come from?

Chapman:

Professional services line item out of the public works budget.

Morgan:

It is already there?

Chapman:

It is already there, already approved for purpose of retaining professional services.

Morgan:

The \$62,000 cost – is that broken out for all the different services and that sort of thing?
The cost to the county for that will be what?

Chapman:

“Cost” meaning “Up front” costs or return of investment? Up-front, we would have to lay out the money initially. Basically what this special tax assessment is almost like loaning money to the private homeowner and then we recoup the money.

Morgan:

The reason I am asking is that you are preparing your budget with that \$62,000.

Chapman:

Correct. Depending on your actions this evening, if we move forward through this process, we will have this negotiation throughout the budget process for next year as it develops.

Lamb:

I offer a motion that we move forward.

Taylor:

There is a motion. Is there a second?

Taylor:

I will second it. There is a motion and a second. Are there any questions?

Holt:

I know that you that you need this group to do the things that you saying to do, but, do we not already have a surveyor at Road and Bridge?

Chapman:

We do and they are actually included in the assessment. These are actual individuals within the county that we have used before. It is not all Governance Services.

Holt:

No, that is not really my question.

We have a surveyor on board that does surveying. So, you are saying that surveyor that we already pay is going to charge us this much more?

Chapman:

Actually, they will be charging us on an hourly rate under the contract anyway. We actually have the ability to use the fair market value. There are a lot of the surveyors in the area, but we have been able to price one up that is cheaper.

Holt:

O.K. The reason I am nit-picking through this, now, like I said, we have been through this twice. So, we can't mail out the surveys?

Chapman:

We have to make sure the language is appropriate first and foremost for the statutory language. The mailing out of the surveys is just a small, small portion.

Holt:

I understand, but I am trying to capture this?

Chapman:

We can bear the brunt of those costs.

Holt:

What I am saying is that I think on Quail Roost Road, I think that was \$57,000. That is what was initially said. We went out there and went through the whole thing and started the process. O.K. That is what they were quoted. And, now we are not – approximately \$60,000 that we are not going to be able to get back. It is nothing about a district. That is my district and I am trying to figure what happened with that. I am not saying it was done wrong. I am not convinced yet that it was done wrong. I am not convinced. That company said it was done wrong. That doesn't mean that much to me because I would rather get with the attorney and find out what was done incorrectly and then make it a fair process. A fair game in that. I am saying that it seems we need to look back at that. We need to move forward with this, but we need to look back at that and go do that. I hate to hear commissioners and us saying that the process was wrong before because those people may not have been wrong. I think we are slandering them a little bit to say that they were.

Taylor:

Your point is well taken. We certainly don't want to hold our (inaudible) hostage. I appreciate the point you made earlier

There is a motion and a second on the floor to approve this moving forward. All in favor of this motion, please let it be known by saying, "Aye."

All:

Aye.

Taylor:

Opposed, the same sign. (No response)

Let's move forward.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER TAYLOR THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO MOVE FORWARD THROUGH THE PROCESS AND TO ENCUMBER \$5,000 AS REQUESTED BY PUBLIC WORKS DIRECTOR WITH WHICH TO RETAIN GOVERNMENT SERVICES GROUP TO PERFORM SPECIAL TAX ASSESSMENT SERVICES FOR ALLEN RANCH ROAD AND APPROVE THE CHAIRPERSON TO SIGN THE WORK PROGRAM

Lamb:

Madam Chairman, I don't want to talk about it anymore, but we need to do something to collect the money on the other roads

Taylor:

I think the mechanism we have in place is a lot stiffer going forward, but let's have the attorney take a look at it and come back and make sure we can stiffen it up.

Lamb:
Right. I want to get that money.

Croley:
Madam Chair, would you entertain then a motion on that subject because I move that the attorney do a thorough review of the process that we did previously and determine what relief we may choose to exercise.

Taylor:
I am not going to have her go back because I think that is going to waste the county's time. But, I am going to say and I agree with you, in order that we don't make the same mistake that whatever you need to pull from previous is good then look at what we have in place and strengthen it. That is all we need – make sure that. That is what you are asking for – that we get the dollars and that we can make use of those dollars. I've got a bunch of roads that could use these dollars. Let's move. I am agreeing with you to make sure we strengthen up, Ms. Minnis, so that this doesn't happen again or reoccur.

(There was no second to Commissioner Croley's motion and it died for a lack of a second.)

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO LOOK AT WHAT WE HAVE IN PLACE TO COLLECT THOSE DOLLARS AND STRENGTHEN IT SO MISTAKES MADE IN THE PAST WON'T BE MADE CURRENTLY.

COUNTY ADMINISTRATOR'S AGENDA

17. Update on Board Requests

Mr. Lawson brought the following matters to the board's attention:

- Legal Services with Ausley Law Firm contract will expire on May 17. He asked for staff direction as to which way the board would like to proceed.
- Engineering Services Contract with Preble Rish has already expired. He asked for direction – to out to bid or RFP or negotiate for renewal.
- Contracting for Implementing the EAR Report

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, TO AGENDA THE REGOTIATION OF THE CONTRACT WITH AUSLEY LAW FIRM FOR DISCUSSION AT THE NEXT MEETING.

Commissioner Holt asked the staff to bring to the table an analysis of what has been paid to Ausley Law Firm for the entire time they have been retained.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 – 1 TO AGENDA THE CONTRACT WITH PREBLE RISH FOR RE-NEGOTIATION. (Commissioner Taylor opposed saying she would like to go out for RFP)

EAR Report Consultant –

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO GO OUT FOR AN RFP FOR A CONSULTANT TO IMPLEMENT THE EAR REPORT.

18. Update on Various Legal Issues

Emergency Management agreement with the Sheriff – Status Report

The draft contract was sent out to the various entities for their review.

DISCUSSION ITEMS BY THE COMMISSIONERS

19a. Commissioner Lamb, District 1

Commissioner Lamb had no report, but thanked the board for their support of the Senior Citizens Homestead Exemption earlier in the meeting.

19b. Commissioner Croley, District 2

Croley:

I want to come back and re-emphasize to the board the need for some sort of safety study to be done regarding Salem Road. I want to remind you that this isn't about District 2 per se. This is about being for economic development. We've got 200 people or better working at that Coastal Lumber Company. The raw materials are brought in by log trucks into that facility. They have to go over this road or portions of it. You have May Nursery, who employs a large number of people and they are using this road. You have the BASF mine employing people from all over the county. They have to haul clay in large trucks over this road.

The infrastructure is challenged. The culverts over the Salem Creek a – you can see them failing. You can see the bridges that we have talked about and other things. Even the turn lane at the intersection of Salem and Woodberry Road – The trucks are running off because the culverts are not wide enough. They have knocked down the (inaudible) going across the end of the culvert. I am trying to convey to you and we've gotten emails about accidents. That doesn't count the occasional petroleum trucks coming from the pipeline in Bainbridge – whether they should or shouldn't, the weight limits on the bridges have been reduced.

I am simply saying to you that there needs to be a safety study. It is not just about residents in District 2. It is those employees from all over the county. I am requesting that this commission look at having a safety study done and I am asking that this item be put on the agenda with appropriate work from public works to bring us up to date on the situation.

Taylor:

I saw an email from Mr. Lawson indicating that at this time, there are some fiscal constraints to such that we will not be able to conduct such a study at this time and he had suggested that Mr. Chapman look to DOT to see if there were some dollars to get this particular item addressed. However, I do not have any problem with agendaing it for discussion since you have asked for it. I don't have a problem with it.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO AGENDA THE CONDITION OF SALEM ROAD AND THE SAFETY ISSUES INVOLVED AND ANY OTHER BRIDGES AND CULVERTS THAT ARE IN NEED OF ATTENTION.

Hiring of Administrator

Croley:

The other thing that I wanted to talk about was - we talked about the legal services and the engineers. Just so that we will all know and be on the same page, what are the plans for advertising and seeking a permanent administrator?

Taylor:

Right now, I am not in a position to entertain it. It is nothing that I am in a position to entertain. I think we need to move on through this budget period because of the sensitivity of it. I know we have good experience in our interim at this time. That is where I am. I would just kind of like to hold the reins right here until we can get through this. Again, that is just one person's opinion.

You can move on, sir.

19c. Commissioner Holt, District 4

Grant Application for Restoration of Friendship Park

Holt:

I would like to see grants being applied for a FRDAP grant for Friendship Park. It was at the top of the list and it was moved. So, now, I am back requesting that we apply for funding for that park.

Taylor:

I am pretty sure that money has all but dried up. You don't want to hear that, I guess. But, Mr. Lawson, can we look and see what that funding source is looking like at this period?

Lawson:

Yes, especially once we find the final numbers from the Legislature. We will see if any money was allocated in that particular program. We will look at it and bring that

information back to you.

Holt:

I am sure that most of those funds have dried up, but I am to ask because there is a community out there saying they were at the top and the commissioners moved them to the bottom of the list. I held my hands up like this and said, “You can believe that it wasn’t me. “ It is in my district. But, I just want to make sure that we get that in there so they will feel a little bit more comfortable about it.

Economic Development

The economic development portion – I am looking to bring this to the commission to look at it. Not only the Chamber – the county seat is right here in Quincy. It is the largest city. We should be working with these organizations and see if we can bring in dollars and the school system.

The few companies and things that I am talking to people about are looking for some cohesiveness among local government that welcomes them in. So, that is where we are looking at. As I said, we can always turn them down. But, the problem is that we never get to talk with them. They have all these constraints saying, “Hush, Hush, don’t talk.” I must say this again, Project (I can’t remember the name) who owns Dollar General , I got in my pickup during that time and I rode to Marianna because I wanted to know what they are doing up there that we were not doing. I went down U.S.90 and they had a sign across 90 saying that “Jackson County is Waiting on You.” I don’t know if it was Project Raven or something else, the parent company. So, I went to City Hall. I went to the meeting and I met with a few of them. This was years ago. I met with a few of them on the economic development side and whenever you went into the room, everyone was there. The School Board, the City Commission and everyone, even the NAACP. They were talking numbers and they had maps up. I talked to Madison County and they said the same thing. They had maps up and they know where all their pipes stop at, they know where all of their gas lines are. They know everything.

I thought that we are so disjointed. If you talk to the School Board, they say that it’s not their problem. If you talk to the City, we can’t do anything because we can’t work with the county. We need to sit down like they did. They were at workshop tables and they were working on specific problems and concerns. I said to them, “How in the world did you guys get to this point?” One guy told me,” May I answer that commissioner (he was a commissioner in Jackson County, too). You have to have some expensive funerals and some good elections.” That is what he said. They either had to die off or have good elections in order get the funding to strategic areas. They were inviting people in.

When I got back here, I was told at the next meeting that it was all hush-hush and they were going to try to come here, but they couldn’t let us know what was going on. Like I said, Jackson County has a sign across 90 – You’ve got to have permission from DOT two weeks ahead, so it couldn’t have been that “hush-hush.”

What I am trying to let you know is that if we don’t start going after funding,

Commissioner Morgan, Commissioner Croley and Commissioner Taylor, we are not going to have any money. We are just not going to have it.

You are looking at Gretna. I was in a meeting in Lloyd, FL and I didn't know Lloyd even had a place to meet at. I was in a meeting in Lloyd, FL with the commissioners there; two were for the horse track and two were against it and one was undecided. I happen to be in the serving line with the two that were for it. I was sitting at the table with the one that was undecided. So, I said to the two that were for it, "You are going to lose next Tuesday night and when you lose; my district is looking for some development...in Gretna." Those two commissioners assured me that they were not going to lose....The next Tuesday night; Jefferson County lost the horse track. Along with some others, they worked to get that development in Gretna. Whether you agree with gambling or not, we need the jobs. Gretna has no way of having economic development. ...We may argue whether this is the right business or wrong business, but we've at least have to have some businesses to argue over. That is what I am asking for. A sit down meeting and workshops. You may have the best person in the world to say, "This is an item to come to us." We may never hear it is we don't have some workshops.

I said to one of the committee members at the Senate, "If we do not have a way to generate money, and you are saying the State of Florida is almost broke, if you are saying that and we live in the Sunshine State, why are we not making solar panels. Not only are we not making them, we are not using them to collect energy." They were amazed by it, but it is not amazing. We just have to outthink the other counties. If we could just put it on the agenda for us to vote for a workshop. Whether I am on this commission or whoever is on the commission, we need economic development. We need to be able to put it where we want it.

Do I need to put that in a motion?

Taylor:
Hold on, I think I might have something on that.

Holt:
The other thing, Commissioner Croley brought it up. It was on the hiring of an administrator.

Hiring of Administrator

"This is just my opinion. We have already advertised. The man is sitting right there. (she pointed to Robert Presnell) He is the best person for the job. I don't see any sense in advertising. He was at the top of the list. Go with who we have."

19d. Commissioner Morgan, District 3

Flat Screens for Chambers

“I have had a couple of discussions with Charles and some other folks about some **flat screens that we have in storage here in the county that are not being used. I was hoping we could have those mounted here in the commission chambers so that it would be easy for this board to see any presentations rather than having to look on the wall over here and also have it so that the citizens can see what we are looking at.** In other words, have a screen facing this way and one facing the other way.” That was, it could be more informative and also could be captured on the recordings as well so the citizens could actually see the different items we are considering or presentations that come before the board. It is just something that I thought might be worth considering since it would be a very minimal or perhaps no expense involved in it. It just seems like to me it is a “no-brainer.” It would certainly be helpful to the citizens and to the board.

Communication with Chamber of Commerce

Secondly, **I would encourage the members of the commission to pro-actively call and ask for an appointment with the Chamber Director.** I can tell you as a board member of the Chamber that there are some discussions being held right now and I think they could provide you with some information specifically to what Commissioner Holt just mentioned. So, I think it would be very worthwhile to have just a brief 10 – 15 minute conversation and I think they could enlighten you on some things that are going on right now that would be very beneficial to the county.

Recognition of Staff Performance

Lastly, I just want to compliment a couple of our staff. One is Charles Chapman. I really appreciate the help he gave me this past week on an issue I had over in District 3. He went out of his way to look into some matters and get some things addressed. I appreciate him doing that.

Secondly, I want to commend Chief Crum on all of his efforts that he has put forward these past several months in negotiating the fire contracts, communicating that information, accepting some different opinions and considering some different ways to make that funding more fair. That was, by no means, an easy task, I am sure. I just want to thank him for that. I think he handled that very professionally and I think he deserves some credit for that. So, Thank you, Chief Crum. “

19e. Chair Taylor, District 5

Salary of Interim Administrator

Taylor:

We need to talk about the interim’s salary. I think his salary is about \$6,000 less than that of the previous administrator and we all know that he is taking on both responsibilities as the HR Director as well as the Interim Administrator. So, we need to put that item on the agenda for next meeting for discussion. It will probably have to go up under Public Hearing (ya’ll correct me if I am wrong) because it will have a fiscal

impact. We need to move this from contingency or there are dollars available. I think we are looking at something between \$3,000 to \$6,000. That is the difference in the former administrator's salary and the HR Director at this time.

Croley:

I don't have a problem with putting it on the agenda, but I do and I make this a public records request that it includes the current salary, benefits of Mr. Lawson current position and any proposed increase shown as an addition to that.

Taylor:

That is what I just said.

Croley:

But you didn't indicate any information about all the background. I just want to make sure that all the background is provided.

Thank you.

Taylor:

O.K. I was not clear on what specific background.

Croley:

Present salary, benefits, and then any increase and where it is coming from.

Taylor:

That is public information anyway. I am sure he won't have any problem putting that on the agenda. That is public information. So, as soon as you can get it agendaed, Mr. Lawson, I am sure you will bring it to us. We will have to make it retroactive back to when you began.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO AGENDA CONSIDERATION OF SALARY INCREASE TO THE INTERIM ADMINISTRATOR'S PAY RETROACTIVE BACK TO WHEN HE BEGAN IN THAT POSITION.

Request from Jail Director

Taylor:

I was contacted by the director of the jail, Captain Corder. He has indicated that he needs two persons to sit on the Inmate Trust Fund Board. He indicated that this can be folk from within the government that works for the county. I have spoken with Mr. Lawson about it. **He indicated that he will present two names after speaking with Mr. Corder about what qualifications that person would need. Then he will present two names. I am offering that up and am asking you all to put that in the form of a motion to approve that process.**

Holt:

So moved.

Lamb:
Second.

Taylor:
There is a motion and a second to approve having Mr. Lawson identify two persons to serve on this Inmate Trust Fund Committee. There is a motion and a second. Are there any questions?

Hearing none, all in favor of this motion, please let it be known by saying, "Aye."

All:
Aye.

Taylor:
Opposed, by the same sign.

(No response)

Motion carried.

Extension Office Roof

Taylor:
One of the issues brought up was the issue about the roof at the extension office. Again, that is a paying customer. Obviously, there is something that needs to be done about it, which we need to do. Now, according to the estimates that we have, we looked at two possibilities. One was to replace the entire thing and it was a couple hundred thousand and two – re-roof which would cost about \$95,000. Obviously, we are going to be looking at the one that we can do and live with. But timing is what is the utmost here. If we can look somewhere to when this budget is ending, you are going to find some dollars that are left over in these line items that we can possibly move over. **What I want to recommend that we do, commissioners, is that at the last meeting in this month, because at that point in time, well not this month, but the last meeting in June. If we can hold out until the, we should be at least $\frac{3}{4}$ or better through the fiscal year. Items where there is 75% or less spent, those are soft dollars there that we might need to move over so that we can fix that roof. It has to be done because we don't want to lose that revenue. So, I am going to direct or ask staff to look within our coffers once $\frac{3}{4}$ of the budget year is spent. When certain departments still have about 40 – 45% of their revenues left over, there is no way they can spend it before the year ends and we can make some amendments and move those dollars over.**

Is that clear as mud, Mr. Lawson?

Lawson:
Yes, ma'am.

Holt:

One question. I know the spring rains are going to start. Is there any way that we can look at fixing something on it?

Taylor:

They have endured. We are only asking for a month. They have endured because this problem didn't just pop up, am I right? It has been on-going. But, if they can see some relief in the very near future.

Based on what I have seen in the quarterly reports, there are going to be some soft dollars in one or two of those line items that we can move because it is general fund money. It is going to be there. You are going to be able to find \$95,000. I have already seen it. It is not restricted. **So, keep an eagle eye out, Mr. Lawson and Mr. Price to find that \$95,000 immediately. When you find it even sooner, I am ready to entertain a public hearing. We don't want to lose that money.**

USDA Rural Development

Taylor:

Now here is something. USDA Rural Development. That is where the money is. That is where we can find some help. Now, we have had requested time and time again to have someone on board or hire somebody to after these dollars. Now, what makes people not apply for USDA dollars is because it is very tedious and there are so many hoops to move through. But they are set where it is 70% grant 30% loan. I would rather spend 30% for an item any day to get 100% of it. So, this is a source that we need to tap into. What we need to do is give Mr. **Lawson room to move his staff so that he can get the personnel in position that he can see has these capabilities to go after those dollars.** We cannot sit up here any longer and wait for them to walk through our doors because they are not walking anymore. They are running away. Especially with this Citizens Bill of Rights. I will leave that alone. I will leave that alone.

But, still, we need to give him the authority to start to apply for those dollars. Those dollars can take care of fire engines, roads, buildings, anything that this government needs; you can find it in the USDA Rural Development. It just takes three to four months to get the money. But, we need to get started on that. **I am going to ask that we give him the lead way within his staff to put people into place and start applying for these dollars immediately.**

That is my motion.

Lamb:

Second.

Taylor:

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

**All:
Aye.**

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

(No response)

That is 5 – 0 to use your resources to immediately begin to research and find funding to come back before us.

Now, this is the last thing. I am closing my book. Motion to Adjourn.

RECEIPT AND FILE AGEND FOR THE RECORD

- 20a.** County's Management Letter in Response to Audit Findings by Purvis Gray & Company
- 20b.** Letter to Department of Community Affairs requesting a six-month extension to complete the EAR adoption process for Gadsden County
- 20c.** Receipt of Budget Approval for Grant 2011-JAGC-GADS-1-B2-072 Agreement Number 1 By Office of Criminal Justice Grants, Florida Department of Law Enforcement -Edward Byrne Memorial JAG Program - Area Drug Taskforce

ADJOURNMENT

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR DECLARED THE MEETING
ADJOURNED AT 8:30 P.M.**

SHERRIE TAYLOR, 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 17, 2011 AT 9:00 A.M., THE FOLLOWING PROCEEDINGS WAS HAD, VIZ.

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

INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

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

The deputy clerk called the roll and documented the attendance as listed above.

AMENDMENTS AND APPROVAL OF AGENDA

Add to Awards, Presentation and Appearances: Recognition of Superintendent of Schools Reginald James and the Fourth Grade FCAT Scores in Gretna Elementary Public Schools in Gadsden County

Add: General Business as 16A: Budget Workshop Calenda

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO ADD THE BUDGET WORKSHOP CALENDAR TO THE AGENDA AS ITEM 16A.

Move: Growth Management and Planning Citizen Bill of Rights to 16B:

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO MOVE GROWTH MANAGEMENT AND PLANNING BILL OF RIGHTS DISCUSSION AS ITEM 16B.

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

AWARDS, PRESENTATIONS AND APPEARANCES

A1. Recognition of 4th Grade Gretna Elementary School -

Chair Taylor announced that 100% of the 4th grade of Gretna Elementary School passed the writing assessment FCAT test recently. Ten of the students were present at the meeting and they came forward and were given a standing ovation and were presented a plaque which was read into the record by Chair Taylor. FCAT scores range from 0-6. Of the ten students present, five of them received a score of 5. The other five students received a score of 6, which was the highest score possible.

Recognition of Administration of School Board – Teachers, Principals and Staff

Superintendent of Schools Reginald James addressed the board and thanked them for honoring the students. He announced that Gretna Elementary is now “A” Status school. He recognized Principal Sonya Jackson for that accomplishment.

Tomeka (last name unknown) addressed the board to thank them for honoring her school.

Principal Jackson then made a few remarks on behalf of the faculty and staff.

Chair Taylor challenged the students by saying, “Make us do this every year from now on.”

1. Overview of Gadsden Art’s Recent Growth and Major Project for the Coming Year

Grace Malloy, Director of the Gadsden Art Center, stated that that in recent years, the County Commission has provided funding to the Art Center on the basis of the economic development that the Art Center brings to the county as well the community programs that it provides. She then gave them an update on how the Center has grown through the recession while actually cutting fixed cost by 15%. The mission of the Center is to improve the quality of life in the community while focusing on educational and cultural opportunities as well as stimulating the local economy. She reported that annual visits to the Center had increased 70% between 2008 and 2011. The art collection holdings have grown 400%. The school and family programs have grown 300%. They have established a reputation of being a leading cultural organization in the broad region of the Big Bend Area.

She then gave an overview of the accomplishments of the last fiscal year, which was due in part to the funding received from the county. For further details of the report, see the attached document or visit the clerk’s website at www.gadsdenclerk.com under “Meetings” for a visual and audio copy of the report.

2. Gadsden Express Update

Anthony Matheny made a PowerPoint presentation of the success of the Gadsden Express over the last year. He highlighted the following:

- Participants include Star Metro, Gadsden County, District 3 DOT, Big Bend Transit, Commuter Service North Florida and CRTPA.
- The commuter service was launched in April of 2010 as express service between Quincy

and Tallahassee.

- It is funded by federal job access reverse commute funds and matched with service development grant from DOT District 3 Mobile Development office.
- Ridership began with 500 riders and steadily increased to 2,000 currently. (A four-fold increase.) Projected to increase
- Monthly operational cost \$7740 resulting in \$93,000 per year.
- Current grant funding will insure existing service until April of 2012. If the service continues after that, the board must find the funding if they desire to continue it.
- Surveys have been conducted which demonstrates that 55% of the riders are female; 89% are African American; average age – 38 years; 61% earn less than \$30,000 a year; 79% of the trips were round trips – characteristic of employment and life sustaining types of trips; 42% were work trips; 21% of the trips were for education - 19% of those went to TCC; 68% of the riders use the service at least 3 days a week; 60% of the riders do not own a vehicle; 43% felt the service was cheaper to use ; 33.3% are dropped off by family member or friend who have access to the Gadsden Express; 9.1% use park and ride lots; 32% walk to the pickup point.
- 10,000 brochures were printed and distributed to introduce the service in addition to newspaper ads, press releases, direct mails, T-Shirts, church fans and websites.

After speaking to many of the riders, it was proposed to have an additional stop at the Gadsden Hospital Campus of CRMC. Such a move would require BOCC approval.

Future Funding Source – After the first of 2012, the board will need to find additional funding (\$100,000) in order to continue the service.

Colleen Roland, Senior Transportation Planner with Capital Regional Transportation Planning Agency (CRTPA) addressed the board. She told of the success of the program and encouraged them to continue the service because it was so important to many who take advantage of it.

She also stated that CRTPA is beginning a regional transit study and they will be looking to Gadsden County to have someone sit on the board to help them guide transit into the future.

Commissioner Holt asked what the board could do right now to start applying for funds.

Ms. Roland answered, “We have applied for everything that we can apply. What we need generally are matching funds. I am not even sure that we can get more federal funds to match with the existing service. If service is expanded, then we stand a shot of getting support for new service. So, I think that Gadsden needs to establish some more partnerships and look to add a line item to the budget that is considered more transportation and public works than social grants so that it continues to be served. As you saw on the chart, we are growing every month (in ridership.) When your budget time comes and I believe that it is already here, if there is any way that we can help you establish a line item in your budget for it, please let us know if there is more information that we can bring.”

Commissioner Holt stated that the county has not applied for grants recently because there is no one on staff to write the grants and apply for other nongovernmental funds. She reinforced the need to have a staff person or engage someone to write grants.

Commissioner Morgan referenced the statistical information provided. He asked for the total ridership for the entire year that the service has been available. He stated that he would like to see stops added for Chattahoochee and Greensboro.

Jim Jordon, Project Manager from Big Bend Transit was unable to give a total number of riders for the entire year. He explained that he gives the BCC a weekly total and a monthly total. He went on to say that each rider pays \$1.00 each way and it is the staff's belief that the market will not sustain an increase in that fee. He stated that he feared people will stop riding if the fee goes up based on the survey results.

Commissioner Lamb stated that this project is needed more than many of the nonprofit programs that come to the board seeking funds each year. He said, "I am willing to go to bat for this program because we want to extend it, not only to where you have it now, but to Havana as well as Chattahoochee and other municipalities. We definitely will be looking at a line item budget when we get ready to go through our budget."

Croley:

As your representative on the CRTPA, I am advocating this program constantly. We had several resolutions of support to get the funding. There is a limited amount of funding as Colleen has said and it is going down, particularly at the federal level. I think that one question needs to be asked. What percentage of the available seats is occupied? So, when you say 2,000 people are using it, what is your seating capacity or the number of routes?

Roland:

If I were to take an average of the 30 available seats on the bus, there are usually 25 or more for the morning and evening route and more than half for the midday route. That is my best observation.

Croley:

Vacant or occupied?

Roland:

Occupied.

Croley:

So, you are running about 1/3 to 25% vacancy right now?

Roland:

At different times, but I have also been on the bus when every seat was filled.

Croley:

I do think that the commission is going to have to, as Commissioner Morgan said, look at the cost, based upon the need for revenue. Perhaps the fees are a little low. That is something that we are going to have to lay out with the seat vacancy. It does need to be expanded. We need it countywide. I think it is a good program, obviously. We have advocated for it very strongly. We will continue to do so. But, nobody knows how the money is going to work out. I want to say

again, that anything that can be done to continue it and expand it, we are trying to do.

Taylor:

Let me also say that when it started, it had sat for a while. Then the commissioners got behind it and got it going. We understood that identifying stops and getting liability and everything else was time consuming. It eventually worked itself out. I think the hospital stop is a good one. I think adding Chattahoochee and Havana are certainly some opportunities. So, two things need to be done.

I am directing this to Mr. Lawson, we need to talk with the city managers in both those municipalities and see if they are willing to help support this since it will obviously help generate revenue to the individual municipalities with regard to these people going to work and bringing revenues back into their township.

I am part of the Apalachee Regional Planning Council and I was given a different figure that we need to go back and look at. I was given around \$36,000 to \$40,000 to help continue it.

Roland:

That was the total amount of matching funds needed when we first did the estimate, but now with rising costs, we think the total cost is closer to \$90,000 for a year. That would be what is granted and like any matching funds.

Taylor:

I would be interested in knowing, and your timing is perfect because we are getting ready to go to our budget workshops, but we will be doing this over the next two or three months, but I would be interested in knowing through a survey what the ridership's attitude would be for going to \$2.00 and staying at that particular amount and give some incentives for it with regards to the additional stops.

Obviously, those who are riding would like to continue the dollar, but would they appreciate it being discontinued altogether. There are some things that we need to think about going forward, but I would be interested in knowing what would be the census. If you even reach out a little further and talk to potential riders from Chattahoochee and Havana to see if they would be interested in having a stop there and would be willing to pay two dollars.

Roland:

One of the things we did on our

Taylor:

One final question. What is the cost for ridership over in Tallahassee?

Roland:

\$1.25 within the city.

Taylor:

They don't go into any of the surrounding counties.

Roland:
No.

Taylor:
I think we are going to have to look at that avenue seriously. A survey or something along that line so that we don't create a downturn in ridership, but that we do maintain it. As my colleagues have said, it has an impact and we certainly want to continue it, but it has to have some sort of attribute as well.

Holt:
May I say something right quick about during the day? I know that on Channel 26 and 27, they have a community update and it is free. So, if we could get the word out there that we want ridership to increase. The first thing they are going to say when we say \$2.00 to ride from here to Tallahassee, people are going to become excited. I know some now try to car pool because of the cost of gas. Now that gas prices are going up, we are looking at opportunity; I know that Channel 96.1 and 102.3 also take theirs two weeks in advance. We can advertise out there. Among those medias, I think we could pick up a lot of ridership at \$2.00.

Taylor:
I don't think that is going to be a problem. Again, we need to move forward with this concept.

Yes, ma'am.

Roland:
We gathered information last summer concerning what a person would pay. We have that data. I will send it to you all.

Taylor:
That is good, but you might want to do an update.

Roland:
I think that is a good idea, too.

Taylor:
Since we have already put it out there for \$1.00, now we are going to a different swing to those who are riding and are comfortable with amount. Those are the ones that we need to talk to. Not the ones that you talked to a year ago.

Thank you very much. We look forward to some good survey information.

Croley:
A follow up on what you just said earlier about the municipalities. I think that is an excellent approach. If it is possible, when Mr. Lawson communicates with those respective municipalities, could we ask for resolutions of support from them as well. It would help at the CRTPA meetings to have that support and be able to demonstrate to the Florida DOT officials that the countywide interest is there.

Taylor:

I don't see any problems with asking the respective commissioners of those municipalities to be the driving force on that. In other words, Commissioner Morgan, if you don't mind, would you speak with the manager over in Chattahoochee and give him an update on what we are trying to do and the reason for the resolution. Commissioner Lamb, if you can do the same thing in Havana and Midway.

Holt:

I guess I need to do Gretna because they are on the route.

Taylor:

Get into Gretna and you do your best in Quincy. (To Commissioner Croley.)

Morgan:

Madam Chair, if we are going to be asking for support, financial support, I think it would be wise to have an educated guess on the dollar amount we are asking for. When they go into their budget workshops, they need to have numbers rather than for us to say, "We don't know what we are looking at here."

Taylor:

I agree with you. I agree.

Croley:

Ask them for \$10,000 each.

(laughter)

Taylor:

Oh, no. We won't throw a number at them. What we will do, Mr. Lawson, you along with Mr. Matheny can perhaps come up with a number that is comfortable to the municipalities that is fundable. We will use that route. That is a good point, Commissioner Morgan. Let's go with something a little more concrete with some rationale behind the amount that we are asking for. I know that the city managers are going to want to know every detail – the reason why and how it is going to impact them and their cities.

Matheny:

I have one question. Did ya'll want to discuss or vote on adding the hospital stop today?

Taylor:

Is it an agendaed item?

Matheny:

It is part of the –agenda presentation.

Taylor:

Well, that was just a presentation. I think you will have to bring it back as General Business because it will have a cost impact on us. We need to be able to determine that as best as

possible. But, I think it is a great idea.

Lamb:

When do we want to start that stop?

Matheny:

Immediately.

Holt:

I want to see what the cost impact is.

Taylor:

Well, there is an extra expense to stop it there. Hold on, this is a democracy. I am wrong. I will digress. I told you before; I am not a stick in the mud. I will follow your lead. Now, if you all want to go ahead and do a vote. I will lend to our parliamentarian. Is this an agendaed item so that we vote on it? Do you see it as a fiscal impact?

Attorney Minnis:

My concern is that it since it was a presentation and there is no indication that there was going to be a vote on any particular item within the presentation. There could be some concern. There may be some citizens who want to speak on this issue, one way or the other. If you vote is to explore the cost and starting that stop, that is different than voting to actually do it.

Holt:

I really don't see where you need a vote to start it. If there is no cost, you are going to stop and pick up folks. You may even increase the number of riders. You are going by there anyway, so it is not like it is a different route.

Taylor:

The problem with it, Commissioner, and I can understand it and appreciate it, but there are other stops that some see as important as another. We don't want to open up a bag. What we want to do is to do it by protocol. If we can get them back in front of us at our meeting in July, we can vote on this and move it forward.

Morgan:

Chair?

Taylor:

Hold on. Hold on. Hold on.

Actually, there is a meeting in June and just one budget workshop between now and then. We will have other budget workshops I think. If we need to add this in we can. But, we don't need to start something that will create our having to entertain putting in different stops without our going through the proper process. That is just an opinion.

Commissioner Morgan.

Morgan:

I agree. I think we need to leave the stops to Gadsden Express. When you start getting us involved in that, I think you are going to get into things that you don't want to get into. I think they should decide on where that is. If it needs to be changed due to ridership, let them do that. Let them look at that.

Additionally, two other comments. I think Commissioner Croley or somebody commented about a survey of the riders regarding the potential increase in fees. I would recommend wording that in such a fashion as to let them understand that if it did increase, would it be important to them to consider or would you rather do without the service – not, "Do you want the increase or not?" Nobody wants an increase. I would word that in a way that you will get effective information there. You could say, "Would you like us to go down to \$.50?" They will say, "Yeah." Other than that, I would say that the stop at Gadsden Memorial Campus there for Capital Regional, I would, out of respect, contact those folks to make sure it is not going to interfere their daily operations as far as where they have it. That is what I would suggest.

Taylor:

There are just a couple of questions that need to be answered with regard to where the stops are made. I think you are going to get a 5 – 0 vote to do it. But, I don't want to do it after listening to the parliamentarian say that we may need to agenda it so that it can be done formally and correctly. I don't think you are going to get any backlash.

Minnis:

I just want to clarify my position. I am not saying that legally you can't vote on it. I am saying that there are circumstances where if the citizens want to have input on a particular issue that it is sometimes wise to agenda it specifically. Legally, there is nothing that would prohibit you from amending your agenda to consider the item. My position is coming from the spirit of allowing public participation. My understanding with what the board's part in the stop is that - what we have done in the past, if we were going to put a stop on someone's property, we made sure that we had their consent and signed an agreement with regard to liability. Since the county owns the property, then the board would have to decide if it wanted to agree to allow the stop there. So, that is what he was referring to, not necessarily that the board would decide the stops for Gadsden Express, but because it is the board's property. That is how we have treated it in the past.

Taylor:

We are going to bring this back. Mr. Lawson, please make it for June. It is going to be difficult. I know you have been working hard and been doing a yeoman's job at trying to make things happen on a moment's notice. Certainly, we need to talk to Capital Regional about this potential stop so that everybody can be on board.

Croley:

Since, by statute, the county administrator or whoever is in that interim role, is responsible for the county properties, isn't this something that Mr. Lawson, after he makes contact with Capital Regional as the tenant, and isn't it that is within the scope of his authority? Couldn't he just go ahead and approve it and work with Big Bend Transit and the other parties involved without it having to be delayed by coming back to the agenda? Ms. Minnis, is that not a legal course?

Minnis:
Yes.

Croley:
That would make it a lot easier and a lot more flexible and not any time wasted.

Taylor:
I certainly don't have any problem with that, but we have to keep in mind that we do have a partnership at the hospital and that partnership is with this board and not the interim. We need to be mindful. I will say this, Mr. Lawson; if it is o.k. with the board, after you have had dialogue with Capital Regional and they don't see any problem with progressing forward, then I certainly don't have any problem with you giving our position.

Holt:
Commissioner, I will agree with you on that except for one thing. Capital Region doesn't operate the whole grounds out there; they are only using part of it. I am saying that it doesn't have to be on the end where they are.

Taylor:
But, that is where the patients are coming to.

Holt:
No, you don't need to do a pick up down there where they are.

Taylor:
Let's just work out all the details, we don't need to bog down on this particular issue. We still have an agenda to go through. We have already lasted more than an hour and five minutes.

Mr. Lawson, I think you can handle the issue with the ridership and the hospital. Then talk to the municipalities about a resolution as well as possible funding.

Next item.

3. Update on Tourism Marketing Activities and New Tourism Website by Ron Sachs Communications, Inc.

Mr. Ron Sachs addressed the board. Lisa Garcia, Vice President made PowerPoint presentation.

Sachs:
I would say that sitting through the meeting so far, it is quite impressive how your community is anything but complacent about what you do and how you do it. From the great news about Gretna Elementary to the great news about your art center to this exciting Gadsden Express, this is a community moving forward. Our job has been to help you unit your citizenry and public officials here and the business community in a vision of how you want to be defined to the rest of the world. For too long, this community, like any other, has been defined on the terms and turf

of other people who may not have an agenda that is as friendly to you as the folks who live here and work here and want to promote this community have. So, it has been our privilege and our job to help you find that vision, that shared vision, for this community and help you strongly and actively promote that vision. A lot of that is embodied in the website.

I am here today with two of my key colleagues. Our Vice-President Lisa Garcia is going to walk you through a lot of this presentation and Erica Nuevo. These are two award winning professional communicators and we have tried to deliver our best and brightest on your behalf working in collaboration with your governments and your business community and your citizens at large and the chief stake holders. I can tell you that in the 16 year history of our company, I see this as the most important piece of work that we have undertaken because it is so important to promote this community to the rest of the world.

Gadsden is basically a great undiscovered treasure for many people in this state and for many people in the region of this country. It is going to be our job and our challenge to help to continue to challenge you to share that vision about this community, not just on the website, but in how you promote this community within. I think it is a very key way as you have envisioned by undertaking this process to help build greater pride within the community among the people who live here and in the business community, particularly to boost your economic development efforts through tourism promotion.

I had the great privilege in my career working for the late Governor Lawton Chiles who used to say, "It's a sorry frog that won't holler in his own pond." Well, you have lots to be proud about as I have already seen in the agenda items covered today. It has been our privilege and pleasure to work with you to get to this point of building a platform to actively promote Gadsden County's great resources and treasures, not only for the people who live here or nearby, but for people who should come here to discover one of the great adventures in Florida.

As a native Floridian, I will tell you most of the vacations I have taken in my life are in Florida, so we think we have a great opportunity to bring a parade of folks here, not just for family reunions, but for family weekends, for conferences and conventions to help discover in Gadsden what you know to be true and what we have learned in order to help you promote it.

I would like to bring my colleague, Lisa Garcia, to walk you through this presentation. Obviously, we are here to take your questions as well.

Ms. Garcia addressed the board and made the PowerPoint presentation that is also attached to this set of minutes. She first told them how they arrived at the logo, the slogan and the tag line for the community. See the attachment for more details of the presentation.

She continued:

Some of the next steps for Gadsden County include creating and distributing a resource guide map, which we are working with a local vendor to get a quote. I made a recommendation yesterday to the TDC about moving forward. We have a great opportunity through Visit Florida to display a theme park type map for Gadsden County where you would have numbered assets and you would follow that map to visit those numbered assets. It will be branded for Gadsden County and it will be available to visitors in all visitor centers throughout the state. That is free as

a member of Visit Florida.

We would like to execute a billboard campaign. The billboards that I displayed earlier. We would like to continue promoting Gadsden's event and a signature event. In fact, we believe that will lead to more earned media efforts and to continue to monitor and update the website, social media platform. We would like to train TDC or someone from Gadsden to maintain the website so they can also help inform and know what is going on. And of course, our on-going strategic council.

I know that was long, so if you have any questions, I would be happy to answer them.

Taylor:

Thank you. Commissioners, any comments? We will start with Commissioner Croley and then go around this way.

Croley:

My comments or an observation is that this is probably one of the best positive ad campaigns that I have seen on Gadsden County. I think that a lot of hard work that has gone into it. A lot of positive results coming out of it. I agree that such observations as having two key events in the county on the same day were rather confusing to a lot of people. I think that it probably hurt both events, so better coordination would be helpful in the future. And, I like your logo – "Unspoiled. Unexpected." All of that is positive.

I draw your attention to a group on Facebook called Quincy Reunited, which is bringing forth a lot of photos and information on Gadsden County that is going back. You might find them as a resource if you are not familiar with it. It is Quincy Reunited on Facebook. I look forward to seeing a measured report of your success as we move forward, as the TDC moves forward.

Morgan:

Thank you, Madam Chair. Lisa, we appreciate you guys and Mr. Sachs, thank you all for coming over here. For those in the community who are not aware, this firm has received recognition throughout the State of Florida and a national level as well. I can tell you that they have just done a terrific job in my opinion of what we have asked them to do. If you have not had an opportunity to go to the website, I encourage you to do that. I have done it and I have been on there and I can tell you that it is amazing at how it is to maneuver through there and the amount of information that is routinely updated and what you can see. It really is an effective communication tool.

What we are talking about here is not so much a specific event, in my opinion, or a specific asset to the county or a billboard or even a logo individually, but all those collectively. I think what Ron Sachs is doing and we are beginning to see the benefit of it is truly branding our community. It is just like any product that we go and purchase on a regular basis. It is like going to McDonald's. You know how to spot it because they all look alike, they have the same food, and we know in our minds that we branded that particular restaurant in this case. I think over time, it is going to be every effective.

Just a couple of other things, Madam Chair, if I can. I know our TDC Chairperson is here. Jeff

Dupree, who is a business owner here in the county and I can tell you from serving on that board and representing you all, he has just worked tirelessly in the effort of promoting this and doing it in a proper manner. I just really, Jeff, I just appreciate everything that you have done. I know it has taken a lot of work. If somebody would have suggested to you that it would take that much effort, you probably would not have agreed to do it. He missed a meeting, I think, and we voted him in as chairperson. No, I am kidding. He has done a great job.

Lastly, as a suggestion, I don't know how to go about getting it done, but I have always thought that a kiosk located in the center of each of municipalities would be very effective. They all look alike and contain the same amount of information that would have our logo on it so that the people who live in Gadsden County would be aware of what is going on in other areas of the county. That way, when they spot that in the center of town, they can go to it and get current information, whether it is a touch screen or whatever. I don't know how to do it, but I really think that would be something that would be helpful and you would get buy-in from people that live here and from travelers, particularly those that come through to the camp grounds and those areas.

I just want to tell you that for the last 10 months that I know the work that you've done and we are going to benefit from this in the near future. I thank ya'll for coming to talk with us.

Taylor:
Commissioner Lamb?

Lamb:
No questions.

Taylor:
Commissioner Holt?

Holt:
Thank you.

Thank you, Ron. It is good to have you back in Gadsden County. You did a good job on the previous work on the half cent.

On this item, I want to know difficult it is to change or to add onto the website? Is it fairly easy?

Garcia:
It is not difficult at all. It was built with a really excellent content management from the back end and anyone can be trained. That is what I hope to do – train somebody to be able to do it. It is very user friendly.

Holt:
Some of the events are seasonal. Once they are gone, we can add on something else or we may have something coming up that we'd like to add on.

The other is, and I really do appreciate what you are doing and I appreciate what Mr. Dupree is

doing. I just wanted to make sure that we could add on other events, especially I see Lake Talquin as an asset. It really is and that is basically what I wanted to say. The other is that I am glad that you are adding a lot of photos in because that is something that the activities over in Tallahassee – they say, “What is going on in Gadsden County?” And we have nothing to show.

As far as a kiosk goes, tourism stations are something that you find in other parts of Florida. They also use a kiosk, but they do have a board of banner or something so that when you are in a community, they will know where to go for these events, even if it just has an address. I notice that people always stop at a service station and they want to know how to find something or give them an address and they can find it now on their computer. But, thank you.

Garcia:

We are hoping that the resource guide map is that collateral piece that people will be able to pick up at service stations, hotels, visitor centers, and we are working with Gay Steffan at ProForma to do the design and print those resource guides.

Holt:

Thank you.

Taylor:

Lastly, I want to make a couple of comments and then we will move on very quickly. There was an issue that I had personally. I saw an invoice and no services. I saw an invoice for \$15,000 and back up supporting it. I do want to say that someone did come over with some information, but in the very near future after that, we got this. So, I am appreciative to see a product that we can look at perhaps as some of my colleagues have aforementioned, a great resource, and a valuable resource for everyone in this county. So, I am appreciative to have this particular item under way.

Now, what we need to do and this is probably a charge, Commissioner Morgan, for TDC and the manager. How can we be sure that this avenue is working for us? We need to be able to make sure that not only the hits that we are getting, but hopefully viewing the website and well as how many are actually coming in because of it? We need to be able to measure that. As you all well know, dollars are precious and to make sure that we are spending our dollars, not on a “feely” thing, but something that will actually work. That is where I am going to ride heard on to make sure that the dollars coming into these coffers and that this county is able to move forward in a progressive way. This is just one of the many avenues. I want to make sure it works. I want to make sure that we get the feedback on how it is progressing. I assume, Commissioner Morgan that this is something that can be done quarterly or however often.

Morgan:

Certainly. I think it would be helpful if Jeff wanted to talk about the funding source through the dollars that have been generated through the bed tax. It is TDC money, not general fund county tax dollars. He can discuss that. I agree with you. I think because we have made this investment, we should let Ron Sachs guide us on what to expect and timelines and things of that nature.

Taylor:

Before you come, hold on just a second, before he comes, let me say that I can appreciate the

funding source – where these dollars are coming from, but we are responsible ultimately for how they are being spent. We need to be mindful that they are being spent effectively. That is my only reason for the question today.

So, you are going to comment and I think this will do it.

Garcia:

Yes, I just wanted to let you know that we have been live for three weeks. We will give you analytic measurements to the website, which is the tool that we have right now. I will need to work with Jeff on getting you bed tax increases or how much increase in the bed tax is. We can also talk about or discuss surveying some of the events. To actively go to the events and survey who is participating. How far are they coming? From what areas, are they staying the night, and that sort of thing? But, again, that is cost. You are talking about weekends and evenings and surveys, which is not something that we are funded to do at the very moment. But, it is something that we will very actively discuss with the TDC and with you all to move forward.

Taylor:

Let me comment on that really quick. I heard you very clearly. You are saying that it will probably be an additional cost for your services to give us this data, but you know, I have done this in various hotels that I have stayed in. There were surveys there on the little thing next to the bed. You don't have to be physically there. Just some kind survey in the various hotels because that is how the funds are generated. Something that is just stationary there. Not a physical person. Certainly, we want to keep cost down. We don't want you running from event to event. That is not what we are asking for here.

Jeff is there something that you wanted to add?

Dupree:

Well, Commissioner Morgan asked me to explain where our funding comes from. The TDC is funded entirely from the 2% bed tax. Anyone who stays in our community, whether it be a campground, hotel room, a cabin down at the lake, anything that is considered a transit rental, they pay the standard 7.5% sales tax that we pay on any other product in the county, but they also charge 2% bed tax or tourism tax. That is where our funding comes from.

With regard to tracking it, I think that is the easiest way to tell whether this plan that we are now on is working. When we first started the TDC, we were generating about 30,000 worth of revenue over the course of a year. For the last two or three years, we have been kind of stagnant at around \$75,000 to \$80,000. I think with this plan, you are going to see over the course of the next couple of years, we will really start to move up. That is where we will tell whether this plan is really working or not. In order to get \$80,000 worth of bed tax, that is \$4 million worth of hotel rooms that are rented in this county. So, anybody that doesn't think that we are a destination right now, \$4 million is a pretty significant amount of money spent. People that stay in hotels and campgrounds, they will spend about three times as much money in other businesses. That number is much larger than just the \$4 million that you see. That is our real base, I think, on whether what we are doing is working. I think that is a number that is available to us at any time to look at based on the number we get back from the Department of Revenue.

Sachs:

If I may, Madam Chair. Just one brief comment to wrap up. First of all, I hear you loud and clear. I like your point of view on this. Wherever the funds are raised and whoever has the authority to spend them, we are very sensitive as you are to every one of these dollars you are apportioning for this purpose in Gadsden County. It is a taxpayer dollar as far as we are concerned. We bend over backwards to make sure that we are leveraging every single bit of impact as possible for every dollar you are spending in Gadsden County. We are competing with a lot of communities with bigger budgets. That is not your problem. That is our challenge. We are very mindful that every one of these dollars being apportioned to leverage the maximum impact. I hear you loud and clear. It is our job to deliver back value to you.

One last thing that I will say. This is a process that has gotten us to this launch point three weeks ago of the website. It is the center piece for starting to actively promote this community. We need everybody here and everybody behind me and everybody you know. If you are not on Facebook, get on Facebook. Like the Gadsden Website. Tell everybody you know. That is going to be the leading edge of how we promote you. This is a discipline. If you stick with it, it will lead to big results and significant progress along the way.

I want to say to you again, it is a great privilege for our firm to be representing you. We are very mindful of never being complacent about it.

Taylor:

I want to say this to you also. Thank you all so much for coming. I certainly appreciate what you have done thus far.

That being said, we will move on with the agenda.

CLERK'S AGENDA

4. Presentation of County Finance and County Clerk Issues

Clerk Thomas:

Madam Chair, Commissioners, I am sure that all of you are still digesting the Session and awaiting Governor Scott's actions. I just want to mention one thing from the session and that is the pension reform bill. One aspect of that is that 3% contribution that employees will be required to make. That is for everybody that is a member of the Florida Retirement System, which includes counties. It goes into effect July 1. So, we are in the process of updating our payroll system to make sure that we can handle that. Essentially what it means is that every employee and every official across all classes will have to contribute 3% of their pay, pretax, right off the top, to the State Retirement System. It is coming right out of people's pay. Right off the top.

What it does for you as the county is actually a savings. You probably can save about \$41,000 in this last quarter of the fiscal year and maybe about \$165,000 a year. Don't start thinking you can spend that because you need to get into the budget process and see what your next year's budget looks like in terms of your revenue sources and see if you have any actual savings. Of course, there are some communities out there that are considering coming back and try to make

their employees whole by giving them a 3% raise. That is what is being said. I am sure you have read those articles. A lot of people are not doing that. The State saw this as a \$615 million savings to the counties. So, that is how J.D. Alexander, the Senate Budget Chair, looks at it. The State of Florida is basically giving you boards of county commissioners, through the state, \$615,000 million worth of savings coming off the backs of your employees, but, still that is how they are looking at it. That is just something that I want to mention. I am sure you are aware of it, but we don't want the employees to get their paychecks and not know what is going on. Just putting it out there.

Croley:

Mr. Clerk, thanks for the update. I don't know how you will coordinate this, but will your office notify all the constitutional officers just as you did this board and put an insert or something out to the employees so that they will have a full heads up that in July that is going to happen. I am not talking about only the board of county commission employees, but the other constitutional officers as well. Will this be brought to their attention for them to do the same thing?

Thomas:

We will coordinate with Mr. Lawson.

Taylor:

Is that it for you?

Croley:

That is it.

Taylor:

Commissioner Holt?

Holt:

No, that was it.

Taylor:

Alright. Let's move.

CONSENT AGENDA

UPON MOTION BY COMMISSIONER HOLD AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA (ITEMS 5 – 10) TO WIT:

5. Approval of Minutes

March 15, 2011

April 5, 2011

February 1, 2011 Correction

6. Ratification of Approval to Pay County Bills

Accounts Payables Dated:	May 6, 2011
	May 13, 2011
Payroll Dated:	May 5, 2011

7. Approval of All Commissioners' Travel to Florida Association of Counties Summer Conference in Orange County on June 21 – 24, 2011

8. Approval to Vacate and Easement Located on the Monte Bradwell Property, 18360 Blue Star Highway (TAX PARCEL No. 3-10-2N-4W-0000-00134-0100)

In 2009, Monty Bradwell proposed to build Bradwell Huddle House, a restaurant just east of his other business on U.S. 90 west of Quincy. He approached the County to apply for CDBG grant to build the roadway and water and sewer lines to the site of the restaurant. The county did apply for the grant and it was awarded. As part of the grant process, the county used some of the grant proceeds to purchase an easement from Mr. Bradwell in order to maintain the infrastructure. Due to the nationwide economic crisis during that time, Mr. Bradwell was unable to timely secure the financing he needed to complete the project within the timeframe set forth in the grant. Therefore, the funds were returned to the state and the grant was closed out. Mr. Bradwell repaid the county \$21,000 for the payment of the easement right-of-way. He has recently petitioned the county to return the easement to him since the project did not move forward.

9. Approval of Signatures for Special Assessment Lien for Ebony McKinney

10. Approval of Signatures for Special Assessment Liens and Rehabilitation Contracts for Roosevelt Harvin and Ruthie Smith

CONSENT ITEMS PULLED FOR DISCUSSION

No consent items were pulled for discussion.

CITIZENS REQUESTING TO BE HEARD ON NON AGENDA ITEMS

There were no requests to speak at this juncture.

GENERAL BUSINESS

11. Selection of Candidate Projects for the County Incentive Grand Program (CIGP)

The Florida Department of Transportation (FDOT) currently has funding available under the County Incentive Grant Program (CIGP). The County Commission must approve the project selected to include in the application.

FDOT requested that each county submit only one project which must connect to a State

Highway System and relieve traffic from the State Highway System Road.

Preble Rish and the Public Works Staff submitted a list of the roadways which fits the criteria.

- Commerce Lane – District 1
- Scotland Road – District 1
- Dogtown Road – District 2
- Salter Road – District 2
- Telogia Creek Road – District 3
- CR269/Bonnie Hill (From US 90 to the Railroad switch yard overpass) District 3
- Ben Bostick Road (From US 90 to Interstate 10 Overpass) – District 4
- Atlanta Street – District 4
- Strong Road – District 5
- McCall Bridge Road (From Pat Thomas Parkway to Bear Creek Road) District 5

There will be no fiscal impact and Public Works will administer the project through a Joint Participation Agreement with the FDOT.

Public Works Director Charles Chapman addressed the board explaining, “This is a competitive Grant Program that we engage in annually. The Florida DOT has asked for Gadsden County to select one project for the County Incentive Grant Program.

In brief, the major criterion for the selection of this project is that it must connect to the State Highway System. So, that would be U.S. 27, Highway 90, SR 268 (Bainbridge Highway) for example. We have provided you a short list of 10 roads within the agenda item. The additional information provided you shows you the location on a map of those 10 roads and within which district that they are located. There are two roads from each district for your consideration. There is also a cost estimate provided as well for each one of the projects. It is preferable that the project stay under \$1 million for this program because this pot of money is just so large. We want DOT to have a very easy decision in giving us money. We don’t want to get into a situation where we are asking for too much or too little. With that I will yield the floor to Mr. Justin Ford of Preble Rish to fill in any of the gaps that I may have missed.

Ford:

Good Morning. I think Mr. Chapman did a pretty good job of explaining what we have going on again. We have provided you a map that basically shows you where the State Highway System is within the county. Those roads that we have looked at with the county. We feel like they are strong candidate projects. At this time I will yield to you and let you give us direction on what road we need to prepare this application for.

Taylor:

Alright. Commissioners there are 10 roads listed. I did a little research on my own. Commerce Lane has done – how far back?

Chapman:

I believe it was done 10 years ago. All of these projects are within the 12 – 15 life cycle. That is where it begins to wear down and it needs to be resurfaced.

Taylor:

But, you have some that have been done as recently as two years ago and then some about four years ago. We want to be careful not to give them a road that they have done as recent. That is what I am getting at.

Chapman:

Yes, Ma'am. This funding cycle will not be engaged until 2014/2015. So, whether we are within the 12-15 currently is not a major factor in granting the award. It is within the funding cycle of the program year.

Ford:

Most of the roads on this list, if not all, fall within that 8 – 11 year range of when they were resurfaced. When we were preparing this list, we went back and looked at a master list. I think I provided it to some of you, if not to all of you, previously of when those roads were done by district. I could be wrong, there may be one that I have overlooked, but the majority, if not all, would fall into that range – the 10 year mark. With the exception of Ben Bostick. I want to say that portion of Ben Bostick – I couldn't find a record of when that had been done.

Taylor:

That is the one that was highlighted to me as being the one that would be the most likely to be funded because of the fact that it has not been done any time soon. Then some of the others that you listed will not qualify because they are not contiguous to an interstate highway according to the map. For example, Scotland Road. There are a couple of them that we may not get funding for because of its location. So, I guess what I am asking for is what is the best possible road here?

Ford:

Based on previous work, again, I completely yield the decision to you, obviously, but think that Ben Bostick would be a strong candidate because we could not find any record of where that had been done previously.

Taylor:

Let's move this item. I concur.

Is there a motion?

Lamb:

I don't have a problem with it. I just wanted to ask a question. There is a lot of economic development coming out of Commerce Lane. I want to make sure that we keep that coming out. I don't want complaints to start coming out of that area. What condition is that road?

Ford:

A portion of Commerce Lane is in fairly good condition. Now, there are portions of it that are in not so good conditions. We are doing the work, as you are aware, the work on Fortune Blvd is moving forward. So, that will alleviate some of the problem out there. But, there are portions of Commerce Lane that aren't in as good a condition as we would like to see them.

Holt:

But, we can come back and apply every year?

Taylor:

It is like I said; we are within (inaudible) entrance. Fortune Blvd. has been taken care off. It makes it not as qualified as some of the others. We want to try to pick a road that is most likely to get funded.

Let's move it.

Lamb:

I don't have a problem with it.

Holt:

I move approval of Bostick.

Croley:

I have a question.

Holt:

I am sorry.

Croley:

Explain this to me. These funds, do they come through the MPO in any way?

Ford:

We will apply directly to FDOT. FDOT will, in turn, will enter into a JPA Joint Participation Agreement with the County, so the CRTPA, as I understand, won't have any involvement with this moving forward.

Croley:

O.K. I don't have a problem with that; I was just trying to understand whether it did or not because I have never seen this before.

I will say this, in support of Commissioner Lamb's point, that Commerce Blvd. is a critical road and if you've got another one fine, but I would say that one has greater financial impact on the county than Ben Bostick Road at this time. But, that is just my observation.

Taylor:

There is a motion on the floor for Ben Bostick. There are some opportunities, maybe,

Lamb:

No, she stopped. She needs to get a motion.

Holt:

I move approval of Ben Bostick Road.

Lamb:
Second.

Taylor:
There is a motion and second. Are there any other questions?

There being no questions, all in favor of selecting Ben Bostick as our project for the said grant, please let it be known by saying, “Aye.”

All:
Aye.

Taylor:
Opposed, same sign.

No response.

Move forward with Ben Bostick Road.

Lamb:
I just want to follow up with a question on that, Madam Chairman, that we definitely want to keep an eye on Commerce Lane. We’ve got to do that because that is where a lot of our economic development is coming out of that area. We need to look at that before next year.

Ford:
So noted.

Taylor:
Mr. Chapman, you may want to earmark that particular item as requested by one of the commissioners.

12. Approval to Award the Paving of the Cairo Concord Road Resurfacing to Peavey and Son Construction Company, Inc.

At the February 2, 2010, the board approved a Joint Participation Agreement with FDOT for the resurfacing of the Cairo Concord Road with funding from the County Incentive Grant Program. Staff had the project designed and solicited bids. Four bids were received for the project. The low bidder was Peavey and Son Construction for \$419,114.51. Since the Grant for this road was funded at \$363,636.36, therefore the quantities of the initial bid needed to be reduced. At that time Peavey agreed to resurface the road to \$363,636.36.

Staff recommended awarding the project to Peavey and Son Construction Company, Inc.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO AWARD THE BID FOR PAVING THE CAIRO CONCORD ROAD TO

PEAVEY AND SONS CONSTRUCTION.

13. Approval of CDBG Neighborhood Revitalization Grant Application for the Rosedale Community Water (RWA) System Improvements

In 2009, Rosedale Water System received 11 deficiencies from Florida Department of Environmental Protection (FDEP). To date, they have satisfied 8 of the deficiencies and worked to improve the water system. Since the water system serves many low-income and elderly families, it is essential to minimize the amount on the loan associated with the water system improvements and upgrades. The intention of obtaining CDBG funding is to assist the RWA in keeping their water charges at a minimum. They cannot apply for the grant themselves because they are not incorporated. The County will act as a pass through entity in order to get the water system improved.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE APPLICATION DESCRIBED ABOVE.

14. Approval to Negotiate the Renewal of the Engineering Services Contract with Preble-Rish, Inc.

This agenda item seeks board approval to negotiate the renewal of the engineering services contract with Preble-Rish, Inc. The current contract expired in February of 2011.

Mr. Lawson asked the board to determine the length of the contract and also authorize the chair to execute the contract if negotiations are successful.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 – 1 TO APPROVE STAFF NEGOTIATIONS FOR A THREE YEAR CONTRACT WITH PREBLE RISH FOR ENGINEERING SERVICES FOR THE COUNTY. COMMISSIONER TAYLOR OPPOSED THE MOTION.

15. Approval to Negotiate the Renewal of the Legal Services Agreement with the Law Firm of Ausley and McMullen as the County Attorney

The current contract with Ausley and McMullen will expire on May 30, 2011. Based on the terms of the contract, the contract may be renewed, extended or modified only by written agreement executed by both parties. This contract is at the will of the board and may be terminated by either party.

A MOTION WAS MADE BY COMMISSIONER LAMB AND SECONDED BY COMMISSIONER CROLEY TO AUTHORIZE STAFF TO NEGOTIATE A NEW CONTRACT WITH AUSLEY MCMULLEN AS THE COUNTY ATTORNEY.

Commissioner Morgan questioned why they would not consider a multi-year contract for them like they did for the engineers.

Commissioner Lamb amended his motion to include a three year contract. Commissioner Croley amended his second.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO AUTHORIZE THE STAFF TO NEGOTIATE A THREE YEAR CONTRACT WITH AUSLEY AND MCMULLEN AS THE COUNTY ATTORNEY AND THAT IT SHOULD BE BROUGHT BACK TO THE BOARD FOR FORMAL APPROVAL.

Commissioner Holt was opposed to a three-year contract.

Staff was instructed to bring back comparative figures when the proposed contract comes back for formal approval.

16. Approval of Salary for Interim County Administrator

On April 5, 2011, the board terminated the services of the previous county administrator and appointed Arthur Lawson, Sr. to be the interim administrator.

Currently, Mr. Lawson is serving in several capacities. He serves as the assistant county administrator as well as supervising the Human Resources functions, management services and procurement services.

Mr. Lawson's current biweekly salary is \$3,638.46 with the added benefits of monthly health insurance of \$392.45 and life insurance of \$2.85.

It was requested that Mr. Lawson's salary be increased to \$3846.16 biweekly while is serving as the interim administrator. The increase should be made retroactive to April 6, 2011. Benefits would remain the same.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE UP TO \$6,000 PER YEAR, THEN THE SALARY WILL REVERT BACK TO THE CURRENT AMOUNT WHEN THE PERMANENT ADMINISTRATOR IS HIRED.

Croley:

If I read this item correctly, this increase is only for the time period until a permanent administrator is selected. Is that your proposal?

Lawson:

That is correct.

Croley:

I just wanted to make sure for the public record that it was clarified and then it would revert back to your regular salary. On that basis, I would so move that this be done.

Taylor:

We already have a motion and a second. Are there any other questions?

Croley:

I have been dealing with this bunch a long time. If you are not careful with this group, you will get burned.

Taylor:

We won't do that. I think that integrity and honor is still around us. There is a motion and a second to approve increasing the manager's salary up to \$6,000, but not to exceed, and then it will revert back once a permanent administrator is hired. Let's make that a part of the motion. All in favor of this motion let it be known by saying, "Aye."

All:

Aye.

Taylor:

Opposed by the same sign. (No response.) Motion carried.

Vote 5 - 0

16A. Budget Calendar Discussion

Lawson:

Madam Chairman, the next item is an item that we have added which is a discussion of the budget calendar. Commissioner Croley.

Croley:

I want to thank the commission for agendaing this item. My primary reason for doing so was that as it stands right now, I may not be here for your first budget workshop on May 26th when this item of the calendar was agendaed. I want to be able to see it have any input in the calendar. I appreciate being given that opportunity to do so. I don't have any problems necessarily with any of the dates right now to my knowledge, but it did help me immensely to have them well in advance so that I could coordinate my own personal schedule around these dates. So, on that basis, Commissioners, I don't necessarily see any problems, but I do want I understood that I may find it necessary to be out of town on the 26th.

Thank you.

Taylor:

Is that your reason?

Croley:

I wanted to be able to see it. I wasn't going to be able to be here to review it on the 26th.

Taylor:

The actual budget?

Croley:

No, I wanted to be able to see the dates of the budget workshops for the commission in order to

be able to schedule my calendar. I do have other responsibilities.

Taylor:

We can appreciate your position, Commissioner. I just thought there was a concern with some of the dates. But, now that you have it well in advance, then all is well. Thank you.

16B. Citizens Growth Management Bill of Rights

Lawson:

The next item is also that was amended to the agenda as 16B at the request of Commissioner Holt.

Taylor:

O.K. I am going to lead out with Commissioner Holt and once you are done, we will hear from Mr. Sam Palmer and Pastor John Battles, and then we will wrap it up.

Holt:

This item was under my name for discussion for District 4, but it is really for the county. I brought this up at the last meeting, I think this commission, whether we had plans in it or not, in the comprehensive plan, we may not have had our fingers in it, but we are responsible for it once we are elected. That is the Comprehensive Plan and the Land Development Code. Now, under the (Growth Management) Citizens Bill of Rights, we are saying that it will take a supermajority vote of the commission to change it yet we have not sat down to look at the Comprehensive Plan. We must do that in order to be able to explain why land is zoned a certain way. In order to be able to explain it to the citizens, we have to have knowledge of why these areas were zoned that way in the first place. The citizens do not know. The commissioners that were here in 1992 are not available to tell us why they were zoned that way in the first place. Certain properties are not grandfathered in saying that they were on that property that did not fit a certain zone before the Comprehensive Plan came into being. So, we need to have an opportunity for the citizens to have that input as well as us. As I have said before, until we sit down and look at this map and the Comprehensive Plan to see how the land development code is used, then we are not allowing the citizens an opportunity to develop their property. We are not allowing them and we have no knowledge. I have been here since 2002 and we have looked at that Comprehensive Plan twice.

It is not justice to them to say that you need a super-majority vote to change it. They are asking, "Why?" I don't blame them. I would say, "Why?" too. If I had never been up here, I would never have gone and sat down with that big book. No one else would have either. I think that it is upon us, the commissioners, first of all to allow them the opportunity to vote on it. 2012 is coming up. There is no reason why they can't vote on whether they want a super-majority vote. What is the difference is what we are doing now under the citizen's bill of rights and what we were doing before? You had notification before. The only difference that I can see is the super-majority which makes it more difficult for the citizens to look at the development of their property. Some of these families have been here since the conception of this county. So, when you are looking at that and since they have been here, then we came in here with a comprehensive Plan in 1992 and it was not advertised properly. I am going to be honest with you. I mentioned that before. If you look at advertisement, you advertise to you clientele. You still have the State Statute in there, but you steer your advertisement to the people you are

advertising to. If they don't understand it, you have advertised it for nothing.

It is the same thing that happened with Ron Sach's company. If he advertises out there to a clientele that doesn't know anything about what he is saying. What I am saying is this. First of all, we need to put it (Citizens' Growth Management Bill of Rights) on the ballot. Let the citizens get the chance to say whether they want the Citizens Bill of Rights or not. This commission needs to do that. They shouldn't have to come and petition us to do something like that. We should do it. Then if they decide that they want it, they want it. But, it still does not alleviate us from coming together and sitting down as a body and looking at this Comprehensive Plan. There is some stuff in there that we don't even need. It is old. It is outdated. It doesn't fit what you are trying to do. So, that is what I am trying to get to. Two things. One, I am asking this board to look at putting this on the agenda for a vote. I am going to put in for a motion for it – to put it on the agenda at the soonest meeting that we can get it in. Allow us to come in, allow the citizens to come in and tell us whether they want to put it on the ballot or not. Then we vote and we decide. If that doesn't work, then they can still go through the petition process.

I don't think that they are paying us to sit here and say that it is o.k. that you did not have the opportunity, because some people didn't even though we advertised, some people didn't because they still don't know what we were advertising for. They don't know what Planning and Zoning is advertising for. They say, "Ms. Holt, who can understand that? One man, I looked at and I took the article around and let them look at it. I would ask them, "Tell me what does this mean? What are you supposed to do?" They didn't know. It is not the Planning and Zoning's fault. It is our fault because we can go back and say that we want a standard language put in our advertisement. You can still put the law there, but you could still put in that title a few sentences that would let the citizens know what you are talking about. That is why I am telling you that I am asking you to look at putting it on the agenda for the next meeting or as soon as possible so that we will have the opportunity to either vote it up or down to put it on the ballot so that the citizens can have an opportunity to vote and see whether they want a super-majority vote or not.

Taylor:

What we will do is that we will listen to each of those who have asked to speak. I see that Mr. Ed Allen has added his request to speak. There are three now who will come before us. Then we will hear from each of the commissioners then we will move forward per the majority on which way we want to go with this particular item. We will start out with Mr. Sam Palmer.

Palmer:

Sam Palmer, 1225 Berry Street, Quincy.

Madam Chair, the Citizens Bill of Rights has been a continuous issue. The citizens have elected the commissioners to act on their behalf. I think that the commissioners should listen to the citizens. We want the Citizens Bill of Rights to be repealed. If you can't repeal it, put it on the ballot. If we have commissioners that feel that this is a good issue, then it should be no problems letting the citizens determine whether or not they want it. It should not be coming back again and again when we are saying over and over. We want to address this and get it behind us. So, Madam Chair, we ask also that this be put on the ballot. If you can't repeal it, put it on the ballot and let the citizens decide whether they want it or not.

Thank you.

Taylor:
Pastor Battles?

Battles:
Pastor John Battles, 43 Lucille Berry Lane.

Commissioners, once again I would like to ask, repeat what I said in the last meeting. You could have gotten everything in the Citizens Bill of Rights that is there now without having to require a super majority vote. Is that correct? That is the part that shows us that there is malice intent in it. If it went with just a three vote, maybe more people would understand, but when you locked it up like that, there is something here that is not right. I concur with Commissioner Holt. This should be placed on the ballot. Something of this nature and of this magnitude that affects us – houses, lands, jobs – the citizens should do that, not this board. This is wrong. This is wrong. I think this board knows that it is wrong.

We are not going to stop fighting. I am sure you all know that by now. We are going to fight and we are going to win. It may take a little longer, but we are going to win it. There is no doubt about it. This is not right. Once we get out there and begin to educate the public about this Citizens Bill of Rights, we are going to win. I am not even worried about it; we are absolutely going to win.

Taylor:
Mr. Allen.

Allen:
Good morning, Commissioners. My name is Ed Allen. I live at Lake Talquin. I also sit on the P & Z Board.

Ms. Holt keeps referring to this map up here. This map has absolutely nothing, zero to do with the Citizens Bill of Rights. The Citizens Bill of Rights has to do with notification. We've already got it. It is already in the Comprehensive Plan under Chapter 7, Section 7500 Subsection 7501. It says, "At a minimum requirement shall be set forth in Florida Statutes Land Use Amendments, the applicant shall be responsible for the placement of advertisement." It goes on to say, "A 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 1,000 feet. "The only thing that Planning and Zoning did was change that to ½ mile so that the people in that particular area will be notified. It also goes on to say the procedures with mailing notices. So why is there a big thing to do about it? Ms. Holt, it absolutely has nothing to do with that map that you keep referring to.

Taylor:
Mr. Allen, keep your comments directed up here.

Allen:

O.K. I am sorry. That is all I have to say.

Taylor:

Thank you, sir. Thank you.

We are going to go around the board one more time. I will do it this way. Commissioners, who would wish to speak on this item? Right quick, let me know.

Lamb:

Yeah. Thank you, Madam Chairman.

Now, the Planning and Zoning Board did pass this. They had some good ideas and there are some good things in the Bill of Rights. But, a lot of people don't understand it. Not every citizen understands it. I think the problem here is that it takes four of the commissioners to change something or waive something that we feel like is only right. Now, you know that it is going to cost money to put this on the ballot. But, what we could do is open it up, go back and take the supermajority out and I think that a lot of citizens would be pleased with that. Not require a supermajority to do this. If we don't do that, we are probably going to go back and put it on the ballot and it is going to cost a lot of money. Then, it might not pass or it might pass. I don't know, but we need to look at this and take that supermajority out. This thing was rushed by us when we took care of this. You all know that. We didn't waste any time doing it. Although, Planning and Zoning did a good job by going through it and analyzing everything and they recommended it to us. But, we really didn't give the citizens an opportunity really to have any input into this. That is what we need to do. We really need to do that. If you don't, if we don't go back and open it up and take that supermajority vote out, we are going to have to put it on the ballot and that is going to cost this county.

Taylor:

Are there any other comments?

Croley:

I have a question for Ms. Minnis.

Taylor:

Yes.

Croley:

Ms. Minnis, at the last meeting, you explained, I thought, pretty clearly, that an ordinance that has passed is not something that you can go back and put on a ballot. At least, that is what I understood when it is already in effect.

Minnis:

I don't believe that question was asked of me last time. The question that was asked of me was about superseding a prior ordinance.

Croley:

Well, explain, if you would, have you got an explanation ready?

Minnis:

I have not looked into that area because I was not tasked for doing that.

Croley:

Alright. Well, I don't know that this is going to be something that can be handled by simply putting it on the ballot.

Commissioners, when you look at this ordinance, there are obviously folks going around who are misrepresenting it and creating confusion. Now, I suggested at the last meeting, and you, Madam Chair, rejected that idea, was to allow the Planning and Zoning Commission to get together with the county staff and county attorney's office and look at the ordinance and develop and administrative guide as to how it should be implemented and to give them a chance to take input from the citizens so that you could understand how it will be handled. If there needed to be any adjustments, let the Planning and Zoning and the process bring those recommendations back. You rejected that and said that you, personally, would not consider it. I think that was – no offense to you on a personal basis, but a rather short sighted position to take. If there are problems, allow the process to work and we can entertain that more formally.

Now, as far as the representations about the map that the Commissioner Holt has raised and one reason I seconded her request to put this on the agenda was in the attempt to say if you subdivided your land under the immediate family subdivision that was a legal subdivision at the time. That right carries forward. I see no conflict with anything about the Citizens Growth Management Bill of Rights in that process. If you have subdivided and deeded the property accordingly, there should be no problem in this ordinance even impacting you. If your land is zoned whatever it is and that is the way that it was originally done and you have been buying and selling or bought your property under that and you want to change it, it doesn't stop you from applying for a change, but it does require you to notify your neighbors.

As far as sensible economic development, I can't imagine any request coming before this commission for sensible economic development creating jobs and practical that this commission is going to give any problems to anybody about a super majority vote. I think that is a misrepresentation of what the facts will be.

Here are some other things that you might not have thought about. It takes a supermajority right now in the ordinances if you do something with the half cent tax. Do you remember that? That was put in by this same commission. Not this commission, but commissions before us. You also have to have a supermajority vote to raise the property taxes above a certain level. So, supermajority votes are not unusual. They are not out of the ordinary. I remind you that when Commissioner Lamb now says that supermajority votes aren't good, I remind him that he didn't feel that way when we were going to move the railroad crossing. He didn't feel that way whenever we saw a 3 – 2 vote to rezone the Ochlockonee River area. The list goes on examples of over there on Iron Bridge Road in there where that boat ramp was. The company came in and got 3 – 2 because there was a vote against that.

Now, with the fact that we are all elected by districts, these citizens only get to vote on one of us, yet we all get to vote on them. They should have a right to expect a majority of us

commissioners, and by that I mean a majority of the population that we represent, should be voting on their property. That is what this boils down to. This is a property rights issue. It is just as important to Pastor Battles back there on his homestead if somebody was going to put a slaughter house next to his house, he would want to know something about that. He has a right to know it.

Mr. Palmer, he's got a right to know if somebody is going to put a cell tower that might fall down on his house. He should have a right to know that. And, he shouldn't be held hostage to the fact that three of us all get together and vote on the side and vote that project in and put it next to him without him knowing it.

Now, that is why I am not going to entertain, myself, changing until either we go through a process to allow the Planning and Zoning to work with the staff. If there are some changes that need to be made, I certainly will listen to what those are. But to just jump up here and say we are going to open up this ordinance, I, personally, am not going to do that.

Thank you.

Taylor:
Commissioner Morgan.

Morgan:
Thank you, Madam Chair; I will say real quickly what I emphasized at the last meeting. I am just not aware of any problems that have ever stemmed from effective, accurate communication. I think that all this is about is notification as Mr. Allen mentioned. I think that everyone in the county is deserved of that.

Secondly, I have talked with several members of the P & Z board. I can't speak for every one of them, but I am not aware of any of the members of P & Z who discussed this thoroughly, which they did, who are not in agreement with the concept of the Citizens Bill of Rights. So, again, I think it is important for us to understand that position.

Finally, I did want to reemphasize that we did have two public hearings for the citizens to come before us and discuss that. That is not what we were required to do.

That is all that I had to say. Thank you.

Taylor:
O.K.

Holt:
Are you ready to wrap up? I have another comment.

Taylor:
Yeah, I am getting ready to wrap up, but you may make your comment. You started out the conversation, but make your comments remembering that we need to move this on.

Holt:

No problem. The reason that I wanted this on the agenda is because of the fact that you mentioned, Commissioner Croley, that we want the citizens to decide. The citizens didn't get an opportunity to decide. Planning and Zoning and the four commissioners up here decided. O.K. That is where the conflict is.

Before, it was always 3 – 2, 3 -2, 3 – 2, I thought that this commission didn't know any other proportion than 3 – 2. Now, it doesn't matter how this commission votes or what numbers are on one side or the other. It matters whether it is doing the right thing. The citizen's referendum, if they do a referendum, will supersede anything we do. It will. If not, a good attorney will. But, what I am saying is this. When people on this commission were meeting and meeting before, and I can name some locations, it wasn't a problem. But, it is a problem now, because it is the citizens. O.K? Now, I am telling you just what I said before. You can put this one down for me from now until the day I get off this board. I want to have this same discussion until we really look at this. Now, as I said before, when developers came down to Lake Talquin and they developed down there so that homeowners down there can have rural residential, it wasn't a problem. They have rural residential down there.

So, what made them more important than those people that were here for 200-300 years? Nothing. Nothing makes them more important. The Land Development Code is used to implement the Comprehensive Plan. It is not any different. I don't care what citizen comes up there and says that it is different. The Land Development Code is used to implement the Comprehensive Plan. All we have to do is say, "You want to notify one mile," you have to go to one mile. It doesn't have to be ½ mile. No one cares about the notification. We want them to be notified. They were being notified before. Staff was notifying them for the man – what was required already.

So, don't sit here and say that the citizens need to be notified. They were being notified already. It is who was doing the notification. Staff was doing it. I don't care how many folks talk about here, it was staff that was doing it. I know they were doing it because I came to the podium when I was a citizen out there and I asked them to put up a red sign on the property site if it was commercial or industrial. I said, "The citizens need to know." The lady over in Planning and Zoning said, "What color do you want the sign to be?" I said, "Red." That was back in 2000.

O.K. What I am saying now is that we need some help in as far as what we need to know. If your Land Development Code says that Commissioner Taylor has to do something, it is coming from the Comprehensive Plan.

Why are there those circles up there? There is no one's land in the county in a circle. A perfect circle. But you look at it. Over there especially in the western part of the county. Look at those circles up there. Why are they there? No one knows. People are being zoned in a certain way and you've got to get four votes. You are not going to get rezones with four people up here that don't want you to get rezoned. If they want to reduce the amount of residential, and there are some people here that want to do that. They want to reduce the amount of residential, but they have residential. So, all I am asking you to do is to consider to allow the citizens at least the opportunity to look at this and put it on the agenda for a vote. Let them come up here and argue their point.

That is all. I am going to put that in a motion and you can vote it down if you want.

Taylor:

I have not had a chance to speak and you have made that very clear. If you want to offer a motion after everybody has had an opportunity to speak. I want to have that opportunity.

At our previous meeting we spent an hour and a half on this particular item. The goal was to first have input from Planning and Zoning. Planning and Zoning came before us, went through this particular Bill of Rights. It was also advertised so that citizens could come in and voice their opinion and there were some. Planning and Zoning also, Commissioner Croley, gave us recommendations for changes they thought might help this particular bill. Now, you indicated a moment ago, because of short sightedness on my behalf for not wanting to entertain an advisory committee that an advisory committee could have gotten with Planning and Zoning and then Planning and Zoning could come before this board and give some recommendations.

It would have been easy to have done that at the very last meeting. They even stood and said that there are some issues and that there could be some changes to this particular amendment. After all that was said at that meeting, you all still held steady. You, being Commissioner Morgan and Commissioner Croley, held steadfast on the fact that you did not want to change anything. So, that particular avenue has been exhausted. They did come before us. They did share some ideas and concepts that could help to continue economic growth and development here in this county and you still rejected it. I don't know until this attorney researches determines whether putting this on a ballot would allow us to come back and make some changes to this. It is very clear in the ordinance, as it is written, that an amendment or repeal needs a super majority vote. That is very clear. We spent an hour and a half trying to get around that particular item, but could not do so.

I will not support, until I hear from this attorney whether or not a ballot will supersede, I will not support going forward with having it voted on by the citizens. I will, however, support having another meeting if that will help just to get citizens a clear understanding as to what this bill of rights is about. I still hear misinterpretations of it. I still hear that. I still will support a super majority. That is not going to change with me. The reason being is because of what I have seen up here for the last 10 years. It goes beyond the board before me and beyond that board. There were always three that ran and operated this county. I cannot see that going forward. I would like for our voices to be heard and represented.

I am going to support that. I am not going to support and will not support having this thing where we can't amend it. Now, that part, I want changed. But I could not get the support from them. Again, the advisory committee was not short cited. It was just an avenue to get done what we need to get done and that is change certain components, which was recommended by Planning and Zoning, of this Bill of Rights. That was recommended. That was on the screen, but we snubbed it. And you want to look at another avenue. No, I cannot concur because it is wasted time. I have seen this before.

I have to say this, too. This is off the grid for me a little bit. But, threats don't move me. Never has, never will. Particularly continually beating this particular drum beat. When she comes back

and she tells us whether or not a referendum can do this or can't do it. If it cannot do it, then I am done with it. You can get out there and sing to the highest hill, but I have faith in what I do. It is the law. We have adopted it. If we cannot move it, we cannot move it until there is a change in this body. That is the only time it can be changed. Other than that, we are moving forward. Luckily, luckily, this economy is not thriving and there are not people knocking on our doors anyway. But I think it is going to happen within the next year and a half because of that governor and his goal. That is to bring businesses here. That is his only goal. So, within a year and a half, which is time for election, maybe then we can get the vote to change this. Maybe we can. Until then, we are o.k. We can hold our reign. We don't hold still. We don't have any of the harshest news that we are mean or too short of revenues. That is not coming out of elections. So, I am o.k. I am not going to give out committees. That is not me. That is not necessary. You want to do something, change the amendment or repeal part. Let's take the super majority out of amending it. I am through with this one. I am through with this one.

Lamb:

Madam Chairman. I wanted to ask the attorney while she is looking to look up one thing for me. If you were in the affirmative, I want to know if one of the affirmative votes can offer a motion to come back and rescind it. I am almost sure I am right. But, you need to look that up. You can rescind.

Taylor:

You can, you certainly can.

Commissioners, we need to move on. We have exhausted all leads. We are going to move on. You may go ahead and put your motion out.

Holt:

I move that we agenda the Citizens Bill of Rights for the next meeting or as soon as possible.

Lamb:

Second.

Taylor:

There is a motion and a second to agenda the Bill of Rights for the next meeting or as soon as possible.

Now, let me ask you this question. You are amending this Bill of Rights for what purpose?

Holt:

To see if we can place it on the ballot. That way, she, the attorney, can bring her information then. If it doesn't work, it doesn't work.

Taylor:

I am not going to – **there is a motion and a second. I am not going to support it.**

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

Lamb: Aye.

Holt: Aye.

Taylor:

Opposed?

Croley: No.

Morgan: No.

Taylor: No. The reason being that I rather have her give her opinion at the very next meeting. Your opinion at the very next meeting and then we will entertain it then. Let's do it that way so that we aren't just wiggling in the wind and we will have some concrete information with which to move forward. We need to be more steadfast in what we are trying to get done.

Minnis:

Just to be clear, you want information on both items. The referendum and the confirmation of whether someone in the affirmative vote can rescind.

Taylor:

That is correct. Whether or not a referendum can overpower what the ordinance statute states as of today – as far as the supermajority content in the Bill of Rights. Then the commissioner wanted to know about the rescinding. That is all clear?

Straughn:

Was that vote 4 – 1?

Taylor:

No, it was 2 – 3. The motion failed. It was 2 – 3 to deny.

COUNTY ADMINISTRATOR'S AGENDA

17. Update on Board Requests

Mounting of T.V. Monitors in the Chambers -

Mr. Lawson reported that he looked into the possibility of mounting T.V. Monitors in the chambers so that citizens could see presentations better. He determined that the cost would be approximately **\$1700.00**, but he felt it would be money well spent. The monitors would not have to be purchased as there were two extra ones in inventory and not being used. He said that staff is looking to find the money in the current budget to accomplish the installation costs.

Summer Youth Program

Lawson:

Just a point of clarification on the summer youth program. We have initially set criteria and sent it out to youth that go to school in Gadsden County. There has been some concern about people who live in the county, but the children go to school outside of the county. At this point in time, we have done the advertisement and we have accepted the applications. It would cause quite a

bit of chaos to go back out and accept applications for those kids that go to school outside of the county. However, if they initially submitted an application, we will consider those along with the others.

That is all I have.

Holt:

Madam Chairman, on that item, we never decided that they had to be in school.

Lawson:

It was left up to the staff to set the criteria and those are the criteria that we set. You all voted on the money and said that you would leave it to the staff to administer the program.

Holt:

I understand that. I understand what you are talking about. I was talking to the commission.

I understand what you are saying. But, we never voted on that they had to be in school because we do have some that are not in school that are youth, that finished early – they are not in high school because they have already graduated. We never looked at that and I am just saying that we never made that point that they had to go to school. That is all I am saying. Just clarification.

Croley:

And, we did not – I mean, we requested that we receive some sort of information about where these students are geographically located around in the county. In the past, it was always one part of the area and it didn't apply to everybody else.

Holt:

Don't say negative stuff.

Lamb:

I think that we took care of that.

Taylor:

Yeah,

Croley:

Well, I would like to get a report on it.

Taylor:

I think that is fair. Mr. Lawson had indicated that he would go and look at it by street. We have certainly gotten support. As a matter of fact, we got a letter from the school district who wanted the students placed in various schools throughout the county. So, a follow up report would be good.

Holt:

Also, for the county itself. There are jobs here that they can do. Not just the school.

Lamb:

Anywhere in the county.

Taylor:

I am sorry, let me correct my statement. The School Board being one, municipalities, I think, being second and as you said, the county as a whole. I apologize for not completing my statement.

O.K.

Thank you, Mr. Lawson. Will that be it for you?

Lawson:

Yes, Ma'am.

COUNTY ATTORNEY'S AGENDA

18. Update on Various Legal Issues

Public Safety Council -

Minnis:

Just a brief update to the board. I will be emailing all of you bullet points on the public safety coordinating council information. I have been asked to give you some information on that particular item. It is a statutory requirement about creating that particular council. I am sending it out to you.

Interlocal Agreement for Emergency Management

I have also touched base with the other folks involved in getting the Emergency Management Interlocal Agreement done and hope to bring that back to you for your consideration at the next commission meeting.

DISCUSSION ITEMS BY COMMISSIONERS

19a. Commissioner Lamb, District 1

Commissioner Lamb had no report and asked to be excused due to an emergency. He left the meeting at this juncture.

19b. Commissioner Croley, District 2

Croley:

Madam Chair, just real briefly for the board and the public's update. The CRTPA met on Monday at Tallahassee City Hall and I want to report that, and this is of interest to Commissioner Morgan and Commissioner Holt – that the lighting for I-10 interchanges a resolution was formally

adopted. I signed it for it to go to the State and Federal officials to try to get the funding necessary to light those interchanges as you have requested. So, that has formally been done. It passed unanimously with all interest present.

For the record, I want to thank Commissioner Madison of Midway for her assistance in that effort.

I also want to remind you that in the work plans for long term that there is (assuming that the federal funding holds out and the State transportation funds remain intact) there is a great deal of financial benefit flowing toward Gadsden County. Commissioner Taylor, the truck by-pass continues to be the number one priority to help the City of Quincy, here, so it is just a matter of how the revenues flow. But, every goal and priority that this commission has identified has been given full support by all the surrounding counties and the municipalities that are represented there. So, you should be pleased.

Taylor:
Commissioner Morgan?

19c. Commissioner Morgan, District 3

Morgan:
Commissioner Croley, I did see that information about the interstate lighting and I appreciate you pushing that through CRTPA, specifically for Chattahoochee exit and the Greensboro and Gretna Exit. I think that will be very helpful to us over there.

Secondly, I do want to congratulate the students and teachers at Gretna Elementary. That is quite an accomplishment. I am glad that they were able to come before us today and receive some recognition. I think it is always good when we can positively reinforce that.

Budget Calendar

The budget calendar that we saw earlier – I think it is very well laid out and I am wondering if that can be put on the county's website so the public can be informed of when we will be meeting. That will be an easy way to keep up with that on their calendar.

Is it on there?

Lawson:
We will put it there.

Morgan:
O.K. Thank you. I think that will be great.

I also want to thank Mr. Lawson for seeing me last week regarding the large screens that we have put up for the public. I know that we saw three presentations today and it would have been very

helpful for us to have been able to see that a little better. So, thank you for seeing that through, Mr. Lawson. I think that is something that will be very helpful.

That is all I have, Madam Commissioner.

Taylor:
We have had time well spent.

Croley:
We haven't heard from Commissioner Holt.

Holt:
You kind of skipped me. I know we

Croley:
I think she was doing it deliberately.

Holt:
I think she was.

Taylor:
I was hoping that you just kind of went to sleep on that one.

(laughter)

19d. Commissioner Holt, District 4

Holt:
Need a grant coordinator or grant writer -

Right quick. Grant Writer or a grant coordinator. We need to look at it. We need it quickly. We can do it and advertise out there for someone who, if they are going to write, they can write their salary in. I would rather have 50% of something than all of nothing. If we can get someone – I just looked at when Preble Rish was talking about the CDBG and you mentioned Mr. Harris's project. Well, if they do anything with their organization that writes grants and some of our other contractors may do that also, but we need to try to utilize that. Also, let's look at getting someone. If not a grant writer, a grant coordinator. They can look at putting some of this stuff together. That is something that we definitely need to look at.

When you said something about Gretna Elementary and them coming – that is an economic boost because prospective developers look at your school system. They definitely look at what your school system is doing. So, if you keep putting it out there, it makes it more positive. That can also go along with the TDC. But, we need a grant writer in here as quickly as possible. So, that way we can look at coordinating where you want the economic development at along with the Chamber.

I know Commissioner Morgan keeps saying "At the Chamber." I visited the Chamber and I know

the Chamber, but that is not what I am saying. What I am saying is this board has to sit down and look at it. Whatever they are doing in Chattahoochee, we may need to see if we could leverage some funds or matching whatever materials or items that would help the City of Chattahoochee. The same thing may help in Havana. I was over there the other day. Beautiful shops, beautiful everything. But if there is something that we can do and we have the access to do it – it may not be money, but there may be other things that we can do. So, that is why I am saying that it is very important to have that key person, that position in here.

One I am looking at is with Gretna. They are still working to get everything straightened out with the horse track and everything done and hopefully get that in place. I was talking to Mr. Jefferson and a couple of the commissioners out there. There may be something that we may be able to help them with. Every time they spend that \$7.5 cent, we are going to get a portion. So, if we can help them with anything, we should. It is very important that we do that.

Also, we were looking at economic development. I just wish, wish, wish, wish that some of us to get the President's ear. CEDO used to work where they put people to work and you got a check, but you had to go to work. That is what they did and that is what they did during the last recession and depression. They built Hoover Dam and they did a lot of work. That is the kind of stuff that we need to pull people in to do.

There are government jobs; this youth work program should be pulled up to the highest to let people know we are encouraging people to come here to work. That is what we need.

But, that grant writer, I am hoping that it is possible to put it on the agenda for the next meeting for discussion. Is it possible?

Taylor:

That is going to be a budget item. I think it is something that needs discussing at that time during our budget workshops. We will have to find the funding.

Holt:

O.K. As soon as we can come out of this, I would like to go to an economic development workshop later on to see if we sit down and look at some of these items.

Thank you.

Taylor:

Is that it?

Holt:

That's it.

19e. Commissioner Taylor, Chair, District 5

Taylor:

EMS is having a celebration week and I am sure you all have a copy of this and are trying to attend. I know that I am. They said that they are having steak and potatoes. That is on the 20th. They are celebrating EMS Week. I was teasing about the steak and potatoes, but -

Croley:

I have already notified them that I had already made a prior commitment to that, but I certainly send my support.

Capital Mobility Summit

Taylor:

Mr. Lawson, we do want to get someone to this Capital Mobility Summit. I talks about the Big Bend Area Planning for transportation. I think there are some dollars there and I want to make sure that you get a representative there. Then there is a little application that needs to be filled out once I filter through all this on my desk, I will give it to you.

Lawson:

Alright.

Taylor:

Airport Authority

I do have two requests for reappointment at the Airport Authority. It is my understanding that one of the gentlemen's term is up and he is looking to be reappointed. Another is looking to be appointed. So, as soon as you can get this on our agenda to look at. I know that we have been asking for all interests to submit some kind of resumes and some kind of background history so that we can make decisions intelligently.

Budget Workshops

I did have on here budget workshops, but since we have our agenda and our calendar, I am still going to ask that Ms. Betty send us reminders as these dates come closer. We obviously can't walk around with this calendar in front of us, but we certainly do need to be here and be in attendance. Whatever way you can work it out so that Commissioner Croley can be abreast of as much or either have his input or whatever we can work out so that on the 26th he will be represented as best as he possibly can.

Memorial Day

The Superintendent of Schools, the Sheriff, and I are putting together a Memorial Day celebration. We have talked. Some community citizens have asked that we step forward and do some things with regards to Memorial Day and our veterans. We plan to meet sometime and get a little more information. This is a last moment's notice kind of thing, but we do plan to use the Courthouse Square to have this event. We hope that you all can come out and help to celebrate Memorial Day.

We very rarely do anything with regard to Memorial Day, but I have been approached and I want to try and do something with regard to Memorial Day.

Housing Funding Availability

I do continue to see that we are still lending money, which is great, and rehabbing houses, which is awesome. I want to get an idea of what kind of funding is still left in that particular pot because at one point, I was thinking that we had exhausted those funds. But, periodically, these liens come up before us and we are entertaining a rehab or assisting with a purchase of new homes. So, this is just me, personally, requesting to know what revenues are still there and what measures are we using to help these people.

River Chase Nursing Home

One of our local facilities here, one of our local retirement centers have been acknowledged and recognized last year as having won the five star facilities and this year a bronze. We wanted to bring down here at one of our night meetings and give them a formal recognition with regard to some kind of certificate. I was asked to ask the board to give me a vote of approval that each of you will sign off on this. You will be given a bio – this is Riverchase – You will be given a bio about their history and how well it has done and how it was ranked and received these awards. I wanted to make sure that this is O.K. with the body and that each of you sign off on this because I think that we need to highlight the positive that goes on in our county. So, I am going to ask, if you all don't mind, I will put it out for a motion. Once you get the bio and get information about the facility and it arrived at its award and its standards, that you will consider giving them an award of appreciation with regard to our retired citizens.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 – 0, BY VOICE VOTE TO RECOGNIZE RIVERCHASE LIVING FACILITY FOR THEIR AWARDS. COMMISSIONER LAMB WAS NOT PRESENT FOR THIS VOTE.

Church of God In Christ

Holt:

I can remember the exact name of the church, but they asked me for a proclamation. Do we need to bring that before the board?

Taylor:

No. We will let Ms. Betty put that together for us.

Adjournment

RECEIPT AND FILE AGENDA

20a. Letter from Mike McDaniel, Chief Of Comprehensive Planning, at the DCA accepting the reasons as sufficient cause and granted Gadsden County the six month extension as requested to adopt the EAR

20b. Letter from CRTPA informing Gadsden County that Governor Scott approved the expansion of the

planning boundaries and the membership of the Capital Region Transportation Planning Agency to include all of Gadsden, Jefferson, Leon and Wakulla counties.

- 20c. Lease agreement between Gadsden Hospital, Inc. and Tallahassee Memorial Healthcare, Inc. for Anesthesia Machine, Model Ohmeda Excel 210SE Serial Number AMAZ 00686 (extension until February 2012)
- 20d. Letter from Town of Havana in response to federal regulations for them to communicate periodically regarding their systems' purpose, reliability, associated hazards, and damage prevention, as well as emergency preparedness measures.
- 20e. Grant Number 2009-JAGC-GADS-1-T7-104 Agreement 4 – Sheriff's Office Area Drug Task Force 09 the budget was approved subject to the conditions and limitations set forth in the agreement.

ADJOURNMENT

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, UPON MOTION BY COMMISSIONER HOLT,
THE CHAIR DECLARED THE MEETING ADJOURNED AT 11:50 A.M.**

Sherrie Taylor, Chairperson

ATTEST:

Muriel Straughn, Deputy Clerk

**AT A SPECIAL MEETING AND BUDGET WORKSHOP
HELD IN AND FOR GADSDEN COUNTY, FL ON MAY
26, 2011 AT 4:00 P.M., THE FOLLOWING
PROCEEDING WAS HAD, VIZ.**

Present: Sherrie Taylor, Chairperson, District 5
Eugene Lamb, District 1
Doug Croley, District 2 arrived at 4:30 p.m.
Brenda Holt, District 4
Nicholas Thomas Clerk
Debra Minnis, County Attorney
Arthur Lawson, Interim County Administrator

Absent: Gene Morgan, District 3 (excused)

1. Review of Proposed Budget Calendar for FY 2012 Budget

Jeff Price, OMB Senior Budget Analyst presented the budget calendar and asked for input from the board members.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTE 3 – 0, TO ADOPT THE BUDGET CALENDAR AS PRESENTED.

2. General Fund Balance

Mr. Price stated that he and Mr. Lawson met with the county department heads previous to this meeting and made a number of cuts to their original requests.

He noted that the board added \$1.6 million to the unbudgeted fund balance for FY10 bringing the balance to \$4.3 million. However, the board used some of it bringing that balance back down to \$3.7 million. (Purchase of the Property Appraiser and Tax Collector's building.)

He concurred with Clerk Thomas in that the board should continue to add to it until it reaches at least \$5 million even though the auditors suggested that it should be around \$8 million.

3. Revenues

Mr. Price projected a shortfall in revenue of approximately \$400,000 - \$500,000 – mainly in property taxes. In addition he pointed several other state revenue sources that are expected to be lower in the upcoming budget. (Part 1 of the fiscally constrained money was down about 80%, but it was the smaller piece of legislation, not the larger. Library State Aid) revenue estimates will be out on June 1 and he would be checking for updates daily.

Taylor:

Back to general fund balance. At one point in time, it was \$4.3 million. Currently, are you saying it is \$3.7?

Price:

I don't know what it is currently. It changes daily by what finance does. I think the last report I saw, it was \$4 million.

Taylor:

Mr. Thomas?

Thomas:

You know, you are estimating right now what it is going to be. You don't really know the number until after September 30. But, based on the fact that you added expenditures from the budget from fund balance, that means that \$4.3 million figure was as of September 30, 2010. So, this fiscal year, you have spent some of that. You bought that building and some other things. So, it will probably be less. Especially if revenue is down. The fund balance will go down. So, my recommendation would be to not count on fund balance as you start building your budget. You don't want to budget any of your fund balance in your next fiscal year's budget.

Taylor:

That is always wise. We don't want to balance the budget off the fund balance.

Thomas:

During the budget conversation, you probably won't think about it much until you get to a point where there is something that you think is significant enough that you would consider it. That might come up.

Taylor:

But no dollars can be spent out of this budget unless this board approves it.

Thomas:

Right.

Taylor:

Those dollars don't change unless we verify it.

Thomas:

Right. That is mainly true. Unless you appropriate money from fund balance. However, if revenue, for example, revenue falls way short, shorter than the 5% cushion, and you don't adjust your budget downward, then by default you end up using fund balance. We are not looking at that scenario.

Taylor:

O.K. Just doing the math on this, you peaked by curiosity, I know we spent \$400,000 on that building. It was \$4.3 million at one time and now we are at \$3.7. That is a difference of \$600,000. I am trying to figure out why.

Thomas:

It is not an exact science because the revenue you collect plays a factor into that, too. Do you see what I mean?

You can assume that because you appropriated that money from fund balance, that your fund balance would go down by that much. But, revenue collections above what you anticipated, your fund balance may actually not go down. Do you see what I mean?

Taylor:

Yeah. I can always appreciate you spending \$400,000 with \$4.3 million there. I can see that some revenues could come in and absorbed that cost. But, I am seeing it go down more than half of what we actually spent by board approval. Do you see what I am saying?

Thomas:

That is a guestimate, but we can tell you what actual cash is, but that is not the fund balance. I am not sure is he is talking about actual cash there or the fund balance.

Price:

These are just estimates of the fund balance.

Thomas:

He is just estimating, so what you can take from this is that if you appropriated \$400,000, the chances are that your fund balance is going to come down by at least by that much. But, that is not an exact science because of what revenue does. Where the revenue is high or low plays a factor.

4. Expenditures

Mr. Price reference a number of expenditures that are expected to increase over last year.

- Cost of fuel – unknown
- Florida Retirement –there will be some savings for this year, but it will be back on the legislative agenda for next year
- Health Ins. Not known until July, but 8% increase is assumed in the budget for the time being.
- Medicaid increase of \$100,000 - \$150,00 this year over last year.
- Capital Equipment and projects – over \$1 million requested

In total, there was an additional \$2 million that must be worked into the upcoming budget.

Commissioner Holt asked to see the increases in writing. She also stated that before she would consider any layoffs, she would rather consider a four-day week for everybody.

Mr. Lawson referenced the handout, which was a spreadsheet of current budgets for county departments and their requested budget for 2012 and what is recommended by the staff before major cuts are made. At this stage of budget preparation, without definitive revenue projections, it would be very difficult to put a balanced budget together. The attached spreadsheet was just an overview of the requests made by the BOCC Departments. Once the final revenue projections are known, staff will put together a budget document that will be complete. It should be available prior to the July 7th workshop.

Commissioner Taylor asked, “Is there any reason that we are not looking at the Medicaid Budget today?”

Mr. Price replied, “I have a list, but I don’t have the amounts to project into 2012. This one, Medicaid, is a big number. I don’t think the others will be such a large number. So that is the reason I didn’t include that.

Holt:

When will the Medicaid rebill numbers be in? The money when they were looking back 10 years?

Price:

I don’t know. Linda is getting some everyday, but she hasn’t gotten a whole lot this year

yet. I was talking to the representatives and they don't know. They are out actively pursuing them, but they haven't sent a whole lot to us yet.

Holt:

I don't know if you have spoken with them and I haven't in a while, but have they said anything at the state level about a statute of limitations? I know some of the counties were saying, "Is there anything in the law that says they can only go back so far?" Have you heard anything?

Price:

I did and they have set the statute of limitation at 10 years.

Holt:

10 years. O.K.

Croley:

I am trying to restate this so that I understand the issue or state my understanding of it. The Medicaid, which is a federal program, is passed down through the states. The states try to administer it. They are getting this money from the federal government and the state is putting some money in it. It is filtering down to the local level where you are charged for your residents. Commissioner Holt, please correct me if I have misunderstood your point on this. You have said and I have heard other counties say that the State of Florida is coming back and finding errors and they are trying to recapture some money from the local governments that they failed to bill for accurately. Is that correct?

Holt:

Yes.

Croley:

That is what you all have been saying. Surely there is an appeal process about that and they have to prove the preponderance of correctness has got to be on their part, doesn't it? So there are a lot of opportunities for us as a county or any county to challenge the accuracy of any assessments like that. We have no reason to believe that they have been extremely successful in their recapture efforts, have we?

Price:

Correct, each one is being looked at and challenged.

Croley:

I believe that Ms. Harris checks that bill doesn't she?

Price:

Yes, sir.

Croley:

As far as I know, from report that I have seen since I have been here, she does a good job with it. I think it should be a minimal impact on this county unless there is some bad error up there. I am not aware of any auditor ever citing us. Have we ever had any problems, Mr. Lawson in the years that you've been here?

Lawson:

Not that I am aware of as far as Medicaid is concerned. I think what probably is going to happen and it is difficult to say right now as to what type of impact it is going to have on us. A lot of times we reject bills based upon different circumstances when Ms. Harris reviews them. Those are the ones, as I understand it, that they are going back and looking at to try to get us to pay for the ones that we rejected over the years because we said, "for whatever reason, we didn't think that they were eligible for reimbursement. I guess we will have an opportunity when they rebill us, like you said, there will be an appeals process as to why we didn't think we were supposed to pay those particular bills.

Look, it is all evolving right now. There is nothing specific that has been sent to us that indicates the rebilling and how the process is going to work in terms of our appeals rights to those bills. So, we are still are waiting. The anticipation is that we have to plan for something. Therefore, that is what Mr. Price is eluding to when he was saying that we probably need to put some additional monies in there just for that figure.

Croley:

But, in your plan that you are saying that we need to do, I ask that you are checking to make sure that Ms. Harris has adequate records and kept her records.

Lawson:

She does.

Croley:

And you are confident that has been done?

Lawson:

Yes.

Croley:

O.K. Thank you.

Holt:

I would like to say that when I spoke with the State agency that does that, they said that they have already taken it from us, the rebilling process. They took it from all the counties and they want to see what the rebilling is themselves. They want to do the process. What

they did, they had a new process in place. When they got the new computer system in place, they had to go back three years just to get it up to where it needed to be so they could do the rebilling. When I called, they said it would be on us to pay for whatever they found. I said, "O.K. What kind of numbers are we talking about?" She started giving me some numbers, but I can't give you the exact numbers. But I said this, "O.K. you are saying that we had someone in place and they were verifying the amount of whatever was sent in." That is what we were looking at. If they had a Gadsden County Address, if they a citizen at the time, where they were in the state at the hospital, so many days of testing while they were in the hospital. That is what we were looking at. We were trying to move back on the Florida Association of Counties – move our pay back – When you were saying, Commissioner Croley, that is comes from the federal government, but, where they put it on us is that the counties have to pay the first so many days when a person goes to the hospital. We are paying a larger chunk because that is when you get all the testing done and all that. We were trying to move it back and let it start us at day 11, 12, 13 of a person's stay in the hospital.

The state is saying that they are looking at those bills now, not the county. They want us to pay those amounts. They want us to pay, of course, so they don't have to deal with the federal government being on them about the money. So, they just pass it on to us and they intend for us to pay it.

You are right about the appeal because all the counties in the state are trying to appeal and find out if they really have to pay that money. From what I heard from the state was, "You are going to pay it." That is another unfunded mandate. Something else that they want us to do and they are not going to help us. That is where I left off the conversation.

Taylor:

Alright. That is an issue. If I am hearing you correctly, you are putting an additional \$150,000 there to offset any cost that may come to us from the 10 years rebilling.

Price:

Correct.

Taylor:

Then we are o.k. I concur with Commissioner Croley when he said that if we rejected it initially, there had to be a valid reason as to why. If we have documentation, then we should be able to support our position.

We are going to leave that right there.

Holt:

Madam Chair, may I say something right quick?

Taylor:

That is not one that is in front of us. Keep in mind that we must stick with this particular agenda because this is what has been advertised. We can't really take ourselves off it to discuss an item that has not been properly advertised. We don't want to do that. We don't need to beat that one. It is going to be part of the budget and we have already said that it is in there as far as the Statutes and what is going on in that particular department. We don't need to discuss it. Just get in preparation for it in this budget. We have done that. We have also had discussion. Just want to bring everybody back and let's continue on with the agenda items.

Holt:

Well, I am going to discuss it when we get to another item. So.

Taylor:

Let's go on with Item 5.

5. BOCC Priorities and Other Directions

5a. Commissioner Lamb, District 1

Lamb:

I am not looking at anything specifically that we need to pinpoint. I am quite sure that some of have things that we would like to do. I think we are doing pretty good with our roads. **I don't know if we are going to put so much money aside for the commissioners to have for each of the districts to use to try and do one road in their district or one bridge or whatever. We will probably come down to that later on.**

Taylor:

Well, Commissioner, what about your park. Is it at the level?

Lamb:

No, I am going to have to talk with Mr. Lawson and let him talk to his supervisors to see how much money we can put aside \$50,000 - \$75,000.

Taylor:

This is where we need to discuss it. You would like to see that money set aside for continuation of the buildout of the park.

Mr. Lawson, you can consider from District 1 that he is looking to bring in some

additional revenue to finish the build out of the park.

Lamb:

I want Mr. Lawson to talk to the Sheriff about putting a substation in the Havana area. He's got police help over there, but it is getting bad. I am getting calls almost everyday about somebody breaking into something – churches and so forth over there.

5b. Commissioner Croley, District 2

Croley :

I am just going to restate my guiding principles. I believe in the sensible economic development, protection of the environment, support transportation and infrastructure improvements all at the lowest reasonable cost.

Along those lines, I keep trying to emphasize over and over again that in case as a district, but probably more important to the county as a whole. I've got the situation there with Coastal Lumber up there who has 320 employees, 130-150 trucks a day now come out of there with logs and finished lumber. That is not counting additional truck traffic with the BASF mines and fuller's earth, the nurseries, Clinton and May Nurseries, for instance. This doesn't count the other similar situations around the county. **We just have a deteriorating situation with those roads. We also continue to have concerns with people about surface water and issues that go right down to the lake into District 5 and raise issues there in your own area of concern.**

I am going to start very briefly and flip back to the economic development. I think that this county, and we ought to set aside a little money, and it wouldn't cost us that much, to **institute a business license.** An occupational license for the unincorporated areas of the county. I think we ought to put some money in there just to pay for the cost of giving them a license. **I didn't say to charge anybody anything, just give a license so that we can better assess and have a database for what we have so that we can work on moving forward with economic development.** I think that is something that if we just had a small amount of money in the budget to pay those printing cost and be able to do a mailout and say, "We want to have a occupational license and it isn't going to cost you anything. All we need to know is who you are and where you are located." I think that would help us a lot in trying to gauge a successful economic development activities that are within the county. That is just an idea.

Back to the environment. You know we had a consultant that was basically working on **grants that related to surface water improvements. I believe that was Dr. Sean McGlen.** Haven't heard too much about what has been done there. I know there was efforts to try to get some grant money down toward the Lake Talquin area as well as monitoring the Apalachicola and boat ramp improvements and other things that could be done.

Again, I want to go back to transportation. We have been successful in getting a lot of money for the county on grants. **In fact, somebody complained the other day, I think we had six grant applications in Capital Regional Transportation Planning Agency. We have four of them in Gadsden County. Hopefully we can get you some more money, but it is probably going to require some matching money as well.** So, we are going to need to work a little bit closer to know what types of matching money that we need. I know you have had some communication with the FDOT about some of the studies that have been approved for safety. So, there might be a little money there that is needed.

Then, as far as infrastructure, I do remind you that we need to put a roof on that AG building out there. That is \$95,000. But, they are paying you \$65,000 per year in rent. I think. Is that about right?

Lawson:

Not quite. I think it is about \$2400 per month.

Croley:

What I am trying to get at is that their rent would pay over a short amount of time for the roof or either you are going to lose them as a tenant. It would be prudent to try to put that money out with the expectation that you are going to get it back in over the next couple of years.

So, those are just some preliminary thoughts. I know we don't have a whole lot of room to maneuver here, but if we focus on some of those areas, it would pay good dividends for the county. I think it would help all the districts countywide.

Lawson:

Just to respond very quickly, Madam Chair, if I may. **I did request Clyde to put a couple of roofs in his budget initially to start. If we get to the point that we couldn't fund two of them, then perhaps we could fund one.** But, he has in his budget monies that is part of the capital for at least two of the worst roofs that we have identified.

Croley:

Before I relinquish the floor on this, I am going to look at something that is right here within site. All you have to do is walk out there and look at the Supervisor of Elections Building. They've got a nice building that has been repainted. **But, the cupola there is heavily stained with rust. A little paint now will save a lot of money in the long run.** Being penny wise and first pound foolish. It would cost that much to paint that cupola.

Lawson:

We probably could take care of that with the maintenance budget.

Croley:

Well, I am just throwing those out. Thank you.

5c. Commissioner Holt, District 4

Holt:

I was just thinking that the Sheriff's Department doesn't have to cover Midway anymore, right, because they have their own police department.

Lamb:

Yes, they still have to cover Midway, but not to the extent that they were doing it. And when the Midway Police Department calls them, then they have to respond, but no where like they used to.

Holt:

I am glad you brought up the AG Building, Commissioner Croley. I brought it to the Commission before. I know that I have gotten a couple of calls on it in the beginning, but I didn't get any more. I was hoping that we had started moving on that. So, thank you, Mr. Lawson for that.

Friendship Park. I brought that to the board before. That is one of my priorities. I was moved down on the list and I am trying to get it back up there. It was at the top of the list at one time. So, if I can get it in there, good. It is really run down. I feel sorry for them a little bit because the nursery is moving in on them. So the flower nursery over is spraying and people are trying to play with their kids in the park. It is getting to be that Imperial Nursery is surrounding that area out there. They are doing indoor plants and it is real pretty, but it is aggravating to some of the constituents out there.

Economic Development Jobs. I think 300 people were laid off today in Chattahoochee and from what I can tell they have laid off maintenance, housekeeping, cafeteria workers, and they are going after forensic. That is what I was told today. One of the departments will be shut down in forensic. That is scary. I don't know what you do in that situation. That is scary.

We need to look at a package for economic development. A package deal. How do we get out there and advertise it if – How do we get the jobs here? Look at some other models. If we set aside some funds toward that. If we use it, we use it. If we don't, we don't. But, we need to look at enticing job this way. How do we get businesses to come this way?

Also, let that department where we put our funds, we may be able to coexist with some other counties. Look at funding for something like there. If they have something that is trying to come to Palm Beach, to a county where they are not wanted, they may work

perfectly here. We may be able to work with the Association to do something like that.

I am trying to get jobs, like I said, on U.S. 90, US 27, I-10 or through CSX Railroad. How do we get some of those jobs to come here? They are looking to get their products out if they do come here. So, I am hoping we can get something with that.

Tourism is the same way. It is very difficult. We do have a lake down there and I know you want to be eco-sound. We want to make sure that the forestry and everything out there is doing well, but we do want to entice tourism. How do we get a balance between those two? We have the Tourism Council working. How do we help them to try to get people in here that are spending money? If they are spending 7.5 cents on the dollar, they are causing jobs. The businesses are going to need more employees. If people going fishing, they are going to need hotel rooms or whatever, they are going to build up our tax base if we can get them in here. So, I am just looking at economic development as far as jobs and business and tourist.

Grant Writing.

The other thing, as I said before is grants. I was on Facebook last night at some of those folks from a few of the counties. I know Franklin County has a NACO grant and a couple of other counties are getting NACO. We haven't really been participating in NACO, but we need to find out how we can apply for some of this funding. That goes back to what I said about the grant writer or grant coordinator. We need someone that can go after this funding. Now this is a major issue as far as I am concerned. If we can get someone who can write for money, we may be able to match in facilities or a little bit of man power instead of having to match dollars. If the grant writer would write his salary within the grant, it would be fine with me because I would rather have something. Like I said, I was on Facebook and I am going to get back on there when I leave here to find out how they are getting this money. We want to be able to go after some of those funds. NACO is sitting there and they are eager to help us. They will help you apply. I think they are going in June or July at the NACO meeting. I don't know what state they are meeting in this time, but they are going to get their monies when they meet this summer. We didn't apply for anything. So, we need to know how to do that.

As I said before, Friendship Park, Economic Development jobs, Tourism and Grant Writing. Those are my main items.

Thank you.

5d. Commissioner Taylor, District 5

Taylor:

Code Enforcement Magistrate or Judge

I have a couple. One of them is a Magistrate and Judge to help with our Code Enforcement. There is a serious issue that is going on out there. After speaking with one the officers, it is even more apparent that they are just writing on paper to be writing on paper because nothing is being done.

Economic Development comes with a lot a variables. If the community doesn't look enticing, the folks are not going to come. It does indeed devalue property when you are building your house next to an area that is devaluating the community. So, we need to set aside for such a position. What was said to me, not much money needs to be set aside because it will only be on an as-need basis. You don't have to have a regular judge to come in and set over these enforcement issues because they are not that frequent in nature. Then there could be a cost passed on to the land owner or the violator. We certainly need to do something. Put some teeth in our Code Enforcement Department. It is just not effective. Ya'll see it everyday when go into your community. Some areas that certainly need to do a little bit better.

Roads

Commissioner Lam said a moment ago about roads. This is something that I have been looking at. I have been looking for the right time to bring it up because we have been under some fiscal constraint with dollars and we have been tight on our dollars. But, I was hoping that we could look at this fiscal year coming up at adopting some private roads. In doing so, we could stay within our budget and use some of the dollars that we collect with the one cent sales tax. I talked with Mr. Thomas and he indicated that it is a sizeable amount of money that we collect each year. Now that we have earmarked those dollars specific to roadwork and fire, we might be able to do some of this with regard to private roads and bringing these roads into the county coffers.

Now I know that the argument has been early on that we are struggling to maintain what we do have. But no one rises to low expectation. I think we can do what we need to do. These people who are on these private roads are paying a lion's share of taxes and some consideration should be given to them. So, I am looking at as we go on maybe two or three commissioners could adopt a half mile each. **We need to look at the cost of that, Mr. Lawson - what would ½ mile of road paving cost. Just kind of get a number. What would ½ mile cost if we had to just build out a road and pave it?** Then we could see how many in each district from that.

Lawson:

If I am understanding correctly, you not only want to adopt a private road, but you want to pave them as well.

Taylor:

Exactly right. So, we will need to look at the process for doing it and then we need to look

at what cost is involved.

AG Building Roof

I can appreciate the roof issue. I am glad that Mr. Lawson has taken the initiative to put the \$95,000 in the budget plus another roof I see. The Building Facilities does have a very sizeable budget here. I am glad to know that it is in there.

Co locating EMS and Patrols at Fire Substations

We are supposed to be embarking on putting up substations or going to these fire departments and building out where you will have not only a fire station, but your emergency services as well as police patrols. They are supposed to be going to these different fire departments. It is my understanding that there are ten countywide. That might help us. That is an initiative that I heard would be coming from the Sheriff's Department. I know that he went out and met with the Wetumpka people and go them to buy in to having a patrol car stationed there. So, we need to elaborate on that, Mr. Lawson with regard to EMS Services being put out into these fire stations as well as the Sheriff's Department putting deputies out there. He has already initiated that. So, the substation is certainly something that has been initiated, but needs to be followed up on and made to happen. I am supporting that.

FSH Layoffs

Someone said something about the 300 jobs lost. Nobody said specifically, but I assume you are talking about what happen at Florida State Hospital.

This is one of those "I told you so." We knew privatization was coming, but we spent that money for the lobbyist out there and we knew it was coming and we knew it was coming because Florida State had to do some concessions and they had to do it with the Governor's office so that the Governor wouldn't come and do it himself. So, this was being put into motion way back when. So we may be able to save of lobbying services. That is something that we could not stop. The lobbyist just could not stop it. It was coming.

Economic Development and Citizens Bills of Rights

Now, you were talking about economic development. I was hoping that with this Bill of rights, we could have some. But it concerns me that particular bill has been put into place. I know we have indicated that there has been some misinterpretation of it and that it really doesn't hinder, but it does in a sense. I say that because we have something in place that many other counties don't with regard to that Bill of Rights. Business are going to look at it and ease away because they don't make money when they are building. They make money when they sell a product or goods and services. Then and only then are they making money, not when they are building. This is a cost to them. If they are going to

have difficulties coming in and have that initial cost, I think we are going to be the step child in trying to get businesses in. These are things we need to look at.

Economic Development is really needed and jobs are imperative but it going to be a hard drive with that Bill of Rights on our books as it is in its present standing. That is just my opinion.

I think that everybody asked with the exception of Commissioner Morgan, have put out a litany of things that they want to see in this budget. I will encourage you to talk to Commissioner Morgan and certainly get his input on that. I hope that you have gathered and written notes with what has been said as far as our priority list and that we will be able to come back and discuss these a little bit in detail. Put some numbers to them and some realization as to whether or not we can absorb some of these costs. **I do encourage you to go back and look at this budget with a 10% cut. Basically what you are showing us today, there is almost a one million increase over last year. Well, I take that back, maybe \$600,000 to \$700,000 over lasts year. But there are some items here that the board wants to see that is not in here.**

Lawson:

I think the majority are (inaudible) They are mostly in public works for equipment. The majority of the departments had reductions rather than increases. This is pretty much Public Works wish list. We have it in there because we were just initially looking to see before we start fine tuning. They might have put five dump trucks in there and they might be able to only get one. So, we will go back and look at it before we get drastic and go back and tell each department to cut 10%. I can guarantee you they are basically operating on nothing now.

Taylor:

I do know what you are saying and I can appreciate the work ethic that has been put forward. But we don't need to see an increase in the budget based on the revenue projections, which we have already received from the property appraiser's office. We don't need to see an increase. We need to be mindful of what is in front of us going forward. Not only that, these are not all that is coming. These are not the only expenses that the county spends. There are others that are not here today because his information was not ready for presentation tonight.

Alright.

Yes, sir.

Croley:

One thing that, I don't know where you are going to put it on here, but you know that Value Adjustment Board, you are going to have to budget basically as a separate entity. I

am assuming you are aware of that.

Lawson:
Yes, sir.

Taylor:
We have Commissioner Holt. It looks like we are about ready to wrap this up, ladies and gentlemen.

Holt:
The fire stations were presented to the public also as hurricane shelters. I just want to remind you of that and that they were supposed to be built to standards in the event of a hurricane, they are supposed to be able to pull all that equipment out in case it is needed as a hurricane shelter. The people are supposed to use it.

I started laughing when you started talking about police stations. I know they are looking to coexist, but one commissioner asked me one time, "What is going to happen to your trucks in a hurricane?" I replied, "If I have to chose between trucks and people, I will chose people anyday."

I don't want the people who are using the facilities to think that it is theirs. It belongs to the people and they only have access to them. That is one thing.

Another thing – I was just looking on my email and there is a \$250,000 cut that the Governor has cut from the Gadsden Mobile Health Unit. There was another \$500,000 cut from Gadsden Nurse and family partnership. I was just looking at the ones that were Gadsden County. Farm Share was cut \$200,000. \$522,463 cut from Northwest Florida Water Management District. Those have been cut today.

Taylor:
Again, good news is not on the horizon, at least not as far as revenue for this county. But I am thankful for some of the things that are coming.

6. Other Items as Necessary

Next meeting July 7th at 4:00 p.m. Allocate a few hours.

ADJOURNMENT

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

Sherrie Taylor, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON JUNE 7, 2011 AT 6:00 P.M., THE
FOLLOWING PROCEEDINGS WERE HAD, VIZ.**

Present: **Sherrie Taylor, Chair, District 5**
 Gene Morgan, Vice-Chair, District 3
 Eugene Lamb, District 1
 Doug Croley, District 2
 Brenda Holt, District 5
 Nicholas Thomas, Clerk
 Debra Minnis, County Attorney
 Arthur Lawson, County Administrator

Invocation, Pledge of Allegiance and Roll Call

Chair Taylor called the meeting to order with a prayer followed by the pledge of allegiance to the U.S. flag.

Deputy Clerk Muriel Straughn called the roll and recorded the attendance as written above.

Amendments and Approval of the Agenda

The agenda was amended as follows:

Add:

- 1A. Kenneth Cooper of Wayne Frier Homes
- 1B. Henry McGill
- 2A State Revenue Sharing Application
- 18A. Bid Award for Fortune Blvd. Change Order No. 1
- 14A. General Business: Twelve Month Temporary Certificate of Occupancy for St. John Community Church

- 21A. Public Record: Impact of Florida State Hospital Update

Delete:

- 22. Attorney/Client Session

A motion was made by Commissioner Croley to move items 5-11 from the Consent Agenda to the General Business Agenda as these items are financial in nature. The commissioners were taught in the

certified training classes to place such items under general business even though they are routine. In light of the fact that those items total \$708,133.00, he felt it would be more appropriate under the General Business agenda. **The motion died for lack of a second.**

Interim County Administrator Arthur Lawson stated that because the items referenced above had already been before the board for approval previously, he considered them routine and discussion would not be necessary because the requested actions were only to follow up on them. Similar items have traditionally been handled via the Consent Agenda.

Commissioner Croley held to his belief that they should be placed on the General Business Agenda even though they are routine and would require little discussion.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 – 1 TO APPROVE THE AGENDA AS AMENDED. COMMISSIONER CROLEY CAST THE LONE DISSENTING VOTE.

AWARDS, PRESENTATIONS AND APPEARANCES

1. Acknowledgement of Appreciation to Ms. Louise Blackburn for her Years of Service as a Gadsden County Commissioner from November 1976 to November 1988

Commissioner Lamb recognized Ms. Louise Blackburn, former county commissioner, for her years of service and presented her with a plaque of appreciation. Ms. Blackburn was the first female to be elected to the Gadsden County Commission. In addition, she was elected at a time in history when commissioners had to run county wide, not just within their district.

Ms. Blackburn had a number of remarks but ended with words of encouragement to the sitting commissioners saying that they were doing a good job.

1A. Kenneth Cooper of Wayne Frier Mobile Homes -

Mr. Kenneth Cooper told the board of a situation where he had delivered a mobile home and set it up only to learn that the owners could not obtain a permit because the property is designated as AG3. The owners had received a septic tank permit and they had gone through the same process as they have done numerous times. During many conversations held with county staff, no one had told them that this property was AG3 and they would not be able to place the mobile home without going through another process such as a land use change.

Commissioner Taylor asked that the board to direct staff to move expeditiously within the current proper procedures to bring this matter to the board for a decision.

Commissioner Lamb had no problem with hearing the matter.

Commissioner Morgan cautioned that the board should be careful not to set a precedent in this instance.

The staff was directed to work with Mr. Cooper to get the matter back to the board in a proper fashion for consideration.

1B. Presentation to Mr. Henry McGill for his Service as a Crossing Guard

Chair Taylor acknowledged that the board has recognized traffic crossing guards some time ago. However, Mr. Henry McGill was not recognized at that time because he was no longer working when that round of recognition was had. However, she told the board and the audience that he had spent many years protecting and directing children as a crossing guard.

Chair Taylor then presented Mr. McGill with a plaque and token of appreciation.

CLERK OF COURTS AGENDA

2. Presentation of County Finance and County Clerk Issues

State Revenue Application for 2011-2012

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE APPLICATION FOR STATE REVENUE SHARING.

Chair Taylor recognized the visiting Gretna City Commissioners.

CONSENT AGENDA

Items 5 – 11 were pulled for discussion.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO APPROVE ITEMS 3 – 4 OF THE CONSENT AGENDA BELOW.

3. Approval of Minutes of April 19, 2011

4. Ratification of Approval to Pay County Bills

5. ~~Approval of Maintenance Contract for E-911 System Contract no. 11LNVNSJQMFO~~

Moved to the General Business Agenda for discussion.

6. ~~Approval of Resolution Number 2011-018, Budget Amendment OMB BA # 110043 and Post~~

~~**Approval to Accept the Award Letter from the Bureau of Justice, State Criminal Alien Assistance Program (SCAAP)**~~ Justice Benefits, INC. \$6,537.00 For incarcerating undocumented criminal aliens who have committed serious crimes.

Moved to the General Business Agenda for discussion.

- ~~**7. Approval of Resolution Number 2011-009, OMB BA 110044, and Post Approval to Accept the Award Letter from the Bureau of Justice Grant) Project No. 2009 SB-B9-1539**~~ Period 03/01/2009 – 02/28-2013

Moved to the General Business Agenda for discussion.

- ~~**8. Sublease of the W.A. Woodham Justice Center Building to the City of Quincy Police Department**~~

Moved to the General Business Agenda for discussion.

- ~~**9. Approval of Award of Bid No. 11-002 to Gulf Atlantic Culvert Co. Inc.**~~ for asphalt coated culvert pipes

Moved to the General Business Agenda for discussion.

- ~~**10. County Incentive Grant Program Agreement (CIGP) Resolution 2011-021 ; Project No. 429983-1-58-01 for Resurfacing of CR 159A (Dodger Ball Park Road) from CR 65 (Attapulugus Highway to CR 159 (Salem Road)**~~

Moved to the General Business Agenda for discussion.

- ~~**11. Approval of Lease Purchase Agreement with Caterpillar Financial Services Corporation for the Lease/Purchase of a New Generator for Sheriff's Office**~~ Total \$93,580.00; Payments \$1,712.87

Moved to the General Business Agenda for discussion.

CONSENT AGENDA ITEMS PULLED FOR DISCUSSION

- ~~**5. Approval of Maintenance Contract for E-911 System Contract no. 11LNVNSJQMFO**~~

Finance Director Connie McLendon addressed the board to explain that this particular service is unique and the vendor is a sole source provider and the manufacturer of the system. She assured them that the county would not be not violating any of the regular procurement policies by approving the above stated contract. Ordinary procurement policy does not apply to sole source vendors.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE MAINTENANCE CONTRACT AS DESCRIBED ABOVE.

- ~~**6. Approval of Resolution Number 2011-018, Budget Amendment OMB BA # 110043 and Post Approval to Accept the Award Letter from the Bureau of Justice, State Criminal Alien Assistance Program (SCAAP)**~~ Justice Benefits, INC. \$6,537.00 For incarcerating undocumented criminal aliens who have committed serious crimes.

This grant was previously approved by the board. This request was for formal approval of moving the money from the BOCC Budget to the Sheriff even though the money has already been distributed to them.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE ITEMS 6 & 7.

7. Approval of Resolution Number 2011-009, OMB-BA 110044, and Post Approval to Accept the Award Letter from the Bureau of Justice Grant) Project No. 2009-SB-B9-1539 Period 03/01/2009 – 02/28-2013

See the motion on Item 6 above.

Commissioner Croley reiterated that he does not want to continue to see matters come before the board for post approval.

8. Sublease of the W.A. Woodham Justice Center Building to the City of Quincy Police Department

Croley:

This is the lease agreement between the City of Quincy and the County. Item 8, we discussed conceptually, but having read the agreement, I understand that the basis is \$10 per year lease for the Quincy Police Department to move into the first floor of the WA Woodham Justice Center, which is owned by TCC. That 25% of the utility charges, I understand, but I don't understand – what about the wear and tear on the building? What about other costs associated with the building? If the building needs a new roof- is that something t – and Ms. Minnis, you handled this, so I may direct my question to you. Does this contract provide for any financial assistance with the wear and tear on the building?

Minnis:

I don't believe it does. This is a draft agreement and it is at the will of the commissioners. It is brought for you consideration and review. If you want to change some items in it, then it hasn't been signed or voted on. So, it is well within the parameters to do so. This is just a basic lease agreement.

Croley:

Did you draft it, if I may ask?

Minnis:

I did. I drafted one and then took input from the City of Quincy Attorney and go some input from the Sheriff's attorney and talked to TCC's attorney. So, it was kind of a joint effort. It is just basic commercial sublease.

Croley:

Well, it is not a basic lease with no disrespect to you, from a business standpoint that I have seen because you would normally have some sharing of costs of the maintenance and upkeep of the

building. I don't even know how much the utilities are. Does anybody know how much they run?

Clyde Collins:

\$12,000 per month.

Croley:

\$12,000 per month. O.k. Well, 25% of that is \$4,000.

Madam Chair, on this item, I would move that the attorney take this and at least have a discussion about those costs associated with the wear and tear of the building. If it needs a new roof and things of that nature. We will certainly run into those problems. If the air-conditioning system fails, there should be some consideration in the lease agreement for the City of Quincy to assist in those maintenance cost if they are going to occupy a full floor.

Taylor:

Are there any comments?

Morgan:

Thank you Madam Chair. I did read the lease and had a few conversations with the sheriff and some of the folks involved in it. Because it is a month to month lease, I don't have any issue. I think they can work through all of this and feel their way through it and see how it is going to work. I am going to keep an eye on it to make sure that we are not spending tax payer dollars that we don't need to be spending. I don't think that is going to be the case. I think it is going to be o.k.

I do have a comment though on several of these items. I have to agree with Commissioner Croley in that, and you will have to agree through the certification process, some of these items, I think it is probably better communication wise if we had these placed under General Business for discussions like we are having now. I just think it would be helpful as we move through. Some of these things they can iron out and it will all work out just fine. I think we could avoid some of this by doing that and that is why we are recommended to do that.

Holt:

I think this should be worked out between the Sheriff and the Police Chief. Under No. 6, liability insurance – there may be some items that may need to be looked at as far as the city being responsible. It does say that the city agrees to that. But what I am looking at is this – this item should be worked out between them and these questions can be asked before the county commission meets. It would have been very easy to call the attorney or talk to the Policy Chief or talk to the Sheriff by any of us on this board. I think the proper location is under the Consent Agenda. We have discussed it and it is time to move.

Lamb:

I am kind of disappointed that we discussing all of this here now. We have had this agenda package for a week or more. Now, I spearheaded most of it, as you know, through TCC. I don't feel that it is proper for me to sit here and go back over all this information taking up all this time when all we have to do is pick up the telephone or come up here and sit down with the manager

and ask questions if we don't understand. We don't have to ask questions to get our point over to the public. Just ask the manager the questions, get the answer and let that satisfy you. If you need anything changed or taken off the consent agenda. Go ahead and talk to the manager before we get here. The manager has the right to put it here because he understands what is taking place here. If you read it and have questions about it, before we get here, just talk to the manager and get an understanding of it. I just don't think it is wise for us to sit here and take time to go through all this information.

Taylor:

We have heard from everyone. So this is what we are going to do. I am willing to move with the sublease in tact with some addition as to the actual location that they are in, they are to maintain it. I think that is in the body of the contract. But, as far as the roof and all this, I think that is a county building and we will probably be responsible for that. I don't see where the city would agree to help repair the roof, but as far as the location of where they are at and any area that they have access to, we should move forward with the understanding that they will be responsible for that.

So, I want to go ahead and approve this, but do **go back and clean up that area so that Commissioner Croley has concern about, and I concur, there is clear language that they will be responsible for any structural damage or whatever in that area that they are in. I did not read that. As far as the cleaning and the maintenance of it, I understood that, but no the structural damage.**

Minnis:

It is under Paragraph 6. Any damage that they cause or injured by persons under their control, No. 6 says that the "City agrees that it will be responsible for all liabilities, damages and expenses arising from any personal property as a result of the operation ,maintenance and use of the premises , which in this instance is the first floor, unless the injury or damage is caused by the negligence of the county or other persons.

Taylor:

Then we kick in as the responsible party.

Minnis:

If it is damage that they cause, they have to repair.

Taylor:

Understood. But if there is some other freak of nature?

Minnis:

If it is an act of violent force or event, then we are responsible as the lessor of the property. Remember, TCC owns the building. We are leasing from TCC.

Croley:

Madam Chair, that is under liability insurance and indemnification. I don't think that is quite – I am not trying to match wits with the attorney, but I don't think that is exactly having to do with

ongoing maintenance, **but I would move approval subject to a review of that portion regarding the damages as you suggested, if you would entertain that.**

Taylor:

I don't have any problem with going ahead on and just make sure that it is an iron clad contract, an iron clad agreement and that all parties understand that is the wishes of this board. So, let's put it out there for a motion.

Croley:

I so move.

Taylor:

Restate your motion.

Croley:

I move that the contract be approved subject to review of regular maintenance responsibilities.

Taylor:

That is the only issue you have with the entire contract? There is a motion, is there a second?

Morgan:

Second.

Taylor:

There is a motion and a second. Any questions?

Minnis:

I just have one. Once I touch base with all the folks regarding the major maintenance, my assumption is that I would bring the item back to the board?

Taylor:

No, we are going to make approval with those concerns added in. And, you might want to move that from up under liability and put it up under a separate item.

Croley:

I did not make that in my motion.

Morgan:

I am not going to approve a contract that I haven't seen. I've got to see it.

Croley:

I didn't make that in my motion.

Taylor:

Hold on, Hold on, hold on.

Morgan:

I would rather approve what we've got before us rather than approve something the we have not seen.

Minnis:

That was my question.

Taylor:

I don't want to belabor this anymore. You all know that it is almost another month before we meet again. To hold this agreement is doing harm to both the city and the county. We need to move on this. I am just going to put it out there. My motion would be to move it on, but we have a motion on the floor.

Croley:

Madam Chair, for clarification, hasn't the police department already moved into the building?

Taylor:

We need to get an official agreement into place.

Croley:

I know, but, haven't they moved in?

Taylor:

They have. We still need to get the proper paperwork into place.

Croley:

Then the first meeting in July will take care of it if you will allow it.

Taylor:

We have a motion on the floor to approve it according to Commissioner Croley, that It be brought back with those changes.

Morgan:

Just a question. It is already noted that we will see all of this first.

Taylor:

That is noted. Again, this contract is to begin August 1st. There is a motion and a second. Again, I do not wish to discuss this anymore.

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

Croley: Aye.

Morgan: Aye.

Taylor:

Opposed, the same sign.

Taylor: No.

Holt: No.

Lamb: No.

Taylor:

Make that 2 – 3. The motion failed.

I need another motion on the floor.

Holt:

I move approval.

Taylor:

There is a motion on the floor.

Lamb:

Second.

Taylor:

There is a motion and a second to move approval with the changes. Can I get you to amend your motion?

Holt:

No, ma'am. As is.

Taylor:

There is a motion and a second to approve the agreement as is. Are there any questions?

(No Response)

There being none, all in favor of this motion, please let it be known by saying, "Aye."

Lamb, Holt, Taylor, Morgan: Aye.

Taylor:

Opposed, the same sign.

Croley:

No.

Taylor:

Make that 4 – 1 to move this thing from in front of us.

(Laughter)

Taylor:

I am sorry, I am being facetious. You all can forgive me. It is just a little humor.

9. Approval of Award of Bid No. 11-002 to Gulf Atlantic Culvert Co. Inc. for asphalt coated culvert pipes

Croley:

The \$50,000 bid on Gulf Atlantic Culvert Company. I understand that Public Works takes bids every year or periodically for these culverts. But, a bid award, again, is not necessarily a routine item. No matter how it was done in that past, bid awards are almost always under general business. But I will move approval on that to expedite it.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0 TO APPROVE THE AWARD OF BID NO. 11-002 TO GULF ATLANTIC CULVERT CO.

10. County Incentive Grant Program Agreement (CIGP) Resolution 2011-021 ; Project No. 429983-1-58-01 for Resurfacing of CR 159A (Dodger Ball Park Road) from CR 65 (Attapulugus Highway to CR 159 (Salem Road)

Croley:

Item 10 – This is a \$364,378.00 Incentive Grant Agreement, which again, through the Department of Transportation. My concern about that is again, this is a large amount of money under the Consent Agenda. You said we had seen this in so far as applying for the grant , Mr. Lawson, is that correct?

Lawson:

Yes.

Croley:

And you were moving this in the budget and it doesn't require any type of public review other than putting in Transportation's budget. Is that correct?

Lawson:

That is correct.

Croley:

Well, I didn't see any budget change on here, but I may have missed that, so please excuse me for that oversight when I asked you about this earlier.

I will move approval for the \$364, 378.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, TO APPROVE ITEM 10 STATED ABOVE.

11. Approval of Lease-Purchase Agreement with Caterpillar Financial Services Corporation for the Lease/Purchase of a New Generator for Sheriff's Office SN C15-400kW

Total \$93,580.00; Payments \$1,712.87

Croley:

Number 11, which is a \$93,580 purchase. I understand that. It is a lease agreement. Again, I know that we had agreed that would go down at the building. But this lease agreement is a contract is a contract and, again, it would appear to me that a contract of that size, especially since it is a lease agreement and not an outright purchase when we took the bids on the agreement and it involves a CAT Access Account with Caterpillar. It should have been under General business..

I move approval.

**Morgan:
Second.**

Taylor:

We have a motion and a second. Are there any questions?

Holt:

Yes. Madam Chairman and Commissioners, I don't know why we are discussing these. We discussed them before. Now, I know that a commissioner can pull these items and discuss them again, but now, to continue this is ludicrous. It doesn't make any sense. We discussed them. We knew Caterpillar was going to do this, we knew the generator needed to be replaced. We knew all this stuff. We discussed it. Now, whether it is on the consent agenda doesn't make any difference.

Croley:

Madam Chair? This is the last item.

Holt:

If you don't want a rebuttal, don't say anything.

Taylor:

(Chair Taylor hammered the gavel)

Let me say this real quick. Now, we are going to move.

Commissioner, everyone has a right to pull an item and have it for discussion. That is the commissioner's right. We don't want to start taking rights away. As we come before this meeting each time, if there are issues that we want to discuss, we have that right to do that.

Does it become tedious? Yes. Does it become mind boggling? Sometimes. But, that is the commissioner's right to pull these items. Sometimes we pull them and want to have discussions and we don't want to start something that we don't want to see continue on as a rule. So, he has

a right. I have a right. You have a right.

Holt:

Madam Chairman, Commissioner Croley is the one that noted me on that item – when I pull items, so, I am letting you know that you are not supposed to do it. Thank you.

Taylor:

We are done. We will move on.

Croley:

I move approval.

Lamb:

Second.

Taylor:

The item has been moved and seconded. All in favor of this, please let it be known by saying, "Aye."

All:

Aye.

Taylor:

Opposed by the same sign.

(No response.)

Thank you.

CITIZENS REQUESTING TO BE HEARD ON NON AGENDA ITEMS

Pastor John Battles:

Good evening, Commissioners. Could you all tell me who determines how a citizens' property is zoned? Who determines that? I am sure you all approved it, but who determines whether it is zoned Ag 1 or Ag 2 or Ag 3? Who determines that?

Taylor:

Mr. Lawson, Maybe Mr. Matheny can give us a clear explanation.

Just a second, sir. That is a question asked. Normally, this board does not make comments on items such as this one because we want to be sure that it is publically noticed when we make a statement. But we will answer this one question for you, Pastor Battles.

Matheny:

The answer to this question of who makes the decisions on zoning – we don't have zoning, We have land use districts in the county. The commissioners, through the Comprehensive Plan and our Land Development Code decide the land use districts. So, they are all decided by this body. I am here to enforce those. When somebody asks or inquires what they can do in a certain land use district, it is my job to look up that piece of property and tell them what district it is in and what they can do with in that district.

Battles:

So, the citizens doesn't have any input on their own property anymore around here? Somebody makes that decision for them? Furthermore, say that somebody wanted to rezone – would I have to have four votes to get my property rezoned? Does that fall under the Citizens Bills of Rights?

Taylor:

Let me do this – again, this is a time that we really don't get into discussions. You can, at this time, come up and state issues and concerns that you may have. I will say this to you, you have valid questions that need answers. I would encourage you to please meet with the staff and get those questions asked and answered. If you are not satisfied with their response, then your next avenue is to come before this board.

Battles:

I will be back. Thank you.

Taylor:

I appreciate you.

PUBLIC HEARING AGENDA

12. Applicant's Request to Hold Second of Two Public Hearings Required for Gadsden County to Apply for FDCA Funding Cycle 2010 for CDBG Economic Development Grant

Applicant: Charlie Harris

Representative: Auburn Ford

Location of the Site: On U.S.90 (Blue Star Highway) ¼ mile west of Quincy city limits. (formerly known as Sirrah Mini Storage)

Type of Business proposed: Adult Assisted Living Facility to be Called Gussie Garden Inns

Reason for the hearing: Mr. Harris wants the county to apply for a infrastructure economic development grant to install sewer lines to his proposed business. The agency requires that two public hearings be held to get public input on the proposed grant funds.

Interim County Administrator Arthur Lawson announced a public hearing on the above stated issue.

Growth Management and Community Development Director Anthony Matheny stated that this

hearing is the second hearing that is required for the county to apply for a new Economic Development Block Grant. He recalled that the first public hearing was held on May 3, 2011 for the facility.

Mr. Auburn Ford addressed the board and gave a brief overview of the history of the project and a narrative of the grant process and what would happen as a result. He explained that it would extend water and sewer lines from the City of Quincy to Mr. Harris's property where a lift station will be installed. If other businesses in that area wish to tie into it, they will have an opportunity to do so.

Ford:

There will be a 60 day window to put together a participating party agreement, which is like a contract where he will guarantee that he will create 12 jobs from the funds that are coming from the state and federal government. Those jobs must be geared toward low to moderate incomes. That will be a part of a participating party agreement which will be drafted later once we get the grant award from DCA. That is why he is required to give this board and some other documentations so that once the contract comes and is executed by the Chairman, we can go ahead and start construction.

When I put this grant together, and it is moving kind of fast, but if you look at the financial part of it, what I did was – we estimated that the sewer facilities will cost \$300,000 and the street improvements will be \$75,000. We put some money in there for administration, which was in the amount of \$30,000 and engineering was \$14,988. The reason the engineering cost is so low is because when Mr. Bradwell started his project, the engineering was already done, so the money was already spent for the engineering and we don't have to re-incur those costs. That is why we came up with a grant amount of \$419,988.

Further on in the grant application, you will see some of the jobs that he is going to create. Any question?

Basically, all we need is a motion to have the chairman execute this grant application so we can submit it to DCA.

Taylor:

This is a public hearing and what that means is that on this particular item, you may come forward and voice your opinion. What this item is about is that we have a business that wants to build infrastructure (sewer and water) going west past Piggly Wiggly. It is a good thing. We want economic growth and development.

So, at this time, it is a public hearing and you may come up and voice your opinion about this particular item. I now open it up to the public.

Duly noted that we have opened it up, but there is no one that wished to comment on this. Now I will hear and entertain comments from the commissioners.

Holt:

Madam Chair, May I?

Taylor:
Yes, please.

Holt:
On this grant. It is very similar to the Bradwell grant that we did before.

Mr. Ford, is there particular reason - Well, first of all, where is the lift station going to be located?

Ford:
It will be located on the Northeast corner of Mr. Harris's property.

Holt:
I have talked to you before about putting it on the west side. I am trying to get it to go farther west. Was there a problem with that?

Ford:
No, the problem is that because of the number of jobs that he is creating, I just don't want to put in - the reason why we stated it on the northeast part of it, the more that you run in front of his property - if he put it on the side near Mr. Bradwell, he would have to get Mr. Bradwell involved in giving right of way to the lift station and that would create additional dollars and expense.

Holt:
That is exactly what I am trying to do. If you put the lift station on the west side, that means that those are easements that we won't have to get later in as far as businesses.

Commissioners, we need to get money from the state so we can extend that line on out towards Douglas City later on. If that lift station is on the east side, then we will have to go back and do that again. We have been approved before for \$750,000. I don't see any reason why we would not request a larger amount and put the lift station on the other side and keep moving to get these jobs in here. I want to know if we can alter that application, your numbers here, in order to get more jobs.

Ford;
The reason why is Mr. Harris. The leverage is on him because he says that he is going to create those 12 jobs. Per the rule, for every job you create, the state will give you \$34,000. If you go up on the jobs, that means that he is bound to create those jobs. With his business and the studies we have done, I think he is at his limit in creating those 12 jobs.

Holt:
I understand that. That is not my point. I talked with Mr. Bradwell. I talked with you earlier about that lift station. What I am trying to find out is if it is possible. So, Commissioners, we don't have to go through this agreement. If we can get something done now,

Ford:

I think it would have to be a second agreement with Mr. Bradwell if he wants to extend the (inaudible) at his cost.

Holt:

I don't see any problem with it, Commissioners. I will be more than happy to approve this, but we need to make sure, especially with so many people out of work, we need to create as many jobs as possible. If we can get something going to get that lift station on the other side and keep moving, we will be a lot better off. Then the state and federal government is already saying that they can't get people to take this money.

Ford:

Yeah, the money is there for us. Also, once the county goes out to bid, if there is enough money to move that lift station down a couple hundred feet, that might be possible. I can't tell you that at this time. Not until the engineers get on board and things go out for bids and the prices come back. That is the unknown there.

Taylor:

That might be a caveat. I totally understand both of you. They are both valid. You have a concern with additional dollars jobs being placed on which could possibly come into effect if you move that lift station. But I totally understand Commissioner Holt. From what she is proposing, it does create opportunities for development out there toward Douglas City. Both sides are well received.

Question. With where it is now, will there still be opportunities to still grow perhaps another grant?

Ford:

The lift station will be large enough so that if businesses down the road want to tie into it, they can tie into that on (inaudible) It is going to be in the right-of-way.

Holt:

I we could get the staff to contact and work with Mr. Bradwell – I have already talked to him.

Taylor:

Good enough. So, Commissioners are there any other comments about this particular item. It has been well discussed, well received and now I need a motion.

Croley:

So moved.

Holt:

Second.

Ford:

Just a reminder to you commissioners, there is a sign in sheet outside in the hall way. As you

leave, will you please just sign it and staff will pick it up.

Taylor:

Thank you. There is a motion on the floor . There is a motion and a second. All in favor of this motion, please let it be known by saying, "Aye."

All:

Aye.

Taylor:

Opposed by the same sign.

(No response)

Make that 5 – 0, Muriel.

Holt:

Madam Chair, if the staff will contact Mr. Bradwell and I will get in touch with him, too.

13. PUBLIC HEARING:

Reading of Ordinance, Seay Comprehensive Plan Administrative Future Land Use Map Amendment)CPA-2011-01) Transmittal/Ordinance Adoption Changing 8.3 acres from Commercial to Rural Residential

Interim County Manager Arthur Lawson opened the public hearing and stated that public comment would be entertained prior to the board's consideration of the ordinance.

Growth Management Director Anthony Matheny addressed the board explaining that the proposed ordinance calls for changing 8.3 acres from Commercial land use designation to Rural Residential land use designation on the Future Land Use Map (FLUM) He reminded them of the other occasions the matter was heard by the board. He also referenced the agenda material saying that all pertinent information is contained in the attached agenda report, including the ordinance itself. He noted that it was a part of the official advertised agenda for the public to examine as well as a part of commissioners individual agenda packets. It was also made a part of the clerk's record.

He reiterated that the Planning Commission voted unanimously to recommend that the BOCC approve the ordinance and the FLUM change. Staff also recommended approval.

Chair Taylor called for public comments.

There was no response. She called for public input once again and there was still no response.

Holt:

Mr. Matheny, this is a change of the zoning, right?

Matheny:

It is changing the land use district from commercial, which it currently is, to rural residential.

Holt:

You are changing the zoning, right?

Matheny:

Again, we don't have zoning. We have land use districts.

Holt:

That is what zoning means.

So, that couple back there that got their mobile home, they need a change in zoning or land use.

Matheny:

We offered that option to them.

Holt:

Does this fall under the Citizen's Bill of Rights?

Matheny:

Yes and they did have the Citizens Bill of Rights on this property.

Holt:

O.K. So we are going to need four commissioners to vote for this?

Matheny:

That is the way that I understand it. You would have to confirm that with the attorney.

Holt:

You see, Commissioner, this doesn't make any sense. We can vote for commercial to go to rural residential easily. So, how do you help those people that need that mobile home out there when Planning and Zoning won't let them in there?

Morgan:

Mr. Matheny, these folks went through the process that was asked of them to do. Is that correct?

Matheny:

That is correct.

Holt:

Commissioner Taylor, I was not finished.

Taylor:
O.K. Wait for Commissioner Holt.

Holt:
So, how many are in there? How many are being changed?

Matheny:
Four parcels.

Holt:
And they are all going from commercial to Rural Residential and there are others.

Matheny:
There is one that opted out. The one that is right behind the store at the point. They didn't want to be changed at this time. The four are the only ones that want to be changed. They are not across the street yet. They can come in later if they don't want to. They will also have to go through the same process.

Holt:
Madam Chairman and Commissioners, whether they went through the process or not, I am fully in favor of people going through the process. I think it should be tight. Tighten it up. Love it to death. If one person can't get through, others shouldn't be allowed to. That will solve the problem as to who gets what. I am talking to citizens, I am not talking to you. Sir, per se'. I am talking to this Commission and the citizens. If one person gets through the process and needs four votes from this commission, then others should be required to do the same thing. That is all that I am saying. So that way, everyone will know.

I am going to say this every time one comes up. It may be more pointed when I say it because if these four deserve to be moved because they went through Planning and Zoning and planning and zoning and this board seems to like one person better than you do another. That shouldn't be. That should be tight. Either we keep it or we throw or we throw it out. O.K.? Thank you.

Taylor:
That being the only comment about this particular item.

Morgan:
Madam Chair, I have a comment.

I am going to try and be as professional as I can be. There is a right way to go through this process and there is a wrong way. These folks chose the right way without exception. They got support to do that. That has nothing to do with whether we like the person going through the process of whether we don't. What this is about is that we've got a camera staring back here at us and now we are seeing the results of what goes on (inaudible.)

Now, this has gone through the proper channels. I am not going to sit up here and be lamblasted by Commissioner Holt – not tonight and not the next meeting or the meeting after that. We are

going to do this in a professional manner because that is the example we need to set. So, those that are sitting here, coming to these meetings and watching us work, that is what the Pledge of Civility says right there. So, let's move this forward in a professional manner. If not, I've got better things to do.

Holt:

I suggest that you find them, too.

Taylor:

Excuse me. Excuse me. Excuse me. Commissioner, that was out of order.

Holt:

When he called my name, that was out of order.

Taylor:

It was out of order.

Yes, sir. We are in a professional forum and we are going to maintain professionalism. Now, these subjects do get heated and we do have our differences, but we must state them and then move on.

No rebuttals. And, let's do refrain from calling commissioners names. Let's refrain from that. You all know that we are just looking for an opportunity. We don't need to give opportunities that we can find ourselves outside of what we are supposed to be doing. So, let's leave that as it is and let's move this particular item. No more calling of names and let's stay away from looking unprofessional to the public.

By the way, commissioners are aggressive both on and off the camera. We just have live entertainment. A lively meeting from this point forward. But, we do need to be mindful of how we look in front of our piers as well as those watching on videos.

Let's move for Item 13. Who made the motion.

Morgan:

I made the motion, I believe.

Lamb:

And I seconded it.

Taylor:

O.K. Commissioner Morgan made the motion, Commissioner Lamb seconded it. All in favor of the motion, please let it be known by saying, "Aye."

All: "Aye."

Taylor:

Make that 5 – 0 to approve.

HAVING HEARD NO PUBLIC OBJECTION AND UPON THE RECOMMENDATION OF THE STAFF AND THE PLANNING COMMISSION, COMMISSIONER MORGAN MADE A MOTION AND COMMISSIONER LAMB SECONDED IT TO ADOPT COMPREHENSIVE PLAN ADMINISTRATIVE AMENDMENT - CPA 2011-001; ORDINANCE 2011-003 AND TO TRANSMIT IT TO THE DEPARTMENT OF COMMUNITY AFFAIRS. THE BOARD VOTED 5 – 0 IN FAVOR OF THE MOTION.

14. Quasi-Judicial Public Hearing – Shady Rest Senior Day Stay- Special Exception Use with Site Plan Review. (SE-2011-01, SP-2011-01)

Owner: Sharyn Bennett

Agent: William Douglas, P.E. DEC Engineering, Inc.

Type Action: Class 2 Review in a residential area as a Special Exception; Quasi Judicial action in conjunctions with the advertised public hearing per Subsection 7202 of the LDC.

Location of Property: North side of 963 Shady Rest Road, .94 mile east of SR 12 and 5.5 miles west of SR267(FLA-GA Highway)

Tax Parcel ID #3-07-07-2N-2W-0000-00341-0100

Present Land Use Designation: Agricultural 3 . The parcel is 5 acre site. It is adjacent to Agriculture 2 property on the west side. All other adjacent properties are Agricultural 3. The lot is 5 acres and as such is a non-conforming lot.

Planning Commission Recommendation: Approval of revised deviations based on findings in the attached report and subject to revised special conditions 1 – 14 also in the agenda report.

Staff Recommendation: Approval

Citizen's Growth Management & Planning Bill of Rights Meeting: Meeting held on March 1, 2011 at 6:30 at the proposed site. Two property owners attended. No objections were raised.

Chair Taylor called for public comments but there was no response

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO APPROVE THE REQUEST BY SHADY REST SENIOR DAY STAY SPECIAL EXCEPTION WITH CONCEPTUAL/PRELIMINARY SITE PLAN (SE-2011) SP-2011-01 TO ALLOW A 5,525 SQUARE FOOT EXISTING STRUCTURE WITH NO EXPANSION LOCATED ON TWO ACRES OR LESS OF THE SUBJECT 5 ACRE PARCEL AS PERMITTED BY SUBSECTION 4202.C OF THE GADSDEN COUNTY LAND DEVELOPMENT CODE BASED ON THE FINDING IN THE AGENDA REPORT WITH THE FOLLOWING DEVIATIONS AND SUBJECT TO THE SPECIAL CONDITIONS 1 – 14 AS LISTED IN THE AGENDA REPORT.

- 1. Approve the deviation to Subsection 5204.B(1)(a) intersection criteria, to allow the use at a distance greater than .5 miles;**
- 2. Approve a deviation to allow the required buffer area to apply only to the two acre development site along Shady Rest Road. Due to the limited visual impacts, accept the existing vegetation and fence as meeting the buffer requirements (Subsection 5302.A.2); and**
- 3. Approve a reduction in the two-way driveway width from 22' to 2-' between the roadway and the driveway split to allow two-way traffic. (subsection 5606.L(o) and**

5611.B(1). The applicant has proposed removing the small gate adjacent to the main gate to allow for the expansion of the driveway to 20'.)

GENERAL BUSINESS AGENDA

14A 12-Month Temporary Certificate of Occupancy for St. John Community Church of God in Christ

Commissioner Holt explained that the St. John Community Church of God in Christ have completed the construction of their new auditorium and are ready to move in. However, there are a number of unfinished portions of the building project including the parking lot. The project ran over budget due to some unforeseen expenses during the construction phase and it has become necessary for them to raise more money. Their old building has been sold to another church and they are ready to take possession of it. The church has requested a 12 month temporary certificate of occupancy so that they can move in and continue to finish the project and raise the necessary money. The church is agreeable to all the requirements of the county, they just need some time to get it all done.

Rev. Ronald McCloud, pastor, spoke briefly to the board to explain the circumstances of their request.

Ed Freeman, contractor for the church building also spoke to the board explaining the unforeseen construction costs that surfaced during the building phase, in particular the requirement for a sprinkler system which was not a part of the original plans. They also had to install a pumping station for the sprinkler system because Talquin Water could not supply the pressure they needed to make the sprinkler system work properly.

He then told of the unique experience they have enjoyed during construction with a group of about 30 white volunteer campers from Alabama that came and worked for months to help with the construction.

Grow Management Director Anthony Matheny addressed the board and outlined a number of things that still must be completed. Pastor McCloud and Mr. Freeman assured the board that they have no problem with agreeing to meet those special requirements as outlined by the staff.

Building Official Clyde Collins stated that the building is safe and has no objections to issuing a 12 month Certificate of Occupancy (CO) contingent on the matters identified are met at the end of the 12 months.

The board raised a number of questions.

Commissioner Croley stated that the request makes good business sense and he was agreeable to issue CO subject to them completing the unfinished issues.

Commissioner Morgan asked Attorney Minnis, "Legally. Are we putting ourselves at risk by doing

this?" Ms. Minnis replied, "This is an issue that I have not been made a ware of, so I have not researched that particular area. I would be uncomfortable giving a legal opinion at this point because this is really the first time that I have had any information on it and what the issues are and what hasn't been done and what needs to be done."

Commissioner Morgan stated that he was reluctant to vote on the issue without hearing from the attorney regarding it.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 – 1 TO APPROVE THE ISSUANCE OF A 12 MONTH TEMPORARY CO CONTINGENT ON COMPLETION OF THE THINGS IDENTIFIED BY P & Z. THE BOARD ASKED TO REVIEW IT AGAIN AFTER THE 12 MONTHS TO DISCERN IF THE CHURCH IS IN COMPLIANCE WITH THE OUTSTANDING ISSUES IDENTIFIED BY THE PLANNING AND ZONING DEPARTMENT. COMMISSIONER MORGAN CAST THE LONE DISSENTING VOTE.

Commissioner Holt and Commissioner Morgan left the meeting briefly at this juncture.

15. Request to Approve Interlocal Agreement for Expenditure of Funding from State of Florida Legislative Appropriation Florida Department of Environmental Protection Contract # LP6721

Antonio Jefferson, City Manager of City of Gretna addressed the board briefly regarding the water line extension connecting Greensboro, the I-10 & SR 12 intersection and the City of Gretna. The proposed Interlocal agreement was a collaboration between the Clerk's office, the county attorney and the City of Gretna and the Town of Greensboro to facilitate what the BOCC has already agreed to when they made the commitment to the waterline project.

History: Gadsden County received more than \$1 million for a water and wastewater improvements throughout the county. March 17, 2009 BOCC approved the Immediate Needs Report that was developed by Preble Rish that suggested that the Gretna-Greensboro waterline project be a priority for the remaining dollars from the State Appropriations. The Town of Greensboro secured a block grant for \$600,000 for the construction of the water line project between I-10 and Greensboro. The City of Gretna has secured \$500,000 for the same project. The proposed Interlocal agreement would authorize the expenditure of the county's portion of the project which is \$387,322 for the construction phase of the project.

(Commissioners Morgan and Holt returned to the meeting at this juncture.)

Commissioner Croley asked, "Where is the Interlocal agreement?"

Harold Knowles, city attorney for the City of Gretna addressed the board. He explained that the agreement is now at Florida DEP for their review. He stated that the reason that it is before the board is to determine the payment protocol and how they will be made and how the contractors will be paid. He said, **"We are asking the county to basically agree that it will reimburse us after we have paid our contractor to construct these public improvements."**

Commissioner Croley stated that it was hard for him to rationalize approving the agreement without having seen it. He turned to the Clerk to seek his opinion.

Clerk Thomas stated that the suggestion for the Interlocal agreement originated in the Clerk's office and he approved it in concept, however, he stated that he has not seen the agreement either. It was hard for him to comment on something without having seen it. He went so far as to say he would not oppose the agreement if Mr. Knowles and Ms. Minnis both approve the language in it.

Ms. Minnis assured the commission and staff that she would distribute copies to each of them and solicit their input.

Mr. Knowles stated that there is case law to support that an agreement could be approved provided that it appeared on the agenda and was noticed even though the agreement was absent.

Commissioner Morgan asked Finance Director Connie McLendon if she had any concerns about moving forward with approving the agreement.

Ms. McLendon stated, "The concern that I have is that this is a reimbursable grant. We were just wondering who would have the up front funds to pay the first cost. I think Mr. Jefferson has answered that question. The other thing is that this grant is in our name, the board of county commissioner's name. Anything that is done with it will reflect on us. That is also my concern – we need to be able to review the bid documents and be sure that they are procured according to county policy and also that the construction is paid for in a timely manner. According to FL Statutes, we have 30 days to pay those invoices or notify the vendor that we are not going to pay and why. Those are my concerns. Security and safety of your name being on the contract. I am just trying to be sure that everything is followed according to the scope of services as well."

Holt:

I have no problem approving it along with what Commissioner Croley was saying. Approve it, let the attorneys look at it. I would like a copy of it. Also, I would like the items that Connie brought up to be addressed in there also so that the safety mechanisms are in place to make sure that we are not liable. I think that would work out fine. I have no problems approving it contingent upon the attorneys looking at it and that those items be included.

Taylor:

Madam Attorney, you have had an opportunity, unlike the rest of us, to take a look at the Interlocal agreement. Are there any areas that warrant concern with you as representing this board.

Minnis:

I would not term it as being concerns. There are some areas that I would want to talk to Mr. Knowles about getting some additional language in there and liability was one of the issues that I

had earmarked to discuss with him because it is a construction project and several other areas that (inaudible)

Holt:

I move approval contingent upon the concerns that were brought up by Finance and the attorney as far as liability – that the items would go to the attorney and staff.

Taylor:

You want to make sure that liability portion is implemented. That is clear. Will you amend your motion to that.

Holt:

So move. Yes.

Taylor:

There is a motion, is there a second.

Lamb:

Second.

Croley:

I will second it.

Taylor:

There is a motion and a second. Now is there a question?

Croley:

Yes, I do.

Mr. Knowles and I say this respectfully, Madam Chair. Please let's avoid these situations in the future for all of the right reasons.

Taylor:

You took the words right out of my mouth. I was going to say to you after this was moved, which I will go ahead and move it.

There is a motion and a second. Are there any other questions? All in favor of this motion to approve Item 13- the Interlocal agreement with the amendments, let it be known by saying , "Aye."

Croley, Lamb,, Holt, Taylor: Aye.

Taylor:

Opposed by the same sign.

Morgan

No.

Taylor:

O.K. Make that 4 – 1 to approve this item.

Commissioner Croley is absolutely correct because you are our sister city and obviously we want to see growth and development in this county. I am not trying to reprimand, but just trying to advise you for later endeavors. And you will stick with it. Tonight will be the exception, not the rule. I know you all know what I mean. This will be the exception, not the rule. The times have changed. Time constraints won't matter the next time because we will have had this discussion before. I concur with Commissioner Morgan. Let's move forward because we don't want to set precedent that everybody can run in here at the ninth hour. No more comments, Mr. Attorney.

Knowles:

Thank you, Commissioner.

Taylor:

That is all I want to hear you say.

There is another item here.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 – 1 TO APPROVE THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF GRETN, TOWN OF GREENSBORO AND THE BOARD OF COUNTY COMMISSIONER REGARDING THE USE OF GRANT FUNDS FROM THE WATER AND WASTEWATER IMPROVEMENT GRANT CONTINGENT ON DOCUMENTATION THAT ALL FUNDS ARE EXPENDED IN ACCORDANCE WITH COUNTY PROCUREMENT POLICIES AND STATE STATUTES; EVERYTHING WILL TRACK WITH THE SCOPE OF SERVICES LISTED IN THE GRANT; LANGUAGE WILL BE ADDED TO COVER ANY LIABILITY CONCERNS FOR THE COUNTY THAT IS AGREEABLE WITH THE COUNTY ATTORNEY AND THE CITY ATTORNEY

16. Request for \$250,000 for Construction of Wastewater Line to Serve the State Road 12 and Interstate 10 Corridor

Interim County Administrator Arthur Lawson stated that the City of Gretna is seeking \$250,000 to assist with the installation of a waste water line along the same route that was discussed in the previous agenda item.

Clarence Jackson, Mayor of City of Gretna addressed the board. He introduced the other Gretna commissioners.

City of Gretna Manager Antonio Jefferson made Power Point presentation explaining the timeline and the economic boost the development of the I-10 interchange will bring. He concluded the presentation by asking the county to make the \$250,000 investment into the project.

Lengthy board discussion followed as to what funding options are available for the board's consideration of the request. Mr. Jefferson stated that the infrastructure needs to be in place by November 1, 2011 and delaying their decision would impact that deadline date.

There was discussion also about considering a referendum for a tax abatement to entice business to relocate to Gadsden County.

There was no action taken, but there was direction given to have the administrator meet with the clerk and come back to the board in July with options for funding the \$250,000. They were also directed to gather information regarding an abatement referendum.

17. Approval of Budget Amendment GA 110038 and Authorization to Purchase New Boom Mower and Related Attachments

Commissioner Croley was supportive of the purchase, but was opposed to taking money from the inmate crews to make this purchase. He felt that the county should continue to work with the Department of Corrections to secure inmate crews to help in Public Works Department.

He was also opposed to not taking bids. He stated that it "Doesn't seem quite right." He also questioned using a Sheriff's Association Contract bid and not going out for bid.

Mr. Lawson replied that "We always use contracts from other public entities that have been pre-bid as a state contract. It is not to preclude going through the bid process. In most cases, the best price is from state contracts. This is not out of the ordinary.

Public Works Director Charles Chapman stated that he spoke with Emily Phelps with DOC who handles all the contracts within the State of Florida for Inmate Squads. Her indication was that they are not entertaining new contracts for work squads in the State of Florida at this time. Because of uncertainty of the various prison closings, they have not been able to fix a price for the squads.

Mr. Chapman went on to say that there is a regular routine whereby the crew goes throughout the count and cuts limbs and difficult rights of way. The program has been in place for more than five years. For instance, the canopy roads have to be kept at a certain height because they create an enormous hazard. The boom mower is the proper piece of equipment to accomplish that task efficiently.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 – 1 TO APPROVE THE BUDGET AMENDMENT OMB BA 110038. Commissioner Croley cast the lone dissenting vote.

18. Approval to Award the Fortune Boulevard Bid to Peavey & Son Construction, Inc. and Authorize the Chairperson to Execute Documents

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO APPROVE THE AWARD OF THE BID FOR FORTUNE BOULEVARD TO PEAVEY & SON .

18A. Approval for Change Order #1 to the Fortune Boulevard Resurfacing Contract – changes for the laying of asphalt only on Talquin Avenue and Joe Knight Street And Commerce Blvd.

Charles Chapman:

Honorable Chairperson, and Members of the Board. This is Change Order 1 to the Fortune Resurfacing Project that you just awarded to Peavey and Sons Construction. During the board's budgeting process, there were two roads that were approved – Joe Knight Road and Talquin Ave. as well as Fortune Blvd. resurfacing. In working with the numbers provided there in the bid process on Friday, we were able to identify that we could basically cut the funding that was allowed to them at half the expense by change ordering them into the Fortune Blvd contract by virtue of the quantities of value that was already committed by Peavey & Sons on the Fortune Blvd. contract. It is also true that we looked at Fortune Blvd. and also a connecting road to it that has been continuing problem for the 10/90 Commerce Park. It is Commerce Blvd. As recently as this afternoon, we ran some numbers and with the savings that we would realize from this change order to include these other two roads, we could actually accommodate Commerce Blvd for a certain amount of footage beyond the hotels and resurface that road and still actualize close to \$50,000 in savings with the money that is already budgeted by the board for the resurfacing and surfacing of roads in this budget.

Taylor:

I wish that most did their presentations like you. You get right to the point and get done with it and I certainly appreciate your ability to present. Go out there to Gretna and talk to the City Manager. I mean, how to cut it in half. I need a motion for approval.

Lamb:

So moved.

Holt:

Second.

Taylor:

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

All:

Aye.

Taylor:

Opposed by the same sign.

Chapman:

One point of clarification. Does that include the change order to the Joe Knight Road paving, Talquin Ave. Paving and Commerce Blvd?

Taylor:

Yes, and the additional, yes. You are absolutely right. Go ahead and do the job. Have a nice day.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE CHANGE ORDER 1 FOR THE FORTUNE BLVD RESURFACING PROJECT TO INCLUDE JOE KNIGHT ROAD, TALQUIN AVE., AND COMMERCE BLVD.

19. Appointment to the Quincy-Gadsden Airport Authority

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO REAPPOINT MANUEL SOUSA TO A SECOND THREE YEAR TERM TO THE AIRPORT AUTHORITY.

20. Agreement with The Management Experts, LLC to Provide Emergency Management Training

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE AGREEMENT WITH THE MANAGEMENT EXPERTS, LLC TO PROVIDE EMERGENCY MANAGEMENT TRAINING.

Commissioner Croley asked that the next time this contract come up for renewal that it be rebid.

21. Inter-Local Agreement with Sheriff Regarding Emergency Management and 911

Lawson:

This is the Interlocal Agreement with the Sheriff. It has been before the board several times regarding the Sheriff and Emergency Management.

This is one that I still have problems with. Do ya'll realize that in this contract, it says, "In the event of a disaster that the board then takes over Emergency Management and there is no one under our coffer that can handle this? I am uncomfortable with that being put in our hands when there is an emergency unless I am not aware of all of the aspects of this board and their capabilities. I certainly don't want to be responsible for it. "

Minnis:

Madam chair, that is part of the Emergency Management Plan that I reference in here and it has been in place for some years. The way the plan is written, the decision comes back to the board in the event of an emergency. It sits with the county administrator and then the board as a body to make decisions along those lines.

Taylor:

Are you saying that still emergency management would come before us and make their presentation and request, then we have to give them our vote of approval, but not that we have the responsibility to make a decision.

Minnis:

No, it comes back to the board according to your emergency management plan.

Taylor:

For board approval – up or down, but not actually physically running that department. That is what I am concerned about.

Minnis:

The commissioners are not actually physically running it, but they will be responsible - it goes to the administrator and then it will come to the board to say, "This needs to be done and this needs to be done," and the board votes on those issues. It is already in the Emergency Management Plan. It has been in place for a number of years as I understand it.

What this contract does is just puts in writing what was already being done and already in place. It just formalizes it in an Interlocal agreement according to the Statutes.

Taylor:

We are not going to discuss this very much. You have read it and you are comfortable with it?

Minnis:

It is not a matter of me being comfortable with it. This is what your Emergency Management Plan is. I am certainly at the pleasure of the board and will and pleasure of the board. If there is something in the plan that you think you want to change, the plan would have to come back before you and be revised.

Taylor:

It is my understanding, you got with the Sheriff's attorney and came up with this agreement.

Minnis:

Correct, but the agreement is based on the plan.

Taylor:

I understand that.

Croley:

I am not going to support this agreement as written for many of the reasons that you just eluded to. First of all, if I am not mistaken, Florida Statutes holds this commission responsible for emergencies. That is how come it is saying and the majority of the board wanted to allow the sheriff's office to continue to run the day to day operations of emergency management – I am fine with that as long as we have an agreement. But in the event of emergency, the responsibility reverts back to this board by State Statute if I am not mistaken. Ms. Minnis is nodding her head in agreement.

Now, what my complaint about this is - I don't have a problem if the board wishes to delegate and if the Sheriff's office is willing to accept the responsibility to run the day to day operations.

But, this also says that in the event the board can't meet the director of emergency management is going to have authority to declare state emergencies and disasters and all under this section. We don't even have any say-so as to who that emergency management director is yet we've got responsibility back in the event of an emergency. At the very least in this agreement, in the very least, the board should have to have or should have the right to approve just like we do department heads whenever the administrator nominates them. We should have the right to approve whoever the sheriff wishes to nominate to be the emergency management director at the very least. You are turning your responsibilities over to another constitutional officer as a constitutional office holder and then turning around and getting the responsibility back at a critical time, but didn't have any input as to who is going to running it. I think that is a bad mistake.

Furthermore, you've got an issue here with items that are purchases through emergency management – those need to be specifically identified as belonging to emergency management.- Be they trucks or whatever came through the grants. We've got the responsibility for that as a board. You can't delegate that off. Connie is responsibility and she is nodding her head in agreement, too. These things all need to be tagged "Emergency Management," not part of the Sheriff's office. They need to be tagged "Emergency Management" so that if this agreement is ever ended for some reason, those assets will come back. They cant' use these assets for law enforcement. They have to be used strictly for emergency management. She has been audited on that before and had to pay money back.

I am saying that there several shortcomings in this agreement and I think ya'll are going to make a mistake to go forward with it the way it is written.

Taylor:

There isn't a "ya'll," Commissioner. It is a "we." If the majority votes, it is "we." Now, with regards to that director's position. Actually there are two tiers prior to it getting into the hands of the director. There is a Chairman. If the Chairman is not available, then there is the county administrator. That makes the decision to call for the disaster. If those two aren't available, then the director. So, there are two tiers prior to. I agree with you that we should know and have some say-so. I agree with that and I think it should be added in, but there are still some tiers in place to protect us before we get to that that part with regards to our board and our administrator.

Now, as far as the other thing that you just mentioned with regards to items being tagged. If Finance agrees that is how it should be, then again, you are on the money. I agree. I implement grants and I know how we are restricted and I know they come back at the end and it has to be paid back if you haven't followed those restrictive guidelines. If it is in the grant that it needs to be tagged and used for the purposes of, then the sheriff wouldn't have heartburn.

We are not going to entertain this anymore, Commissioners. We have pretty much exhausted it, so what we will do at this time is – let me hear a motion on this particular item. If you want to move it or if you want to just hold off on it – let's go ahead and see if we can get this one moving and get this off our plate. We are pretty much happy.

Morgan :
Madam Chair?

Taylor:
Yes, sir.

Morgan:
I do have one quick question. Is this Interlocal agreement standard operating procedures for most rural counties? If it is, (I don't need an answer now), but if it is, there's got to be a way that we can look at some of those and see how it was drawn up and talk to some of these People. I think we may be overcomplicating this to some extent.

Taylor:
I agree.

Minnis:
May I answer that question? I did look and modeled this after Leon County's emergency management agreement.

Taylor:
Thank you.

Morgan:
O.K. That being said

Minnis:
I work at the pleasure of the board. If you guys want to make changes – it is not signed.

Morgan:
It sounds like we are having some very good discussion, but we don't have 911 here, we don't have the Sheriff here and we just don't have everybody at the table to talk about these things, so it might be that we should take this off. **I move that we remove it from the agenda and bring it back to the board when we can all be here to discuss it and have a chance to look at how other counties deal with the questions that we are uncomfortable with right now.**

Taylor:
O.K. We have a motion.

Croley:
What motion?

Taylor:
The motion to take this from the table. To have it pulled for now from discussion.
We have a motion. Is there a second.

Croley:

I will second having it pulled, but I still want to clarify something. Of all the things this board has responsibility for, in my humble opinion, and yeah, it is "We", this is the most important. The most important. Tornados and whatever. Now, Ms. Minnis, you may have talked to Leon County, but if memory serves me right, I am the one that got the copy of the Leon County and I shared it with you, the Sheriff's office and Mr. Williams back when I got it from the Emergency Management Office there and shared it with you all through e-mail.

Now, let me remind everyone of something. Leon County is a Charter County. We are a constitutional county. There are two distinct differences and when you mention in here about the county administrator, that is a sworn position in Leon County. It is not in this county. I would say that has some bearing. I am in support of pulling this and that you look at getting a provision in there where there is some opportunity in there for this board to ratify or approve whoever is going to be the emergency management director. Now, the Sheriff can nominate them and the Sheriff can pay them, I don't care. I don't have any problems with that. It's just that we ought to be involved in that process in this agreement. And I am going to support the motion to pull it.

Minnis:

I definitely have no problem with that. The only other thing that I would recommend then is that the board look at the resolution 2008-075 because that is also where I pulled information for this particular agreement. That is the resolution enacted by the board in dealing with emergency management. It is your emergency management ordinance. It may be that when you look at that, you may want to make changes to that ordinance as well.

In addition to your email, Mr. Croley, I did some additional research myself and their ordinance is on their website.

Croley:

Yes, Ma'am.

Taylor:

There is a motion and a second to have this item pulled. Is there any more discussion on it?

How soon can we get this back on the agenda?

Minnis:

It can be back on the agenda for the July meeting. Well, let me put it this way. My intention is to make the changes that I have been instructed to make, send it back through the avenues I sent it to before. I sent it to the Clerk's office, the Sheriff's office, and I sent it to the County Administrator so that everyone can have their input. I am going to try to have it back by the first meeting in July, but it may be the second meeting.

Taylor:

I kind of want to move along with this after you all satisfied my indigestion. I didn't want the responsibility in our hands. It will still be in somebody else's hand, but we must give them the authority once they come before us.

Do you have a comment?

Holt:

This is standard practice. I don't have a problem with moving on with it instead of taking off. Just go ahead and approve the changes - contingent on the changes. It is already approved. This process is the same as we have been doing all the time.

Taylor:

We have a motion and a second. All in favor of the motion to remove this item from the agenda, please let it be known by saying, "Aye."

Croley: Aye.

Morgan: Aye.

Taylor: Aye.

All opposed, the same sign.

Lamb: No.

Holt: no.

There was no action on this item. It will be brought back on a July agenda.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSION CROLEY THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO PULL THIS AGREEMENT FROM THE AGENDA UNTIL ALL PARTIES ARE PRESENT.

21A Update on Florida State Hospital Layoffs

Commissioner Morgan reported that he made a public records request to get a better understanding of how many jobs were displaced with the privatization of Florida State Hospital. He received the information as noted in the attachment, which he filed for the record.

- 142 people lost their jobs due to privatization
 - Alachua County – 1
 - Bay County – 1
 - Calhoun County – 2
 - Georgia – 14
 - Gadsden County – 52
 - Jackson County -58
 - Leon County -11
 - Liberty County – 2
 - Washington County – 1

He noted that as vacancies occur, they will advertise them internally and laid off employees will have an opportunity to apply for them.

He went on to say, "This facility is very unique in many ways and the future of this facility is very bright. We can contract and expand very quickly. It isn't what happens to us, but how we respond to what happens."

Copy of the update filed with the Clerk for the Record.

22. Attorney/Client Session

This item was removed from the agenda.

23. County Administrator

No items.

24. County Attorney

Minnis:

I prepared a memo for the record regarding a citizens referendum to repeal the Citizens Growth Management Bill of Rights. The ability for citizens to do petition initiatives and get referendums on a ballot is controlled by the Legislature. In this particular instance, the Legislature has indicated how ordinances are to be enacted, amended and repealed and it does not provide for a referendum process. There have been instances where citizens have used referendum process to overturn ordinances, but they were charter counties and municipalities and they have within their charter documents the mechanism for citizens to use referendums to overturn ordinances. But, generally, as a matter of course, the Legislature has not authorized the use of referenda in the enactment and repeal of ordinances.

What you have in addition to the brief memo is a First District Court of Appeal Case. I have also included a Florida Bar Journal article. The first part of the article deals with the process. Now, the last part of the article is an analysis of Amendment 4 that was on the ballot that didn't pass. So, the last part of this article is not going to be helpful to you. But, the first part goes through the referenda process as to when they are authorized and when they are not. It is that basically, the Legislature has not given the citizens authority to do that.

As to the question raised by Commissioner Lamb regarding the use of Roberts Rules of Order to bring back a vote to enact an ordinance for reconsideration - to override the passing of an ordinance. Roberts Rules is for guidance only and it would not override an adopted ordinance. Roberts Rules would not have control over that issue because it is a statutory created ordinance.

25. COMMISSIONERS DISCUSSION ITEMS

Commissioner Lamb

Commissioner Lamb had no report.

Commissioner Croley

Review by Staff to see if we can expedite permitting process

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4 – 0 TO DIRECT STAFF TO REVIEW THE PERMITTING PROCESS TO SEE IF IT CAN BE EXPEDITED FOR THE PURPOSE OF JOB CREATION. (COMMISSIONER MORGAN WAS NOT PRESENT FOR THIS VOTE.)

Agri Businesses in the State

We are not doing enough to embrace our agriculture businesses. Requested staff to bring Dr. Grant in and other organizations to express appreciation to them.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD 5 – 0 TO BRING REPRESENTATIVE OF THE AGRI BUSINESSS BEFORE THE BOARD TO PUBLICLY RECOGNIZE THE CONTRIBUTION THEY MAKE IN GADSDEN COUNTY.

Recognition for In-kind contributions by vendors

He then requested that invoices from vendors which reflect in-kind contributions for free services they have provided to the county - be documented in the record for various projects and that they be recognized for their write-offs. He was directed to get with clerk to see how this could best be done.

Consent Agenda Issues

He urged the commissioners and the staff to practice the things they have learned in the certified county commission training, especially as it relates to financial matters being placed on the consent agenda. He reiterated that they should be placed on the General Business for proper acknowledgment.

Commissioner Holt

Friendship Park Grant Opportunity

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED BY VOICE VOTE, TO DIRECT STAFF TO LOOK FOR GRANTS TO HELP WITH FRIENDSHIP PARK..

Economic Development

She asked to have some workshops dealing with Economic Development.

Commissioner Morgan

- He asked for information regarding how the summer youth were selected for employment.
- He then requested information regarding the minimum standards for qualified fire fighters. He encouraged support for the volunteers that serve. He asked, "How can we approach this to be productive? What is the appropriate manner to have these discussions?" Perhaps this should be agendaed for discussion. What are other counties doing? Have Chief Crum to respond to questions on future agenda.

Commissioner Taylor

- She announced that the Local National Guard is being deployed to Kuwait in February 2012
- She thanked the staff for an excellent Memorial Day celebration. Need to coordinate a send off celebration for the National Guard when they deploy.
- She suggested that inmates at the jail begin growing their own vegetables.
- There is a possibility that the state prison adjacent to the county jail will be closed.

23a. Letter to Senator Nelson and Senator Rubio and Representative Southerland requesting support of Safe Highways and Infrastructure Preservation Act (SHIPA) (Weight Limits on trucks)

23b. Waiver of De Minimis Reimbursement Emergency Management Florida Recovery Office

23c. Clerk's Cash – In- Bank Summary Report dated May 16, 2011

23d. Contract and Services Agreement with Southerland Enterprises, Inc. for Videoing of Commissioner Meetings

23e. Letter from Ausley & McMullen to Jeff Gregg, Executive Director of Commission on Review of Taxpayer Funded Hospital Districts

ADJOURNMENT

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR MOTIONED THAT THE MEETING
BE ADJOURNED AT 9:55 P.M.**

Sherrie Taylor, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

keeping and operational maintenance services. The other is "request for proposal" to expand the privatization of food services at FSH.

There are technical and probably legal differences between an ITN and an RFP, but for our purposes here, they mean essentially the same thing - a lot of jobs in jeopardy.

"The hospital has realized tremendous benefits from the expertise and management resources provided through a partnership with a private food service management company," says the bid proposal. "The hospital desires to expand privatization in order to realize the benefits of having a total food-service operation provided by a private food-service company."

DCF also wants to "enhance environmental services" at the state hospital by privatizing housekeeping and maintenance. The goal is "a more efficient and cost-effective operation."

The same boilerplate language about reaping "tremendous benefits" from past "partnership" with privateers is used in the ITN for keeping the hospital looking good. Both business proposals require companies to do the work 10 percent cheaper than state employees at FSH are doing it now.

For housekeeping and facilities, DCF figures it's now shelling out nearly \$11 million. For food services, the tab is \$5.58 million. Therefore, any bids exceeding 90 percent of those totals will be disqualified, the bid

State Sen. Bill Montford, D-Tallahassee, said he was opening a

it was never much heed- ed and was abolished last year.

Kindergarten Registration Sneads Elementary School

If you plan on registering your child to attend kindergarten at Sneads Elementary School, for the 2011-2012 school year, please contact SES immediately, 482-9003. SES principal Carolyn Pilcher needs an accurate count of how many students will be attending in order to make plans for the number of kindergarten teachers that will be needed. The SES office is open, during the summer, Monday through Thursday, from 7 AM until 5 PM, CDT.

PUBLIC NOTICE

The Tuesday,
June 21, 2011,
Regular Gadsden
County Commission
Meeting Has Been
Canceled.

The Next Scheduled
Regular County
Commission Meeting
Will Be Held On
July 5, 2011,
At 6:00 p.m.

No

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Twin City News
6-16-11

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON JULY 5, 2011 AT 6:00 P.M., THE
FOLLOWING PROCEEDINGS WERE HELD, VIZ.**

PRESENT: **Sherrie Taylor, Chair, District 5**
 Gene Morgan, Vice-Chair, District 3
 Eugene Lamb, District 1
 Doug Croley, District 2
 Brenda Holt, District 4
 Nicholas Thomas, Clerk
 Deborah Minnis, County Attorney
 Arthur Lawson, Interim County Administrator

CALL TO ORDER

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

The roll was called by Deputy Clerk Muriel Straughn and recorded above.

AMENDMENTS AND APPROVAL OF THE AGENDA

Char Taylor noted that an updated version of the Interlocal Agreement between Gadsden County, Gretna and Greensboro had been prepared and distributed prior to the meeting. She noted that the changes noted in blue are the changes made of Friday, July 1, 2011.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB, THE BOARD
VOTED 5 – 0 TO APPROVE THE AGENDA WITH THE NOTED CHANGE ABOVE.**

AWARDS, PRESENTATIONS AND APPEARANCES

1. Status of Hurricane Preparedness

Major Shawn Wood, Sheriff's Department spoke to the board. He passed out a handout regarding hurricane training and exercises. He noted the following:

- Training of volunteers will be done by the staff at Pat Thomas Law Enforcement Academy. Gadsden County had 50 – 60 to go through the program.
- Beginning next year, First Aid and CPR training will taught to about 400 young people who are members of the JROTC.
- Citizens Emergency Response Team (CERTS) will be teaching what disasters mean and how they volunteers can help. JROTC will team up with the staff that is already available to them.

- EMS has provided staff to help train volunteers.
- Health Department has been a great partner in devising a plan to help during a crisis.
- Senior Citizens needs have been identified as a most important and urgent need.
- In addition to hurricane preparedness, Emergency Management is practicing with other entities to get trained in safety related scenarios.

Chair Taylor spoke to some specific areas about which she wanted to make sure that there was a plan in place to handle such as evacuation plans and how evacuation plans will be disseminated throughout the county; Coastal and Inland hazards – What do we do to alert people who are living on the coast? . What are the plans for businesses, communities, and sand bags? Where are the shelters? How do we get people informed?

Major Wood explained that Gadsden County is not an evacuation zone but if a category 4 hurricane were to come through, Gadsden County would have the right to evacuate.. The school system would do the evacuation and do the transportation from our location to another depending on which way the storm would be going. Gadsden County doesn't have it's own evacuation route because we are not considered by the state to be in an evacuation zone.

Chair Taylor asked to have an evacuation plan just in case and a plan regarding how to handle the mosquitoes, pets, and sand bags. She said she was looking to get to a level of comfort about what plans are in place.

Tashonda Whaley, Special Needs Coordinator spoke to the board about the plan for special needs patients in the event of a storm or crisis. Bed bound patients would be transported to Capital Regional Hospital. There are between 2,000 – 5,000 people in the county are oxygen dependent and they would be transported by Emergency Management to the special needs shelter. But, these people must be registered with Emergency Management for that to take place. There are volunteers who work in the community to identify those people who would need special care.

Commissioner Holt reminded everyone that the new fire stations were built to sustain hurricane winds. She asked to get some feedback about the use of fire stations as community shelters and how they expect to handle the publicity.

Commissioner Morgan asked how Gadsden compares with other small counties. Major Wood responded that Gadsden is unique in that there is a large elderly population who live alone in remote areas of the county without transportation. That also makes the plan different that those you would find in other locations.

There was also the mention that the county would benefit greatly from having sound financial reserves to draw from in the event of a storm or other disaster.

Commissioner Morgan then mentioned the local private entities that provide a cold weather shelter for the homeless or people who do not have adequate heat in their homes. He suggested that possibly they might be a good resource and might also benefit from a relationship with Emergency Management.

Chair Taylor brought the discussion to a conclusion that she wanted them to come back with more detail in their presentation.

CLERK OF COURT AGENDA

2. Presentation of County Finance and County Clerk Issues

The Clerk had nothing to present.

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 ITEMS LISTED BELOW AS 3 – 7 AND 9-10.

- 3. Approval of Minutes** May 3, 2011 Regular Meeting
May 3, 2011 Special Meeting

- #### 4. Ratification of Approval to Pay County Bills

Accounts Payable Dated: June 10, 2011

June 17, 2011

June 24, 2011

Payrolls Dated:

June 16, 2011

June 30, 2011

5. Request for Budgetary Approval for Expenditures Made on the 911 Digital Recording System Grant
for the fiscal years 2009-10 through 2010-12

Type of Grant: Edward Byrne Memorial Justice Assistance Grant (JAG)

Amount of Grant: \$29,411.00

Period of Grant: 10/01/2009 thru 09/30/2013

Title of Program: FY 2010 Justice Assistance Grant Program

Title of Project: Gadsden County Sheriff's Office Technology Enhancement Plan -Digital Recording

Project Number: 2010-DJ-BX-1406

Date of Award: 08/10/2010

The grant funds were sought to offset the cost to install network technology, system hardware and software for a digital recording system for the 911 dispatch. It benefits all municipalities of the county.

6. Approval and Signatures for Satisfaction of Special Assessment Lien(s) for the State Housing Initiative Partnership (SHIP) Program

Ollie Mae McGriff

7. Approval of Signatures for Special Assessment Liens and Rehabilitation Contracts – SHIP and Florida Housing (FHOP) Rehabilitation Program

Ernest McGrif

Diane Robinson Green

Carol Blake

~~8. Approval of Public Works Mosquito Control Budget and Detailed Work Plan FY 2011-2012~~

~~There is a county match of \$53,289.89 for this program for the 2011/2012 fiscal year. Due to budget constraints on the Department of Agriculture and Consumer Services, the funding for Gadsden County has been reduced from \$35,000 to \$18,396.11. To continue the program, the difference will have to be made up by the county. This was not planned for during next year's budgeting process because it was not announced until after the proposed budget was submitted to the county administrator. Regardless of the funding issues, the detailed work plan must be submitted to continue to have an approved program with the State. Staff will submit an appeal for amendments to the work plan once a full scale solution has been determined to solve the fiscal reductions. This item was pulled for discussion. See below.~~

9. Sufficiency of Public Official Bonds

Ordinance 2011-001 established the bond amounts of local constitutional officers as follows: Clerk of Courts - \$100,000; Tax Collector - \$100,000; Sheriff - \$100,000; Deputies - \$1,000; Supervisor of Elections and Property Appraiser - \$5,000; County Commissioners \$2,000 each. S Section 2-112(g) requires the county commission to examine the bonds for sufficiency at the first meeting of January of each year as well as the first meeting in June of each year. There is no fiscal impact at this time. Staff recommended that the board determine that the current bonds are sufficient.

10. Approval of Lease with Capital Regional Medical Center for 12 Hospital Beds for a total of \$360.00 per month

10 Stryker GO Bed Model FL20E Hospital Beds and

2 Stryker GO Bed Model FL17E.

ITEMS PULLED FOR DISCUSSION – Item 8 of the Consent Agenda

Approval of Public Works Mosquito Control Budget and Detailed Work Plan FY 2011-2012

There is a county match of \$53,289.89 for this program for the 2011/2012 fiscal year. Due to budget constraints on the Department of Agriculture and Consumer Services, the funding for Gadsden County has been reduced from \$35,000 to \$18,396.11. To continue the program, the difference will have to be made up by the county. This was not planned for during next year's budgeting process because it was not announced until after the proposed budget was submitted to the county administrator. Regardless of the funding issues, the detailed work plan must be submitted to continue to have an approved program with the State. Staff will submit an appeal for amendments to the work plan once a full scale solution has been determined to solve the fiscal reductions.

Public Works Director Charles Chapman addressed the board with an explanation of the above.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE MOSQUITO CONTROL DETAILED WORK PLAN FY 2011-2012 WITH THE EXPECTATION THAT IT WILL BE AMENDED LATER.

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

There were no speaker forms filed with the clerk for this juncture.

PUBLIC HEARINGS

11. Public Hearing – Approval of Community Development Block Grant Application (Disaster Recovery Initiative) and Authorization for the Chairperson to Execute the Grant

Interim County Administrator Arthur Lawson announced a public hearing on the above titled subject explaining that it is a grant application to Florida Department of Community Affairs for a CDBG grant for disaster recovery. The grant funding was made available to Florida by the US Department of Housing and Urban Development under Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq. for federally declared natural disasters that occurred during 2008 (Tropical Storm Fay, Hurricanes Gustav and Ike). Gadsden County will apply for \$98,249.07 to address flooding on Canty Lane in Gretna. The road is one that was identified by FEMA in 2008 as needing service.

Chair Taylor again announced that this proceeding was a public hearing and invited public participation. She called for comments or questions from the public. There was no response.

Phyllis Moore, Community Development Administrator spoke to the board requesting their approval and explained how that Canty Lane was identified by FEMA as needing to be addressed due to flooding issues in 2008.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLD, THE BOARD VOTED 5 – 0 TO APPROVE THE GRANT APPLICATION AND AUTHORIZED THE CHAIRMAN TO SIGN THE NECESSARY DOCUMENTS TO IMPROVE CANTY LANE IN GRETN.

12. Public Hearing: Rosedale Community Water System Improvements CDBG Grant Application for \$750,00

Interim County Administrator Arthur Lawson announced the opening of a public hearing to take public comments and questions about the above stated project and grant.

Phyllis Moore, Community Development Coordinator and Justin Ford, engineer with Preble Rish addressed the board and reminded them that the Rosedale Community in Chattahoochee has petitioned the Gadsden County Board of County Commissioners to apply for a CDBG grant to the Department of Community Affairs on their behalf to help upgrade their water system. Preble Rish, Inc. requested the county to hold a public hearing. This hearing is the first stage of the application.

Chair Taylor again opened the floor to the public for discussion, comments or questions. There was no response.

A MOTION WAS MADE BY COMMISSIONER LAMB AND SECONDED BY COMMISSIONER HOLT TO APPROVE THE GRANT APPLICATION, THE PUBLIC HEARING FOR THE ROSEDALE COMMUNITY WATER SYSTEM IMPROVEMENTS, AND AUTHORIZED THE CHAIRMAN TO SIGN ALL NECESSARY DOCUMENTS.

Commissioner Morgan made several comments about the necessity of the project, which is in his district.

Calvin Dawkins of the Rosedale Water Association spoke to the board. To emphasize how dire the need for improvements is, he told the board that people in that community often awaken to find that there is no water because of broken pipes. He thanked the board for their consideration.

In turn, Commissioner Holt thanked the association for their hard work and diligence to get the project to this point. .

THE BOARD VOTED 5 – 0 IN FAVOR OF THE MOTION TO APPROVE THE ROSEDALE WATER ASSOCIATION GRANT APPLICATION.

GENERAL BUSINESS AGENDA

13. Approval of Budget Amendment OMB BA# 110080 Request to Authorize Expenditure of the Courthouse Facilities Fund to Complete Repairs and Renovations in the Circuit Judge's Chambers of the Guy A. Race Judicial Complex

The Second Judicial Circuit requested that the county approve the above stated budget amendment to authorize the expenditure of up to \$15,000 in the Courthouse Facilities Reserve Surplus for Contingency Fund (Account 59901) for FY 2011 to complete the repairs and renovations in the Circuit judge's chambers in the Guy A. Race Building.

Significant water leaks had developed in the ceiling of the Public Defender's office on the second floor and in the ceiling of the original courtroom on the first floor. On February 16, 2010, the board approved funds to patch the roof, fix the leaks in the ceilings, and refurbish the heavily utilized original courtroom annex. Forty-two patches were made and the courtroom was renovated, replacing torn carpet and painting stained walls. On September 21, 2010, the board approved additional expenditure of the Courthouse facilities reserve surplus for contingency fund to make necessary repairs to the Guy A. Race Judicial Complex and to the Gadsden County Courthouse to include replacing the still-leaking roof, replacing the ceiling and floor coverings in the Public Defender's office, completing repairs and renovations in the Circuit judge's chambers, installing a fire alarm and suppression system and testing the air quality and inspecting the ductwork. The Board stated that necessary repairs would be made a funds became available in the facilities reserve surplus for contingency fund. The roof replacement was subsequently approved by the board as funds were made available, and was completed in December 2010.

The Board is now being asked to approve expenditure of additional funds to accomplish this item, which was from the previously approved list of repairs and renovations.

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

14. Resolution 2011-023; OMB-BA# 110058;110059; 110060; 110061; 110062; 110063; 110064; 110065;110066; 110067; 110068; 110069; 110070; 110071; 110072; 110073; 110074; 110075; 110076; 110077; 110078; 110079 To Carry Forward Grant Funding for FY 2011-

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

15. Request from the City of Gretna for \$250,000 in funding to Assist with the Construction of a Wastewater Line to Serve the State Highway 12 Interstate 10 Corridor

This agenda item sought Board direction as to Gretna's funding request of \$250,00 to assist with the construction of a wastewater line to serve the State Highway 12/Interstate 10 corridor. Gretna City Manager Antonio Jefferson made a presentation to the Board on May 25, 2011 to request the county's participation. At the board's direction, the staff met with the Clerk's Finance staff to review options for possible funding sources. The only option available at this time would be to take funds from the County's unbudgeted fund balance. The Clerk and staff could find no other funds available.

Robert Hill, Liberty County Clerk – available for information.

Mayor Clarence Jackson from City of Gretna spoke as to the impact of the project on the entire county as well as the City of Gretna.

Commissioner Croley comments:

1. Support the provision for infrastructure at the interstate exchanges.
2. Not comfortable in taking it from cash balances.
3. Proposed use of the discretionary sales tax. It can be used for water and sewer.
4. Look at budgeting it in the upcoming budget.

Clerk Thomas advised that the discretionary sales tax could be used for the project. However, he pointed out that it is currently being used to fund the fire services and the public works projects even though the original purpose for the tax was for jail improvements. He reminded them if they used that resource, they would have to reduce the budget for either fire services or public works by the same amount. He also reiterated the looming need for jail improvements and suggested that the discretionary tax could be redirected for that purpose as well.

He then reminded them that the Fund Balance is down to \$3.8 million. The proposed budget for FY2011/2012 appears to be out of balance by between \$400,000 and \$600,000. He advised them to budget within their revenue to avoid a going concern by the auditors. He reminded them that the auditors have advised them to continue to build a fund balance until it reaches \$8 million. However, he felt \$5 million would be more realistic. He also told them that they could take one time expenditures from fund balance, but he advised them not to use it to cover operational cost.

Commissioner Morgan commented that he wants to support the project, but during the budget cycle.

Commissioner Lamb commented that he will not support taking it from fund balance or public works, but he would look at funding it from the discretionary sales tax.

Commissioner Holt reminded the board that Gretna is part of the county and the money won't be gone forever. It should be considered an investment. People are already at work on the intended project. The contended that the money will come back to the County in other ways.

Jeff Price, OMB Senior Analyst reported that the June revenues are now in and he was hoping that it will enough to balance the proposed budget. He said they are also considering increasing the EMS fees and also make some reduction to the library hours to relieve some general fund money for other things.

Mr. Lawson reminded the commissioners that there would be a budget workshop on Thursday and he felt that it was unfair of them to ask Mr. Price to speak to budget issues at this meeting .

Clerk Thomas said he had no problem with them taking fund balance for one time expenditures, but urged them not to use it to balance the new budge.

Public Input:

Robert Hill, Liberty County Clerk, 14468 NW Hoecake Road, Bristol, FL asked the board to support this investment in Gadsden County and surrounding counties as well.

Clerk Thomas stated once again that he has no problem with taking money for capital projects from Fund Balance.

Mr. Lawson said that many good points were made in favor of funding a very worthwhile project. However, from a management point of view, he was totally opposed to taking the money from Fund Balance.

Chair Taylor agreed that Fund Balance should not be used to balance the budget. She pointed out the investment in the Gretna project will generate revenue. She proposed taking the money from Fund Balance in this fiscal year, then repay it later.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 2 – 3 TO APPROVE TAKING \$250,000 FROM FUND BALANCE. THE MOTION FAILED.

A MOTION WAS MADE BY COMMISSIONER CROLEY AND SECONDED BY COMMISSIONER MORGAN TO APPROVE SETTING ASIDE 10% OF THE 95% OF AVAILABLE DISCRETIONARY SALES TAX REVENUE TO BE EARMARKED FOR THE 2011/2012 BUDGET TO PAY FOR WATER SEWER PROJECTS AT THE I-10 INTERCHANGES THE VIA APPROPRIATE INTERLOCAL AGREEMENT. THE DETAILS OF THE INTERLOCAL AGREEMENTS ARE TO BE WORKED OUT BY THE CLERK, THE COUNTY ATTORNEY, THE COUNTY ADMINISTRATOR AND THE MUNICIPALITY . THE FINAL AGREEMENT TO BE SUBJECT TO APPROVAL BY THE COUNTY COMMISSION. THE BOARD VOTED 5 – 0 IN FAVOR OF THE MOTION.

City Manager Antonio Jefferson countered that the City of Gretna needs to have the money now so that they can leverage it. This is critically urgent.

COMMISSIONER HOLT MADE A MOTION TO MOVE THE MONEY FROM FUND BALANCE FOR GRETNAL AND REPLACE IT FROM THE DISCRETIONARY SALES TAX IN THE NEW BUDGET CONTINGENT THAT IT CAN BE USED CONTINGENT UPON IT BEING A PROPER EXPENDITURE.

A question was raised regarding whether the discretionary tax could legally be used to replenish the general fund.

There was a consensus that this matter be placed on the agenda for the next regular agenda.

Mr. Jackson requested joint meeting with City of Gretna and the County Commission. Clarified – meeting will be between Lawson and the City. Then later have a joint meeting of the boards.

16. Request for Approval of Interlocal Agreement with the City of Gretna, The Town of Greensboro and Gadsden County to Implement Grant Number LP6721 from DEP to Construct a Waterline to Serve the Highway 12 Corridor

Attorney has reviewed the agreement. All attorneys are in agreement.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE INTERLOCAL AGREEMENT NAMED ABOVE.

17. Inter-local Agreement with Sheriff re: Emergency Management and 911

The proposed agreement would memorialize the transfer of the division of Emergency Management to the Gadsden County Sheriff's Office except in time of a declaration of an emergency or disaster under Chapter 252, Florida Statutes.

UPON MOTION ON COMMISSIONER LAMB AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5 – 0 TO APPROVE THE ABOVE AGREEMENT WITH CHANGES AS NOTED BELOW.

Attorney Minnis – changes were made – paragraph 15, where it allowed the County Administrator to be the point person if the chair could not be reached. It was changed to the Vice-Chair, not the administrator, if the VC is not available, then it would go back the EM Director. The County Administrator would not be involved. – Amend language Chair, Vice-Chair in consultation with the County Administrator.

Other Change – Paragraph 16 - Property to be tagged as county equipment. If agreement is terminated, all equipment to be returned to the county.

Commissioner Croley – Agreement says the County is to establish the minimum training and qualifications of the emergency director. Do we have standards developed for that? Mr. Lawson was asked to bring back information on that question.

THE BOARD VOTED 4 – 0 (Commissioner Holt was not present for this vote.)

18. C.W. Roberts Contracting, Inc. Request for Approximately Six Month Extension to Continue Operating an Asphalt Recycling Operation and for Commissioner Authorization for Chairperson to Execute

This agenda item presents a request by Mr. Charles Roberts, President of C.W. Robert's Contracting, Inc. to the Board for approximately six month extension of a previous agreement to cease operation of the company's asphalt recycling operation located on Highway 267, South of Quincy. The original agreement called for the operation to be closed no later than July 21, 2011. The extension request is requested to allow the company to complete a contract with FDOT to widen and resurface Highway 267 and to allow the remaining recycled Asphalt Pavement (RAP) to be transported to other sites in the most economical manner possible.

The Planning & Community Development staff has conducted monthly site visits and inspections since 2009 and can verify that continuing progress has been made to clear the site of RAP.

A MOTION WAS MADE BY COMMISSIONER HOLT AND SECONDED BY COMMISSIONER LAMB TO APPROVE THE SIX MONTH EXTENTION AS REQUESTED.

Ed Allen, 268 Chicapin Way, Lake Talquin was opposed to the extension.

Cathy Anderson – 17767 Blue Star Highway - proponent for the extension.

There needs to language added to say that he must reapply

Vote – 5 – 0 in favor of the motion to approve the six month extension.

Commissioner Croley withdraw his affirmative vote.

Commissioner Lamb withdrew his affirmative vote and the second to the motion.

COMMISSIONER LAMB MADE A MOTION AND COMMISSIONER CROLEY SECONDED IT TO RESCIND THE PREVIOUS MOTION TO APPROVE THE SIX MONTH CONTRACT. THE BOARD VOTED 4 – 1 TO RESCIND.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5– 0 TO ADD LANGUAGE TO THE AGREEMENT THAT AT THE END OF THE SIX MONTH EXTENTION THAT MR ROBERTS MUST EITHER CLOSE THE LOCATION OR FILE FOR A LAND USE CHANGE DURING THE SIX MONTH EXTENSION.

19 Approval of Contract Extension between the Gadsden County Board of County Commissioners and Ron Sachs Communications, Inc. for Implementation of Phase III of the Contract for Services as Recommended by Gadsden County Tourist Development Council

Jeff Dupree, TDC Chair present.

Ron Sachs Communications, Inc. was hired by the board in September 2010 to develop/design a web-site for the Tourist Development Council to promote tourism the Gadsden County. The Sachs firm has also won Emmy and Addy awards for their work and several years ago they received recognition as one of the nation's top 75 public relations firms.

The Council is completely satisfied with the work they did in Phase I and II which are complete. They voted 5-0 to recommend to the board to extend the contract until June 30, 2012 for the implementation of Phase III. The extension will be based upon a \$5,000 monthly retainer which will be equivalent to \$60,000 for 12 months for public relations services, on-going marketing, publicity and promotion of Gadsden County. Also included with Phase III is \$40,000 for promotion of special events. The \$40,000 to come from the fund reserves.

Received supplemental material from Ron Sachs.

Board discussion followed.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN THE BOARD VOTED 3 – 2 TO APPROVE THE CONTRACT EXTENSION FOR PAHSE III OF THE ORIGINAL PROPOSAL. COMMISSIONERS HOLT AND TAYLOR OPPOSED.

19. Approval of the Renewal of Professional Services Agreement for Engineering Services with Preble-Rish, Inc.

On May 3, 2011, the board directed the staff to negotiate a renewal of the agreement with Preble-Rish, Inc. and to set a term of three years. Staff and Preble-Rish have reviewed the contract language from the original agreement, which was signed in 2009. Two amendments were made to that agreement: term of three years and a termination for convenience clause for both parties was added.

Services to be rendered are as follows: Roadway and bridge design; Stormwater and flood plain management; Project planning and management; survey services; Environmental engineering to include water and sewer; Site Planning and design; Traffic Planning; Permitting (Local, state and federal); Architectural services. Staff will negotiate prices for each project based upon the scope of the project in conjunction with the fee schedule included in the professional services agreement.

Staff recommended approval.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 3 – 1 TO APPROVE THE RENEWAL OF THE CONTRACT WITH PREBLE RISH. COMMISSIONER TAYLOR OPPOSED THE MOTION. COMMISSIONER MORGAN WAS NOT PRESENT FOR THE VOTE.

20. Renewal of Legal Services Agreement with the Law Firm of Ausley and McMullen as the County Attorney

The contract with the county attorney expired on May 30, 2011. At the June 7, 2011 regular BOCC meeting, the board directed the interim administrator to negotiate a new contract with the county attorney. Pursuant to those negotiations, staff proposed a three year contract. The changes are listed below:

Year of Contract	Retainer Amount	Minnis Hr. Rate	Associate Hr. Rate	
06/01/11 - 05/30/12 -	\$7,000	165.00	125.00	No Change
06/01/12 - 05/31/13	\$7,500	175.00	130.00	Increase
06/01/13 – 05/31/14	\$7,750	180.00	135.00	Increase

Ms. Debra Minnis will continue to serve as the county attorney and Michael Glazer will serve as the deputy attorney.

Staff recommended approval of the contract as proposed.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 3 – 2 TO APPROVE THE THREE YEAR CONTRACT WITH AUSLEY MCMULLEN LAW FIRM. COMMISSIONERS HOLT AND TAYLOR OPPOSED THE MOTION.

21. COUNTY ADMINISTRATOR'S AGENDA

22. COUNTY ATTORNEY'S AGENDA

23. COMMISSIONERS DISCUSSION ITEMS

24a. **Commissioner Eugene Lamb, District 1**

Appointment of Carol Edwards to the Library Commission

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY TO APPROVE THE APPOINTMENT OF CAROL EDWARDS TO THE LIBRARY COMMISSION.

Appointment of Ronny Butler to the Planning Commission

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0 TO APPROVE THE APPOINTMENT OF RONNY BUTLER TO THE PLANNING COMMISSION.

24b. **Commissioner Doug Croley, District 2**

- Reports: June 20, 2011 CRTPA met – FY2012-2016 Plan adopted. Fed/State/Local funding should receive \$91,066,000 million in transportation funds. Can't guarantee anything, but it should work. Subject to Federal Highway Commission Includes the Quincy By-Pass.
- Solar Power Farming Project – Do we need to make sure in LDC – is solar power farming a permissible use? Growth Management Director Anthony Matheny answered – Comp Plan any utility use in any land use designation, but by special exception to be permitted. Can it be changed to "By right" issue in AG 1, 2, 3? There is no impact environmentally. It could be done via public hearings as change to the Comp Plan. It is an option.

COMMISSIONER CROLEY MADE A MOTION TO AGENDA THE FOLLOWING FOR DISCUSSION: ALLOW STAFF TO MOVE FORWARD TO READY GADSDEN COUNTY TO GO FORWARD TO ALLOW SOLAR POWER FARMING TO BE AN ACCEPTABLE USE IN AGRICULTURE LAND USE DESIGNATIONS. COMMISSIONER MORGAN SECONDED THE MOTION.

- Old Bailey Bridge in District 2. (military type bridge) Department of Defense – has innovative readiness training assistance program that might help with the bridge. Allow staff to proceed with making contacts to see if this bridge could be considered as a military training project. Have the engineer company to look at it. Also have the attorney to look at it.
- Budget – guardrail on Frank Smith Road – large drop – requested the administrator have staff look at this.
- Privatization of County Probation – need report on this. Committee was assigned to look into it.
- Roadside mowing privatization - need response from the staff about direction given to look into this.

24c. **Commissioner Brenda A. Holt, District 4**

Economic Development

Would like to hear from the Chamber on the projects that come before the board. We need input.

Need to look at Capital Regional Medical Center about adding beds to the hospital

Franklin County has received another NACO grant. Need to have someone representing our board to the conferences. Gadsden needs to be applying for grants.

Want to streamline the Comp Plan procedures to make it business friendly.

Add to the agenda: When items regarding her district or any district are added to agenda, please inform that district commissioner.

24d. **Commissioner Gene Morgan, District 3**

Chamber of Commerce – commended them for their efforts in recruiting the solar farm business.

Attorney Mike Glazer – received recognition.

Compliments to Connie McLendon for her efforts in the Interlocal agreement between Greensboro and Gretna .

Florida State Hospital Public Record request – agenda this at next meeting.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB TO AGENDA FOR THE NEXT MEETING AN UPDATE ON THE FLORIDA STATE HOSPITAL PRIVATIZATION AND DISPLACED EMPLOYEES.

Asked that BCC approach the State of FL for funds for funding for upgrades to Tax Collector's office.

24e. **Commissioner Sherrie Taylor, District 5**

Discussion of Future Meetings with Individual Municipalities Regard Lobbying Services Covering Goals and Objectives, Growth and Development, Public Safety and Health Issues

Source 2 – need to look at this.

Auto Desk – Planning & Zoning – fast tracking – will send information to staff.

Conflict Resolution – Florida in NO. 1 for convictions by politicians.

Congratulations to Croley and Morgan for becoming advanced commissioners.

Need some in-service training on the issues for Driver's License responsibility.

Look at the discretionary surtax – may need to revisit for other purposes.

Ask Planning and Zoning to come back with fast track initiatives.

Asked for travel funds to go to NACO to take advantage of grant fund opportunities.

FILED FOR THE RECORD

- 25a. Public Hearing Announcement from the City of Quincy regarding a resolution for the purpose of financing certain redevelopment in accordance with the Quincy Community Re-development Agency (CRA) Plan . The hearing was to be held on June 14, 2011
- 25b. Letter from Clerk Thomas acknowledging receipt of City of Quincy's CRA audit for FYE September 30, 2009
- 25c. Letter to Mike Long at the Department of Environmental Protection Agency from Interim county administrator requesting information regarding current leases of properties that are potential disposition candidates.
- 25d. Letter to Chair regarding availability of Census information

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD AND UPON MOTION BY CHAIR TAYLOR, THE MEETING WAS ADJOURNED.

Sherrie Taylor, 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 19, 2011 AT 9:00 A.M., THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.**

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

INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

Chair Taylor called the meeting to order with a prayer and the pledge of allegiance to the U.S. flag. Deputy Clerk Muriel Straughn then called the roll as documented above.

AMENDMENTS AND APPROVAL OF THE AGENDA

The following changes were made to the agenda:

- ADD: 3A. - Appointment of David Knight to TDC Board_ -
- 3B. Resolution in support of economic development efforts for of location of Nation Solar Power Farm
- 3c: Recognition of Commissioners Lamb and Morgan as being selected by FAC to serve on Committees
- PULL: 16. Interlocal Agreement with City of Chattahoochee

**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

1. 2011 Changes to Florida's Growth Management and Land Planning Laws

(No agenda report or material was available at the time the agenda was printed and published.)

David Weiss , attorney with Ausley McMullen Law Firm made a PowerPoint presentation which highlighted the changes made to the State Growth Management Laws. He noted that he had also made the same presentation to the Planning Commission.

He told them there had been substantial changes. He added that it is rather timely in view of the ongoing EAR Based Amendment process, in which the county is now engaged.

SB2156 has to do with governmental reorganization. It organized government in many areas. The Bill eliminates the Department of Community Affairs (DCA) and creates the Department of Economic Opportunity. It is going to be the new State Land Planning agency. The functions will be included within the Division of Community Development (DCD), which is in the Department of Economic Opportunity.

There will be a transition period for the transfer of functions from DCA to the DCD between July 1 and October 1, 2011. There was a major reduction in the budget and a number of positions within the State Land Planning Agency. The significantly reduces the size and the function of the state Land Planning Agency.

HB7207 – the Planning Act. It provides more substantive changes to Growth Management and Land Planning Law. It is a comprehensive revision to Florida Growth Management Land Planning Law. It will now become a much more localized approach. Generally, the act provides local governments with more flexibility and discretion and less state oversight and responsibility and fewer state mandated compliance requirements.

Despite the fewer regulations and fewer mandatory requirements, local governments are still required to comply with their own adopted comprehensive plans and land development regulations until they are amended in accordance with proper procedure.

It is important to remember that the statutory amendments do not automatically change or repeal county law that is currently in place. Example: The bill makes concurrency for Transportation, Schools, Parks and Recreation optional. It is no longer state mandated. But, in order to take advantage of that option, counties must amend the county's comprehensive plan.

HB72707 is very comprehensive and it changes most areas of growth management and land planning law. However for purposes of this meeting he focused on relevant changes related to the county's obligations in completing the EAR based comprehensive plan amendments and the urban service areas. It was not a comprehensive analysis of the bill.

Comprehensive Plan Amendment Process

The following are changes that are applicable to all comprehensive plan amendments. Rule 9J5 of the Florida Administrative Code has been repealed. Most of the critical provisions regarding the supporting data and analysis and meeting guidelines has been fully incorporated directly into the Statute.

The Department of Economic Opportunity may provide guidance on its website regarding the submittal and adoption of the Comprehensive Plan and Amendments and Land Development Regulations, but that guidance is not adopted as a rule. Major Point: County Comprehensive Plan is no longer subject to consistency with the State Comprehensive Plan. It still has to be consistent with the local government Comprehensive Plan and governing statutes. It also has to be logical rationale and reasonable based upon adequate data and analysis and meaningful and predictable guidelines.

The county still must maintain a comprehensive plan that is in compliance. All the mandatory elements have been retained. It does make substantial changes to the requirements and the specific elements, but he decline to discuss those at this meeting.

The county is no longer limited to only two comprehensive plan amendments to just two per year. (There used to be a two per year submission cycle.)

The local government are not required to adopt amendments implementing the new statutory requirements until their next scheduled year. For Example: Gadsden County has adopted the EAR report and is in the process of adopting the amendments to implement the report. The county is obligated at this point to include any changes to state law, any new requirements in adopting the EAR amendments. (Any consultant hired to complete the county's EAR process should know what those new requirements are.)

The bill creates three amendment processes based on the type and size of the proposed amendments: 1) Expedited reviews; 2) Small Scale amendments and 3) State Coordinated review. After the transmittal public hearing, the amendments are sent to other entities for review.

Expedited Review is similar to the former alternative review and it applies to all comprehensive plan amendments that do not qualify as small scale amendments and are not subject to state coordinated review. It involves a transmittal public hearing and the adoption public hearing. Once the adoption hearing has been held, the county has 10 days to submit it to the State Land Planning Agency and any other agencies that commented on the proposed amendments. The State Land Planning Agency will then notify the local government of any deficiencies within five days of receipt. The State Land Planning Agency may challenge the amendment within 30 days from the receipt of the completed adoption package. An affected person can challenge it within 30 days of adoption and the amendment becomes effective if there are no administrative challenge is filed within 31 days of the notification of completeness. If an administrative challenge is filed, it would become effective upon entry of the final order.

Small Scale Amendments (amendments that apply to ten acres or less; twenty acres in certain circumstances) . This type amendment would be one that proposes a land use to the Future Land Use Map (FLUM) for a site specific small scale development activity. These would be limited to 120

acres per year. (It used to be 60 acres) They cannot be located in an area of critical state concern. Only one public hearing is required – the Adoption Public Hearing. An affected person may challenge it within 30 days of the adoption, but the State Land Planning Agency cannot intervene in that proceeding. It becomes effective in the same manner as the Expedited Review.

State Coordinated Review – this applies to comprehensive plan amendments which are within an area of critical state concern, proposal of land stewardship area, propose a sector plan, update a comprehensive plan based on an EAR, or constitute a new comprehensive plan for a newly incorporated municipality. It is fairly similar to the expedited review process except that the State Planning Agency has a little more review authority and responsibility.

If the State Land Planning agency elects the amendment, it has to issue the objections, recommendations and comments report (ORC) within 60 days of receipt. Comments are not as limited as they are under the expedited review. They can have more influence of the compliance issues.

As far as challenges, the SLPA will issue a notice of intent to find the amendment in compliance or not in compliance within 45 days. If the notice of intent is to find it not in compliance, it is forwarded to the Department of Administrative Hearing. The affected person may challenge it in 30 days. The amendment becomes effective much like the expedited process.

Evaluation and Appraisal Report Process (EAR) – this has changed substantially. It is the most significant change given the timing of the county's ongoing EAR process. The county no longer has to prepare an EAR report. There used to be numerous specific requirements in terms of content and what needed to be in the EAR report. That report was prepared and adopted by the county and sent to DCA, DCA commented on it and it was revised and it was a major process. The current requirement is that every seven years, every local government has to evaluate its comprehensive plan to determine if any changes are necessary to reflect changes in the State Law and notify the State Land Planning Agency of its determination. It is a very simple, "Yes," or "No." If no changes are required, that would be the end of it. If there are amendments necessary, the county is obligated to transmit such amendments within one year. If the local government fails to submit a letter notifying the State Land Planning Agency of its determination or fails to adopt the necessary amendments within a year, then the local government is prohibited from amending its comp plan until it complies.

Local government is encouraged to evaluate and update its comprehensive plan to reflect changes in local conditions, but there is no requirement to do so. The new EAR process applies to all local governments even those who fail to timely adopt any EAR based amendments under previously established due dates.

Urban Service Areas

There is no real substantial change. The definition has been simplified and some specific provisions have been deleted. Local governments are still encouraged to designate urban service areas.

Private Property Rights

The bill specifically adopts the definition of an “inordinate burden” in the Bert Harris Private Property Rights Act. It refers that the legislative intent that all rules, ordinances, regulations, comp plans, comp plan amendments and programs must be promulgated, implemented and applied with sensitivity to private property rights and must not impose an inordinate burden on such rights. The legislature is expressly recognizing the Bert Harris Act and reminding local governments to be mindful of private property rights.

Local Initiatives and Referenda prohibits the use the use of initiative or referenda as a process to obtain development order or comp plan amendment or map amendment. Formerly, initiatives and referenda were only prohibited for development orders and amendments affecting five or fewer parcels of land.

Permitting Regulations

Local governments are not required to (inaudible) or exceed regulatory programs which are already in place. But local governments may choose to regulate in such areas unless they are otherwise prohibited by law.

Questions from the commissioners followed.

This county entered into a consent agreement with the Department of Community Affairs a couple of years ago regarding the rezoning of agriculture land to 1:1. Apparently, we did not do that. At least with thought to the regulations in place that prevailed at the time. DCA sued along with some others and we entered into this consent agreement. But, what happens to those types of agreements now where there is a court order specifying the establishment of urban service boundaries?

Mr. Weiss replied, I think you are referring to a consent agreement which requires the county to establish the urban service areas on the US 90 and Lake Talquin/Wetumpka area. I have never seen anything which prohibits a county from going back and amending its comprehensive plan simply because a previous amendment was the subject of a compliance agreement with DCA. Now, certainly, I think that if a local government tried to do so, DCA would probably say, “This is not in compliance, we have this former agreement. Practically, what that means is that it is currently a part of your comprehensive plan. It is very important thing to remember. Your comprehensive plan says, “We will develop these urban service areas by certain dates.” So, you have to continue to abide by your comprehensive plan until you amend it.

Now, if you want to amend your comprehensive plan to remove that requirement, that is something that again would be subject to that review by the State Land Planning Agency. It is hard to say but my guess is that review would be more lenient than it would have been under DCA's watch. They might not bind you by the DCA agreement. I don't know the answer to that question. I think you can certainly – if you decided that you wanted to amend your comprehensive plan, you would go through the process in doing it. If you decide you want to do it as a part of the EAR based amendments – I don't know why you couldn't. It is still going to be subject to the Land Planning Agency and they may or may not accept it.

Croley:

What about the courts, since the court issued it?

Weiss:

Again, I don't think there is anything that makes that amendment binding for the rest of time.

Croley:

Let me move to my second question. Thank you for that response. I realize that this is very complicated. What about the rural land stewardship areas of – I understand that those can be several acres of rural land and almost self governing within the context of that. Can they not be put together through several private individual land holders? They don't have to be one big tract.

Weiss:

I believe that is the case. I will tell you the truth, I have not looked into those much and I don't have a lot of familiarity with that, but I believe what you are saying is the case.

Croley:

Well, you have covered the other two points. Thank you very much.

Holt:

On the bills that were passed, those were changing DCA's basic rules of operation. How does that affect the comprehensive plan if you want to do something that we have not approved through the comprehensive plan? What are the penalties?

Weiss:

If you approved something that you had not –

Holt:

That was not within the comprehensive plan? A Land Use Change.

Weiss:

Well, you still, - Again, it is very important to remember that the county is still governed by its current comprehensive plan. You can amend your comprehensive plan just as you have always been able to do. I think that what the bill does is provide the county with a little bit more flexibility and discretion in doing so. Now, still, in order to do something that is not permitted by the current comprehensive plan, you would have to amend it. You do have more flexibility in the amendment process.

Holt:

Right. It has to go through that process. We are trying to attract businesses and we do have some issues with businesses and our comprehensive plan. Hopefully, we are looking to fast track some things that we can get done, but it has to be fair to everyone. That is basically what we are looking at. In fact, we've got one item coming up this morning. This is the perfect opportunity, since you are here, that we are trying to attract a business and if we are looking at land changes in order to attract business, we will look at that process. But, once it is done to attract that business, I am very interested in it being fair for everyone, not just that business or individuals. We do have a Citizens' Bill of Rights that was passed last year. If it is going to be followed by one person, then it should be followed by everyone. That is why I said it is a perfect opportunity. Thank you very much.

Morgan:

Referring back to your slide 5 or 6 when you talked about Comp Plan amendments. I am looking at that final bullet point, the last half of that. It says, 'it must be logical, rationale and reasonable. My question to you is – Who makes that final determination?

Weiss:

I think it is the county's obligation to make that determination in the first instance. The final determination is pursuant to review by you through the State Land Planning agency. That is still something that they are going to be looking at if they are reviewing the proposed amendments. It is baseless, and there is no reason and logic or basic planning principals, they are still going to question it.

Morgan:

They still have oversight then?

Weiss:

Yes. They still have oversight for it.

Morgan:

That is what I thought. The next question I had for you comes from the slide on small scale amendments. It makes mention of the area of critical state concern. What is that exactly.

Weiss:

Areas with critical state concern basically has to do with environment conditions of the areas. I think there are about six areas throughout the state that due to environmental sensitivity and environmental conditions are designated as areas of critical state concern.

Morgan:

And do you know, I don't think we are, but do you know where they are?

Weiss:

Gadsden County isn't. No.

Morgan:

My last question is, and I know that with Ausley McMullen, your specific specialty, I guess I should say or area of expertise is growth management and land planning. Is that correct?

Weiss:

Well, I do numerous things, but that is one of the things that I do some of, yes.

Morgan:

Are you going to be meeting with Mr. Matheny to go over all these things in detail to make sure that the county is brought up to speed in the manner in which we need to be as we move forward with some of these decisions and processes that we are going through?

Weiss:

Yes, I will be and I think Mr. Matheny before I started today that this presentation was already made to the Planning Commission. I will and I think the idea is to have a consultant who is very familiar with everything, but I will be involved and I am happy to be involved as much I can be and that you want me to be. Absolutely.

Lamb:

Just one question. These bills, when do they go into effect? August? Or July 1st.

Weiss:

July 1st is the effective date on those bills.

Taylor:

I want to thank you for coming and doing this presentation. There is certainly a lot of information and to say that we have collectively digested all of it would not be a proper statement at this time. But, we certainly need to know and understand what is going on. I am very appreciative of the fact that you have met with Planning and Zoning and have shared this same presentation with them so that they are abreast as to what is coming down the tube. Obviously, we will be calling you in . Planning and Zoning will certainly be using you as a reference on clarity. I think one of the commissioners already echoed some of my concern and one was the area plan and whether or not we still move forward on it given the new stipulation. It is my understanding that we do. "

Also, the agreement that was aforementioned and whether or not we will still be held to it. It sounds like we are to a certain degree. So, with that being said, there is still work to be done. We are in the middle of trying to put together the EAR amendment, but have not completed it . But, obviously we are going to need help to make sure that what goes forward meets the new regs and that we are in compliance.

Often around this diocese, we have been told that we need to look at this comp plan again. It is in so many ways antiquated and needs revision. That is something that we are going to be doing in the near future. We are going to schedule it, so you are going to be a part of that meeting as well.

This is a lot of information. To say that we have digested it all in just 25 to 30 minutes can't possibly be true. At least not for me. But I am not naive to the fact that we need to know and understand what is going on, especially with regards to the new policies and procedures that are in place.

Again, thank you very much for coming and

Holt:

Madam Chair, I would like to make one request with the approval of the board. After we digest it, let the public know in layman's terms how this affects them. They need to know.

Taylor:

I certainly can concur with that. There are some areas in here that will directly affect them. So we will probably go to Planning and Zoning to bring it back in layman's terms. Of course, we will set up such a meeting so we can inform the public as to what is going on and how that will affect them.

Again, thank you very much. I don't think we need any questions from you, Mr. Matheny, but we will be coming back again with this comp plan review to be sure that we move forward in compliance.

Matheny:

Just a couple of comments.

Go ahead.

Weiss:

Thank you very much. I hope you all found everything to be somewhat beneficial and again, I am happy to be a resource and help as much as I possibly can.

Matheny:

Just a few closing comments. I appreciate David for his presentation.

I think what we need to do is that I need to get with the county administrator and talk about our next move as an agenda item that we need to bring back in front of this commission. We do have three proposals to provide planning services to finish the EAR based amendment process and the two area plans that we are supposed to do. We have ranked those and we know who ranked at the top and we need to bring that back to you as an agenda item.

I think we need to move forward, hire those consultants, get them on board and they will be able to have day to day contact with the new DEO Department telling us what we need to do and how we need to move forward. What we can change, what we can't change. A lot of the things that we discussed this morning – they will be the experts and the feet on the ground. They will work hand in hand with the planning department. But, I will get with the county administrator to talk about our next move on that.

Taylor:

I am in hopes because we have been talking about this particular item coming back before us so that we can finish the EAR Amendment Process. It has been out there quite a while now. Certainly, we want to meet our guidelines and be able to have something. There have been a lot of man hours volunteered to put this forward and we don't want folk thinking that what they are doing on their own time is not appreciated or received by this government.

With that being said, Mr. Lawson, if we can get that back on our agenda no later than our last meeting in August. I will certainly be appreciated by this chairperson. The bid award. No later than then so we can move forward.

Again, thank you very much.

Mr. Lawson.

2. List of Errors and Insolvencies Report for the 2010 Tax Roll

Tax Collector Dale Summerford addressed the board explaining the attached report.

3. Update on Hurricane Preparedness -

Charles Brinkley for Emergency Management Director, GCSO addressed the board saying the official forecast for the 2011 Hurricane season was not good. They have predicted 10 – 12 with 4 – 6 of them predicted to make landfall. In response, the local emergency management department has distributed more than 12,000 copies of the Hurricane Guide and made presentations to the city councils in Havana and Chattahoochee. They also conducted formal training for the Emergency Operations Center staff as well as a tabletop exercise. EM has conducted training and are raising awareness.

Mr. Brinkley invited the board members to an actual “Shooter “ exercise on July 25th at the hospital. They will train in the a.m. and go through the exercise in the afternoon. All deputies will receive the training. The exercise will be a hostage event within the hospital and the deputies will neutralize the situation.

Commissioner Croley complimented Mr. Brinkley on the work he does and asked, “Is there anything that commissioners can do to help you?” Mr. Brinkley responded, “Just give us room to operate.”

Commissioner Holt asked that the hurricane preparedness exercise be done in each of the municipalities.

Chair Taylor made a request for information regarding the Comprehensive Emergency Management Plan. She asked that a copy of the plan be distributed to all commissioners. She agreed to meet with Mr. Brinkley and discuss the matter further.

Staff was asked to schedule meeting between Mr. Brinkley, Chair and Interim County Administrator to go over the plan. Provide the written plan to each commissioner.

3a. Appointment to Tourist Development Council (TDC) Board -

Interim County Administrator introduced the above item saying that Commissioner Lamb has requested that David Knight be appointed to the TDC board.

Jim Kellum, a TDC Member and Vice-Chair of the board, addressed the commissioners and recommended Matt Thro as the appointee. The TDC recommended him because he has a background in advertising and the position requires lot of work and a lot of skill.

Kellum:

My name is Jim Kellum. I live at 104 North Main St. Havana, FL . I am serving right now as the vice-chair of the TDC.

About two or three months ago, we put in nomination a name of Matt Thro who had been attending our meetings been a wonderful participant. I would to remind this board today that the TDC is not a paid position. It is a volunteer position as a service to the business community and the different communities with festivals and events and it is not an easy job. The problem that we are having is that we have nine members on this board, according to State Statutes, and even in that Statute, it has to be tax collectors, for instance hotels, 3 representatives from the municipalities and three people who are apparently or hopefully are in the business world. We put this motion before our board two months ago and voted on it again yesterday knowing that Mr. Lamb had put this other applicant up. But, we have been vacant in that spot for the last eight months. The problem is that you have to have a quorum of five. We only have nine members. Out of eight months, we have only had two meetings where we've had a quorum. It is very frustrating to have a day off and come and sit for an hour to prepare for meeting, then no one shows up. So, that has been our problem. That is why we put recommendations into play for Mr. Matt Thro.

It was not, Commissioner Lamb, to insult you or aggravate you the way you did yesterday by calling members and threatening them.

Taylor:

Excuse me. Excuse me. Excuse me, Mr. Kellum. Excuse me, sir. You have to direct your comment to the board and not to individual commissioners.

Kellum:

O.K. It was not to insult any commissioner. That is our recommendation. That Matt Thro be put on board. He has a background in advertising. It is not that we just submitted another name. We need somebody who will be a good participant for this board. It requires a lot work and a lot of skill. It has been tough because we also put into place Ron Sachs trying to do more to enhance business throughout the county. That has taken a big part of our budget. So, we have had to trim, trim and trim and still try to have activities that we try to provide in all our cities.

Taylor:

Thank you, sir. This item was added to the agenda by Commissioner Lamb and at this time, I am going to hear from him and then I assume we will take action unless there is some other statements.

Lamb:

Thank you, Madam Chairman.

I made this appointment some time ago some time ago, as you know. The young man that was serving with Mr. Holton. Mr. Holton called me and asked me to replace him, but he did not have any more time to give.

I heard the speaker say something about it was open eight months ago. Why wasn't this commission told that it was open eight months ago. We ain't here to (inaudible) nowhere in this county. We are here to act and to include everybody in this county so that we can have a part of the TDC. Now, if we are going to try to stack the deck or whatever, maybe we need to reorganize the whole board, the TDC board and give other people an opportunity to serve. Now, I don't want anything done behind my back either. I don't want them going out there and planning what they want to do and then come to this board with a recommendation. That is our job and we are going to do our job. Nobody was harassed or intimidated or whatever. I don't know what he is talking about. But, anyway, I got three or four phone calls yesterday – all yesterday afternoon. People calling me trying to get someone else on the board. I should not have received those calls at all. I have other things to do than talking to and worrying about who is going to be on the TDC board. As I said before, I just might offer a motion later on to disintegrate this whole board and redo it. I just might rescind my motion that we had last board meeting regarding Mr. Ron Sachs. I am thinking about rescinding that, too. I don't like for people to come up here lying about what is going on. So, at this time, if I am in order, **I offer a motion to appoint Mr. David Knight to this board.**

Taylor:

There is a motion on the floor. Is there a second?

Morgan:

Madam Chair.

Taylor:

Hold on, I am going to move on this and then I will let you have comment.

Is there a second?

Holt:

I will second it.

Taylor:

There is a motion and a second. I will hear comments now. Commissioner Morgan?

Morgan

Thank you, Madam Chair. First of all, let me clarify some things here. With all due respect, Commissioner Lamb, I don't think threatening the current volunteer TDC Board is appropriate just because they are making a recommendation.

Lamb:

That is not what I was doing. Maybe it needs to be done.

Morgan:

I must have misunderstood.

Lamb:

You must have misunderstood.

Morgan:

So, you are not threatening to disband the current TDC Board?

Lamb:

No.

Morgan:

I didn't think so.

Madam Chair, we did meet yesterday and as your representation of this board, I just want to clarify that what Mr. Kellum was stating is, in fact, what we have done in the process. Attendance at those meetings has been critical and we have had some issues on that part. I know there is some very good – I don't know Mr. Knight, but if Mr. Lamb is recommending him, I am sure he would be a very good person to serve on that board.

I don't know what the protocol is for us to accept the recommendation from the TDC Board. I do understand that we have final approval on that. Is it one particular commissioner that make nominations or is it because it is from his area of the county? If that is so, then I certainly understand that. But, it may be that we just want to look at this and look at this a little bit closer and clarify with the TDC what has and hasn't happened in the past. We obviously want to move along on this in the appropriate manner.

That is my only comment. I very respectfully submit that. Not only to TDC, but to Commissioner Lamb as well. I do know Mr. Thro. I know that he has the qualifications and his activities in the county. He is very active. Out of respect for Commissioner Lam, I don't know Mr. Knight, but I am sure that he is very well qualified and would also be a very appropriate person. We may even be at the point where we want to discuss it a little forward.

That is why Commissioner Lamb was getting so many calls yesterday following the TDC meeting. They just wanted to make sure that he was aware that they wanted to approach the board about this concern. That is my only comment.

Taylor:
Commissioner Holt.

Holt:

Yes. Thank you. It has been the practice of this board to appoint people to the TDC and that is what has been done before. Since the inception of it. At one time, the TDC needed to be dispersed and disbanded. I am not closely in contact with this TDC Board now, but I am saying that at one time, yes. At one time, yes. It was event oriented. It was, "Let's have an event. Let's have an event." But, the process was to have an increase in the tourism tax for the whole county. So, people would want to come here on a daily basis, not just come for a particular event. That is why at the hotels and the bed and breakfasts, I asked at the other meeting saying, "Where is your card that says, 'I stayed at this hotel because of this event, or 'I stayed at this bed and breakfast because I came to fish at Lake Talquin or I came to shop at the antique shops in Havana.'" What is it that TDC puts out there that says that this is the destination where you wanted to be. This is where we want to do." Before a football game in the fall or after a basketball game at Florida State or something going on at FAMU. How do we pull those over to come and shop and look at Gadsden County even on a daily basis.

Even when we were having events, the commissioners appoint. That has been the practice of this board.

Taylor:

Here is our concern right now. Obviously, this needs to be an agendaed item. The only thing that we have approved is just the appointment. No to go into to discuss some of the issues or concerns that we have with TDC. So, obviously, what I am hearing even from our representative, is that there probably needs to be some special meeting as to the future of this board and some discussions that this board wants to see happen within the TDC. But, today, we are only looking at the appointment of David Knight, a recommendation from a commissioner.

Now, Commissioner Morgan brings up a very good point. One is that the TDC board does have someone that they want to recommend. We probably should have entertained that as protocol. We should have had it. We could have voted it up or we could have voted down. But, the only problem with that is the TDC did not have such an item agendaed, which we cannot recognize at this point in time. So, the item that has been agendaed and approved per this agenda is Commissioner Lamb's appointment. That is what has been properly agendaed and approved at the beginning of the meeting and that is the only matter that we will entertain at this time. So, out of due respect for the TDC and what you do. We are appreciative because you are right, it is volunteer time, but this board has a process. If you had wanted to recommend someone, you should have had it agendaed for tonight, which has not happened. So, with all due respect, Commissioner Morgan, your point is very well received. But, according to our processes and

protocol such an item has not been agendaed, but the item from Commissioner Lamb has been. It is on the floor, a motion and a second to approve Mr. David Knight to participate on this TDC board.

I will recognize Commissioner Croley.

Croley:

First of all, if I understand this matter and I appreciate everyone's service on the TDC Board. I do think the commission as a whole wishes to support the efforts there that all of you who have volunteer their time to work on that effort. We want to support you and we appreciate you as the chair has so stated.

But I do believe that if history is correct, and Commissioner Lamb, you help me with this if I get it wrong, but I do believe that appointment from Midway was made as you just stated, back some time ago and the individual that agreed to accept that position has not been able to continue it. You have asked that we put in another representative from Midway. That is the only basis of that that. That is straight up, isn't it?

Lamb:

Yes.

Croley:

I don't see that as a problem. There are two vacancies on this thing. One is to be an elected official. Mr. Thro has certainly shown a lot of interest and he is a Havana council member. So, he would qualify. I appreciate his interest. We have another place, I believe, that is for a bed tax collector as well. So, realizing that he is not in that business and I am assuming that Mr. Knight isn't either. That would still leave one vacancy. So, it seems like to me that we ought to move forward with Commissioner Lamb's recommendation at this time. Then, as you said, Madam Chair, I agree with you that this needs to be re-agendaed and let's see about putting some standards in place about attendance, just like we did about Planning and Zoning Board, and that we look for another appointee for that bed tax collector and ask that the TDC come up with that recommendation. In the future, that makes sense.

Taylor:

That makes all sense and I think it is something that we already said.

Croley:

Well, then, I am just saying that I agree with you.

Taylor:

Thank you very much. I like harmony.

Morgan:

Madam Chair, just a point here. First of all, I am not sure that I understood what Commissioner Croley was getting to, but, Mr. Thro and Mr. Knight cannot both serve on the TDC Board.

Taylor:

No, he didn't say that.

Morgan:

Well, I just wanted to be sure that the board was aware of that because of the makeup of how that is. That being said, because we added this item after the public advertisement went out, would it not be appropriate to simply, out of respect for both sides on this, why don't we just table this until the next meeting and that way, everybody has an opportunity to have input and we can certainly honor Commissioner Lamb's request.

Taylor:

There is a motion on the floor. If they are willing to pull their motion back, I won't carry it. But, if they are willing to let their motion stand, I will carry it. There is a motion.

Lamb:

May I ask one personal question?

Taylor:

Sure.

Lamb:

Mr. Patel, will you come up here, please?

Mr. Patel, how long has this vacancy been open?

Hemant Patel:

Dian Watts left our board.

Taylor:

I think Jeff would probably know. Mr. Patel hasn't been here for a while.

Patel:

Dian Watts left our board, I believe, in August of last year. That is when. And, Mr. Holden, I am not sure when resigned.

Jeff Dubree:

Mr. Holden's position just opened like Commissioner Lamb mentioned. Probably within the last couple of months. But, he had missed a lot of meetings and I am sure that is why he chose to step down. He couldn't work it into his schedule to come. But, the actual position didn't open up, as we, the TDC, was aware of, until less than two months ago. Probably more like six weeks.

Lamb:

Thank you. I just wanted to verify that. It was not eight months like I heard. I knew that it wasn't eight months. I knew that was untrue.

Dubree:

You are correct.

Lamb:

Thank you. Now, let's carry the motion .

Taylor:

Let's move it. Let's move it.

Commissioner Holt?

Holt:

Right quick. A recommendation from a council does not mean, or from a committee, does not mean that this board approves it. I was just listening to what Commissioner Croley said. Not that you are incorrect, but when you said, "In consideration of what the Council recommended," We do consider all of them from any committee we appoint. But, it does not mean that it is a requirement for this board. We need to make sure that we say that because if you do that, it takes away the commissioner's right to appoint. We cannot do that in the middle of the stream.

Croley:

Madam Chair, that was not my intentions.

Holt:

I didn't think so.

Taylor:

Alright, let's move it, let's move it. This one didn't require as much time. But, again, **we have a motion and a second to approve David Knight to this position. It has been motioned and**

seconded. Are there any other questions? All in favor of the motion, let it be known by saying, "Aye."

**All:
Aye.**

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

Make that 5 – 0 to approve David Knight.

Staff was directed to bring TDC back to the agenda for discussion about the other vacancy for the bed tax collector and the attendance issues.

3b. Resolution in Support of the Solar Farm 2011-025

Marion Laslie, 5 Dante Court, Quincy, FL:

"I wanted to hear what you all had to say about the resolution. I have written a couple of letters to the newspapers in the name of Gadsden United, which is a local environmental group that has been active through the years. I am the director and also a citizen in the county and I am very much in favor of the possibility of being considered for this solar farm project. I think it is one of the best things that has come down the pipe that could garner a lot of support and a lot of good things for the county. "

Chair Taylor reported that representatives of the solar company would be in town on Thursday at 2:00 p.m. at which time they will read the resolution. She said that she had been instructed to wear yellow.

Question by Commissioner Holt regarding language in last paragraph, particularly the words, "unduly restrict." She contended that the Citizens' Bill of Rights is unduly restrictive. She continued by saying, "We must be fair to every company that comes and every citizen that comes before this board."

Discussion of the language in the resolution followed.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4-10, BY VOICE VOTE, TO APPROVE THE RESOLUTION AS IT IS WRITTEN. (Commissioner Holt opposing.)

3c. Recognition of Commissioners Serving on the Florida Association of Counties Committees

Chari Taylor announced that Commissioner Morgan has been selected as Co-Chair on Florida Association of Counties (FAC) Growth Management Committee and Commissioner Lamb has been accepted by FAC to sit on the Board of Directors.

Chair Taylor stated that the local board would be responsible for their travel expenses as it relates to those appointments. She asked that money be set up in the budget for those anticipated expenses.

CLERK OF COURTS AGENDA

4. Presentation of County Finance and County Clerk

Clerk Thomas:

Madam Chair, I need to clarify and provide some context to some statements that I have made at the previous couple of meetings. Essentially, what I have been saying is this. The county needs to make the repair, maintenance and upgrade of the county jail a priority and look into the feasibility of adding a pod within current revenues. While at the same time, still pursuing that elusive third circuit judge.

Here is the context for this. Historically, our county has only been able to sustain two major bonds at one time. You have that now. You have your road bond, the 15 year bond that goes until 2018. You have your hospital bond that you guys passed last year for 20 years. My concern is that, and I hate to use this word, but, I am going to use it because when it comes to county buildings, I think it applies. It is an awful word, but the word is "neglect." I hate to see you fall into a situation where you find yourself needing to do a third major bond. The only way within the current revenue that you could do that is that you would have to give up major services. I use that word, "neglect" because, and I have to say this too, - none of you were here at the time, but if you go back to the previous five years before the hospital closed, there were major concerns about the building itself and the major systems of the building. There requests made to make repairs and maintenance and upgrades and they were not always done or done timely. That is only one contributing factor, but clearly it was a factor. You had to spend a lot of money to upgrade the building. I don't want to see you fall into that situation, so, that is why I want to restate that the board needs to make a priority of the repair, maintenance and upgrade to the county jail. Look into the feasibility of adding a pod within current revenue and also pursue that third circuit judge to help get the cases through the system.

That is my report.

Taylor:

Thank you, sir. Thank you very much. It is timely because we are getting ready to go through our budgeting process. I concur with you emphatically. We can spend some now or more later. That is what he is saying. I concur.

10. Approval of Signatures for Special Assessment Liens and Rehabilitation Contracts – Emergency Repairs for Sally Todd and Mary Kelly

11. Approval of an Unwritten Month to Month Lease with North Florida Medical Center

12. ~~Approval of Gadsden Hospital Incorporated Board Member Shaia Beckwith James~~

This item was pulled from the consent agenda for discussion.

13. Approval of Disposal of Surplus Vehicles and Authorization to Sell at Auction

1995 Chevrolet Pickup VIN1 GCEC14H05Z53420
2003 Chevrolet Pickup VIN 1GCHC23U03F161549
1991 Chevy Lumina Van VIN 1GACOU6D3MT136291

14. ~~Approval to Turn Over Bad and Outstanding Debt to Accounts Receivables, Inc. for Collection Resolution 2011-024~~ This item was pulled for discussion. See below.

ITEMS PULLED FOR DISCUSSION

9. Increase to the 2010-2011 Law Enforcement Appropriation OMB BA 110081

Upon being questioned by Commissioner Morgan, it was determined that the budget amendment is simply recognizing \$800.00 that was donated to the Sheriff's Department. There would be no fiscal impact on the county as a result of approving the amendment.

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

12. ~~Approval of Gadsden Hospital Incorporated Board Member Shaia Beckwith James –~~

Commissioner Croley stated that he had no problem with the recommendation to appoint Ms. Beckwith James , but he asked to defer action on this matter until they could receive comments from GHI Chair.

Chair Taylor stated that she spoke with Mr. McMillan and she learned that he had actually requested that the appointment appear on this agenda.

Commissioner Croley relented in view of Commissioner Taylor's comment.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE APPOINTMENT OF SHAIA BECKWITH JAMES TO THE GADSDEN HOSPITAL, INC. BOARD OF DIRECTORS.

Following the vote, there was discussion that this appointment brings the board to eight members, a even number. The administrator was asked to communicate with GHI about possible problems that

could arise from an even number. It was suggested that they may want to consider going to an odd number.

14. Approval to Turn Over Bad and Outstanding Debt to Accounts Receivables, Inc. for Collection Resolution 2011-024 \$807,369.27

Questions were raised by Commissioner Croley regarding the amount being turned over to a collection agency. He asked, "How much can we expect to get back?"

EMS Director Donald Crum replied that some of it is uncollectible and would have to be written off. There is no way to measure how much they will collect, however, the company is not paid until they collect at least a portion of the debt.

Commissioner Croley asked Clerk Thomas if he had any problems with the write off. Mr. Thomas replied that he not.

UPONO MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO APPROVE RESOLUTION 0211-024 WRITING OFF \$807,369.27 IN BAD DEBTS.

CITIZENS REQUESTING TO BE HEARD ON NON AGENDA ITEMS

Pastor John Battles, 43 Lucille Berry Lane, Quincy, FL:

"Commissioners, I was born and raised here in Gadsden County. My parents were, too. For as long as I can remember many of us citizens live in low lying areas. When it rains, that is nature and we can't control it. Myself along with many others, sometimes our pipes get washed out of the ground. It takes the top soil and goes. But, for as long as I can remember up until 2008, (now, most of this has been corrected, but I just wondered where this board stood on this.) but, the citizens have always been able to get public works to come out and dump some dirt that they pull out of the ditches and replace it. Put the culvert back into place. But in 2008, something changed. Something happened.

One of my church members called and they live in a low lying area like I do. Water was flooding her property and she wanted some dirt. The county administrator worked with me and basically said that the insurer recommended that the dirt no longer be given to the citizens because of oil and antifreeze and such. If the citizens received this dirt and decided later on to plant a garden there. If they eat from the garden and become ill, the county is liable.

Now, maybe ya'll do, but I have never known anybody to get sick from that in my lifetime. Now, I think we've pretty much got it worked out, but Why do you have the people to come up here and sign a form when – all my life, we have been able to sing that form right out there. It saves the county money. If you put it in front of my home and I decide that I need some dirt and you've got to haul it way across the county to dump it, can't we just sign the form right there and be done with it? Why do we have to come all the way back up here as a citizen and sign a form.

Number one, it was wrong for them to stop us from receiving it. We don't have any control over nature. We don't ask for a flood or hurricanes, but these things happen. But, to stop us, you know, we couldn't get the dirt. Just couldn't receive dirt out of the ditches anymore. I think that was wrong and couldn't this board recommend that when the people are out there pulling the ditches, public works, can't we at least sign the form back out there? Why do we have to come back up here just to sign a form when you are right there in front of my house?

Taylor:

We can't start a precedent here, but what we will do is, Mr. Administrator, this is an issue that is raised by a constituent and if you all could share correspondence so that you can rectify this and bring back something to this board that we can ask this director or you can handle it from your position, whatever the case may be. We will leave it up to your discretion.

The administrator will get with you on this, sir.

Battles:

I sure appreciate it. Thank you.

GENERAL BUSINESS

15. Approval to Establish a Line Item Budget to Provide Funds to the City of Gretna to fund the Wastewater Project from the Capital Projects – General Fund

Lawson:

Madam Chair, the first item under general business is a request for approval to establish a line item to provide funds to the City of Gretna to assist them with their wastewater project from the Capital Projects Fund.

At our last meeting, you all discussed ways to assist Gretna with their request for funds for their wastewater project to run that wastewater line out down SR 12 out to the I-10 corridor. You asked staff to look at ways to try and expedite that. I think the vote that was taken was that we would provide 10% of the 95% available from the discretionary fund in the budget for the 2011/2012 to provide those funds to Gretna. However, you all have instructed us to try and find ways to expedite that.

Staff went back and reviewed and came back with a proposal basically, to make a long story short, is to establish a line item in the budget in fund 301, which is the capital projects general fund. That fund right now has been and is used to do infrastructure projects at the jail. We could go ahead and use monies from that fund to provide the City of Gretna with the funds now and then during the budget cycle, provide the funding that was going to be provided as part of the vote that was taken to replenish that fund.

However, after some discussion after this item was written and the agenda had gone forward, the attorney and I had some discussion about the way the current ordinance is written. I will let the attorney address here concerns with that. It appears that if the board decides to go forward with this particular avenue, I think you can, but in order to replenish that fund, the attorney had some

concerns about the way the current ordinance is written. I will let her address that before you all take up any action on the current request.

Minnis:

Thank you, Mr. Administrator.

Just to briefly let you know what my concerns was – the way your current discretionary sales surtax ordinance is written, the language basically says that it shall be used for the maintenance, infrastructure of public works projects such as road improvements and it can be used for water, sewer systems, fire protection and suppression and other public purposes as amended.

The way it is written right now, the maintenance of infrastructure is for public works projects only. That is my concern. The way this language is, since the work we are doing on the jail is not a public works project, that at this point in time, you can't just take the money out of the surtax and put it over into Fund 301 to fix the jail.

However, with some very minor amendments to this particular ordinance, that could be done. After you read it a couple of times, it gives the impression that perhaps there may have been a scrivener's error when the ordinance was enacted. That "of" should have been after "maintenance" which would have made the sentence read this way: "As provided for in this section, shall be used for the maintenance of infrastructure, public works projects such as road improvements and water/sewer systems, fire suppression and other public needs." If you do it that way, then you could use the surtax money to replenish the line item for the Sheriff's office. You could even go further and put in a definition of infrastructure so as not to open it too broadly to allow everything to come under that surtax.

There is a definition of infrastructure in the surtax provision immediately above this one in the Statute that defines infrastructure to be "fixed capital expenditure or capital outlay associated with construction, re-construction or improvement of public facilities that have a life expectancy of five years or more.

I did go ahead and do just a little "cheat sheet" for you along with what my suggested language could be. I think those that are not correct, I don't know that correction is the right thing, but, I think it would amend the ordinance to allow the county to do what has been recommended by the staff. This is the City of Gretna.

Now, I will have to remind you that this particular ordinance is like a citizens bill of rights. It requires a super majority vote to amend it. But, it can be amended to include this language if the board so desires.

Lamb:

Madam Chair?

Madam Attorney, that doesn't stop us from going the way that we are going, though.

Minnis:

Correct. Pulling the money out of the account is the board's decision. Amending this ordinance would just allow you to replace those funds from the surtax.

Taylor:

Alright, that being said, we will open this up for discussion. We will start out discussing what the attorney has brought before us. Then we will get into approval of this line item – up or down. So

Minnis:

Briefly – Just to make sure. Like I said, this is information only. In order to amend the ordinance, you would of course have to through the public hearing process. So, the ordinance cannot be amended here today.

Taylor:

That is understood. It is totally understood. It is not an agendaed item. I am aware of it, but we need to get consensus as to whether or not we want to do this, and if so, then we will move it forward on a very near agendaed meeting. That is where I am at right now.

Commissioners if you all don't have a problem with this or we need further discussion, I will go ahead and ask that the administrator agenda this particular item for our next public hearing meeting.

Lamb:

Madam Chairman.

Taylor:

Excuse me, let me hear from him and then you, sir.

Croley:

You know, having made the motion that this board approve for funding a commitment to the Gretna sewer line at I-10 for all the business, not just one, but for everyone's benefit, I have made it very clear where I stand about supporting the development of these interchanges. But, I am also in a situation here where I am looking at this jail and I have been looking at this jail. I have said before and repeatedly, that jail needs to be repaired. We don't have the money to build a new jail. I don't know where that got started that we were going to build a new jail, but we don't have the money. As the Clerk has said, we can't keep doing these bond issues. We don't have the money. We have, and this is based upon conversations with Ms. McLendon yesterday and she can step up and verify this or acknowledge or whatever, but I believe that there is some \$567,885.65 approximately in that cash balance for the jail repairs. We put into the budget \$205,000 and to date, I don't believe any of that money has been spent. There are commitments, but I don't think it has been spent.

A report yesterday, from talking to the Captain at the jail, Jim Corder says that he's got shower heads that have running for months that they can't cut off. The temperature in the jail was 92 degrees. That is breeding mold and an environmental issue that could result in a major lawsuit for us as the board of county commissioners. They can't turn the lights off. The jail locks don't work, so they can't do a lock down. The air conditioner chillers and industrial lights and all are not working or

hard to get. We are neglectful in not expediting the repairs to the jail as the clerk has so eloquently said earlier.

We need to give this priority. Then, we need to set aside that money and commitment to put that pod on. I can't see why this board should take the money out of the jail fund and lend it out to the City of Gretna from this source and then turn around and get payment back over next year to replenish when we are faced with this kind of situation at the jail.

I read this letter from the Sheriff and I appreciate his support for economic development in the general way in which he expressed support for the Gretna project. But, I don't think it is good business to do things in this way. It is going to take a lot to convince me to go in a different direction.

Thank you.

Taylor:
Thank you, sir.

Lamb:
Madam Chair, in talking to the administrator, I didn't go down to the jail and talk to whoever is down there working on the jail, but I did talk to the administrator and the Sheriff. This is a line item of four hundred and some thousand dollars I believe that is just sitting there. Mr. Clyde Collins, who is the contractor, is working on the jail. Now, from what I heard from the commissioner to my left, he is saying that showers heads need to be repaired and so forth. I don't know why they haven't done it since Mr. Corder or whoever he is down there, he must have other things to do because he hasn't done that as of now.

Mr. Clyde Collins cannot repair all of this at one time. He is taking his time doing what he is doing. The Sheriff is completely satisfied with the way it is going. The Sheriff and Mr. Collins are satisfied. He cannot spend all that money in this fiscal year. All we have to do is move the money, give it to Gretna and then replace the money in October in the next fiscal year. That is all we are asking to do. You are not going to fix that jail until after October. It is impossible. This has been confirmed by Mr. Collins and the Sheriff.

Taylor:
Let me make this clear because I know that there are some people who have submitted a request to address this particular issue. What we are talking about now is not the line item 15. We are talking about having this particular item brought back for a vote to amend the ordinance. That is where we are right now. So, we are not neglecting to bring you on. Just for clarity as to where we are right now.

Yes, sir.

Morgan:
Thank you, Madam Chair.

My main concern is that we go through this in proper order. I am in full support of the project out at Gretna or wherever we have potential growth in the county. If we amend the ordinance, it goes to public hearings and it is approved, we are talking about taking money and then hoping that the budget for 2012 - 2013 includes money to replenish that. Correct?

Minnis:

Yes, my understanding is that basically you would have to dedicate some of the surtax money that you collect throughout the year to replenish that fund.

Morgan:

I guess my question is – If we amend this and go through with that, but what if the budget is not approved to support that action? The budget would have to be approved by a majority of this board.

Minnis:

Right.

Morgan:

So, you see where I am coming from. You may have an issue if the budget is not approved to complete that. Is that going to be a problem?

Minnis:

Well, of course, the obvious answer to that question is that if the budget is not approved to move surtax money into that account, then the account would be minus the funds that were expended unless some other source is found to replenish the money into the account. If the board votes to approve that –

Morgan:

But, it is an issue that the board may want to be aware of.

Regarding the jail, it sounds to me like that is not a money issue, it sounds like to me that is an administration issue of not being able to get to those. I agree with Commissioner Lamb's point on that. We do have a letter of support from the sheriff prioritizing jobs over jail at this point and time and I would agree with. But, again, I do want to make sure that we go forward and do this in proper order.

The other thing that I would ask is if this is approved and this money does go to the City of Gretna, I would ask the attorney – Do we need to have a written agreement that would include the limited uses of this money? In other words, to make sure that there are assurances that this money is to be used only for and limited to this infrastructure that we are talking about?

Minnis:

That would certainly be an option that the board could instruct.

Morgan:

Would you advise or would that be a proper thing to do since we are potentially going forward on this?

Minnis:
Yes.

Morgan:
Thank you. That is all I had, Madam Chair.

Taylor:
Any other issue, Commissioner Holt?

Holt:
In order to replace the money back into that account, the board would have to approve it and it would require three votes to replace the money, Madam Chairman?

Taylor:
That is correct.

Holt:
It would require three votes to replace the money. So, we would have to look at our budget to make sure that we replace that money just as we would have to do if we were going to do a park or anything like that.

In order to get the sewer line in the ground and we reap the benefits of it, which would be more than the \$250,000 in the increase in taxes, I went in and sat down in the property appraiser's office to be sure. I talked to some other folks who have done this. The tax revenue to the county coming back would be far greater than the \$250,000. So that would not really be a problem, especially over time.

I spoke with the Sheriff. I called him and I said, "Tell me about it, the whole issue and how you feel about this." He said, "As long as we get it replaced so he can continue on with what he is doing."

Commissioner Morgan, I do agree with you that we make sure that we can put it back. We need three commissioners to put it back. It is up to the board. It is not as if we can't do it. We can do it. But, I think we will reap a lot of benefit a lot of benefits coming back from this project. As I have said before, the City of Gretna has agreed that as other companies and entities attach to that line that they are willing to look at refunding some of those funds back also. It is not a one faceted operation. I want to make sure that we get things done in proper order.

Thank you very much, Madam Chairman.

Taylor:
Thank you for those comments. I think that is it. Now, what we are going to do is look at Item 15. Again, sir, you are directed back to bring that back to Public Hearing and it can be voted up or down at our very next meeting as far as this particular item.

Now, let's move on to Item 15.

Will you re-read that particular item so that we can have public input if there is any. And there are.

Lawson:

This item seeks board approval to establish a line item budget in fund 301, the Capital Projects General Fund, to provide funding to the City of Gretna for the wastewater project.

Taylor:

Now, let's look at this very carefully. I just want to make one statement and we need to make it on the front end as to the actual amount. One amount made in a motion in our last meeting will not give them the \$250,000. The one that was made previously, sometime back when we directed you to go and find these dollars, was in the amount of \$250,000. So, we need clarity as we move forward as to the amount that we are actually talking about. So, what do you have here? I see here that you have \$250,00 as your impact, but when you did your analysis, you put 10% of the 95%. Do you follow what I am saying?

Lawson:

Yes, ma'am.

Taylor:

You have two conflicting amounts there. Obviously, the city needs the \$250,000.

Lawson:

Well, Madam Chair, the request was for the \$250,000. That is what I put in as the fiscal impact. Now, if the board decides to amend the ordinance, we would need to change the 10% of the 95% to just say to replenish the \$250,000.

Taylor:

I think we will have that clear in a motion if we get to that point. So, that will be a part of the amendment if I am in proper order. You let me know as we go forward.

Minnis:

(inaudible)

Croley:

Madam Chair, point of order or question.

The 10% of the 95% of that tax could be more than \$250,000. That is the point of the matter. If the economy shows any improvement, then that tax revenue could go up and the 10% would generate more than \$250,000. It could go down.

Taylor:

The only problem with that is that we know that we have not done anything miraculous to bring us any additional. History has it that there has been \$2 million for the last so many years. I know that

we have not had any development that is going to make that go higher. So, let's just give them what they ask for. If it is more, I don't want to give it to them. I only want to give them what they asked for. If it is more, we will keep it. They are not going to be greedy. Give them what they asked for and send them on to the house. Is that right, Commissioner?

Holt:
Yes, Yes, Yes.

Lamb:
That is right.

Taylor:
Alright, let's move on with this item. But before we begin to discuss it, there are two people who wish to speak on it. Please forgive me if I mispronounce this last name, but I will work on it. Carlos Iglesias? Is Carlos here?

Holt:
He is either outside or he went home.

Taylor:
I don't blame him.

Then there is Mr. James Maloy. Is he here?

Maloy:
I am.

Taylor:
Mr. Maloy, please give us your complete name and your current address.

Maloy:
My names is James Maloy and I live at 1391 Bassett Road in Quincy, just outside of the Gretna City Limits. I have been before you all before and again, thank you for the opportunity to speak.

I discussed with you and I thought that one of the priorities that this commission has is to make sure that the health and safety and welfare of this community is at your forefront. Back when we were taking money from the sheriff's budget - in that same meeting, I believe, there were some funds that were given to hire additional sheriff's deputy. There was no line item created to provide for the fact that we are going to have that deputy's presence in our community further. But, we are talking about providing a line item for the City of Gretna for an infrastructure project, which I am not opposed to, to develop the interchange. However, when I look at nationally, the debt limit discussion, and you are talking about spending money you don't have to give it to a city commission who has demonstrated clear fiscal irresponsibility in my opinion.

I agree with the Clerk. I think that any funds that we provide to the City of Gretna should have some sort of Interlocal Agreement administered by the clerk if you do end up providing it, are distributed

in a manner that it doesn't result in 53% increases to health insurance for employees of the City of Gretna or 8% increases in retirement contributions. You are welcomed to look at the budget for the City of Gretna and look at those figures for yourselves. Initially, what has not been said by the City of Gretna or to any member of this commission is the fact that Gretna signed a Memorandum of understanding for a period of 50 years to provide 1.5 million gallons of fresh water a day to Pristine Beverage and Bottled Water, LLC. The problem with that is that we have been in a three decade legal battle with Florida, Georgia and Alabama. Fresh water is a significant resource that we need to make sure that we guard at all costs. That is part of your job in this whole role. I don't see the need to take our fresh water and ship it in little bottles across the country.

Now, when I obtained this document, Mr. Jefferson highlighted Clause 18, which talks about the fact that this is null and void if a fully executed contract was not provided for. But, I did not specifically ask for any additional documents, which may or may not exist. So, my reason for being here is a) making sure that everybody in this county is aware of the fact that we have yet another project that is being considered that really impacts all of us as citizens. That has not been mentioned. So, I have taken it upon myself to bring it to your attention. I took it upon myself to make sure that the Citizens of Gretna knew about it at their last commission meeting. So, I guess my role in this whole discussion is a) If we are going to provide money to Gretna, make sure that it is money that we have and not try to figure where we are going to get it in the future. Quite frankly, \$250,000 to the Creek Indians and David Romanack is couch cushion change. So, for anybody to consider taking that kind of money and handing it to those developers and saying it is an immediate need, while putting the county in an inferior fiscal position is, to the clerk's term, "negligent" in my opinion

That is all I have to say.

Taylor:

Thank you very much, sir. There being no other requests to have other input on this, now we will have discussion around the board. We will start out with whomever wants to start out.

Croley:

Here is the point that I am trying to make to this commission for it's consideration and to my friends from Gretna and to those who are either for this or against it. We talked about taking the money out of cash balances. That was not a good thing. Look at this now, You just told me that historically, you were convinced that we had \$2 million typically coming in, so this money that would be available to Gretna would be about \$200,000. You say that they asked for \$250,000, which they have.

Well if the revenue is \$200,000 according to you and their request was for \$250,000 and we are going to give them \$250,000 out of the jail cash balances and then turn around only expect next year to collect \$200,000, the county revenue is going to be short \$50,000. We have a very real and important need about that jail. So, you are going to come up short \$50,000 in the jail fund. I don't believe that this \$567,000 or \$568,000 (if we round it off) is adequate to do all at the facility that needs to be done. If we are delayed in getting the work done by building and maintenance – and their frustrations are purchasing policies that need to be changed in order to expedite repairs to an institutional facility like that – let's make those changes and get this work done.

I am not worried about this accounting process. I know this probably won't go very well with our financial officer, but I am not worried about it getting done right now in this budget year. I don't care. Obligate the money and move on. If it causes you a little extra work on the accounting side to close the books out for this fiscal year, so be it, but get over and let's move on. That jail needs to be fixed. You are going to come out \$50,000 short on following the recommendation that has been given or being advocated now by giving this money out of the cash balances. So, that is why I am saying, somebody is going to have to work on me hard to get me convinced to change that position.

Thank you.

Taylor:
Any other comments?

Holt:
Yes, Commissioner Croley, we have to look at how we are going to budget anyway. We are looking at the budget. At any given day, we move \$50,000 easily. In fact we moved a few hundred thousand dollars back in 2009. I argues against a lot of those movements. So, I am not opposed to looking at what it requires to get \$50,000 out of one fund into another. We have done things from doing infrastructure when it came to everything from improving a building to building a park. It required a couple hundred thousand dollars and we moved them. We did special projects on roads that it was not required, but we went back and did them. So, \$50,000 is not really an issue here 'cause we are going to do what we need to do in the budget anyway.

What I am looking at is the long term effect and I am for accountability for Gretna and they should be accountable. No problem. But I am looking at the long term issue of the money is going to be replacing your tax revenue anyway. So, we have to look at that. We are looking at from now until October that we can go ahead and solve the problem as far as the budget. I think we need to go ahead and vote on this so that we can look at economic concerns. We keep talking about jobs. Let's do something about jobs.

Thank you Madam Chairman.

Taylor:
Could you restate that statement that you made just a moment ago, I think you need to - not you, I am talking to the attorney, I apologize.

Minnis:
The comment that I made to the chairman is that if the ordinance is amended to allow the use of these surtax for the maintenance of infrastructure, then that would be an ongoing source of funding available for that usage, not just for the one year, but it would be unless and until you amend the ordinance to change it some other way.

Taylor:
So, it will be a constant generated fund from year to year.

Minnis:

Or for as long as the ordinance allows.

Taylor:
I think it is a 30 year ordinance.

Minnis:
(Inaudible)

Taylor:
The statement that I want to make is this, Commissioner Croley. I hear you and I hear you clearly. You are right. We have to be mindful of expenditures going forward. It is a half dozen in one hand and six in the other. Do we be mindful or do we grow? Do we hold where we are at or do we invest in growth and development? Nothing is going down with regard to cost. Everything is going up. What bought \$10.00 worth of groceries this year, won't buy \$5.00 worth next year. So, we have to be mindful that our dollar value that we have today won't have the same value next year. So, we have to replenish and we have to grow. We have to have money sent into our coffers. We have to look at innovative ideas to do it. Here, we just need to (as someone has quoted to me before) put some skin in the game. I am in agreement to do that to create jobs. Good jobs with benefits.

What we are going to do now, let me ask the attorney from the City of Gretna to come up. There are some issues that we need to clear up with regards to legal clarifications. Commissioner Holt and Commissioner Morgan has indicated that we want to make sure there is some clarity going forward on these requirements being part of these dollars going forward. And, as they said, accountability is important. If you get board approval tonight or this morning, rather, that these dollars will be attributed to and only to this water line. This \$250,000.00.

Lamb:
Sewer line.

Taylor:
Sewer line. I apologize.

Harold Knowles:
We have no problem with that.

Taylor:
So, we have clear language on this.

Harold Knowles:
The only concern we would have would be time. I said this 30 days ago. I said this 60 days ago. If there is some way to reflect this or memorialize this in some writing between the county and the city, either as an addendum to the existing Interlocal Agreement, that might be a good way to do it or whatever. The timing is the issue for us.

Taylor:

That is understood clearly, sir. I don't think the attorney will have a problem turning this around to you with the two of you working. We will go ahead and agree to sign off on such an agreement as long as the language reflects what this board is approving this morning. That is important and clear. So, with that being said, again, Madam Attorney, the language must reflect in this agreement, however you all want to come with it through the Interlocal or separate agreement, it is up to the two of you, whichever can get this done more quickly. But, the language must be clear that the dollars are to be used and only used on the sewer line.

Morgan:

Madam Chair, if I may, to include that when those funds are approved, they will be dispersed upon receipt of proper documentation showing qualified expenses.

Taylor:

I think that is doable.

Knowles:

The existing Interlocal Agreement has that very same passage in it, so that is not a problem.

Morgan:

I just want to make sure that it pertains to this amount of money.

Taylor:

Excuse me, Mr. City Manager for Gretna. You are not sure when I bring you up here, cause I am going to get a statement that I want to understand. I don't need a dictionary. I am only kidding with you. But, do you want to clarify a statement that has just been made by the attorney?

Knowles:

We have no problem with the suggestion by Commissioner Morgan. We just want to make sure that it is not only reimbursement basis, but when the bills come in, we have access to the money to pay our contractors. Once they have been submitted to the county and approved.

Taylor:

I think that is pretty much what the commissioner is asking for.

Morgan:

Yeah, qualified expenses.

Knowles:

Yes. There is no objection to that.

Taylor:

That being said, first of all, I want to thank the commissioners from the City of Gretna for coming out this morning. I apologize for the delay, but we are about our people's business and sometimes it takes a little longer than normal.

May I have a motion to approve this item?

Holt:

I move approval.

Taylor:

There is a motion.

Croley:

What is the motion? I don't understand it.

Taylor:

Alright. Let's back up. No problem. Withdraw your motion for a moment, please.

Holt:

I withdraw.

Taylor:

Just a moment. We are going to move approval for the \$250,000 that is going to be moved to funding source identified by staff as appropriate. Along with this, there will be an agreement established between the City of Gretna and the County indicating that these dollars will be earmarked specifically for the sewer line that is going to be developed at the I-10 exchange and that all proper supporting documentation must be submitted in order for reimbursement approval.

Morgan:

Contingent upon amendment to the ordinance.

Taylor:

No, I can't say contingent upon the amended ordinance.

Morgan:

If we don't amend the ordinance, then where is the money coming from?

Taylor:

The money is coming from the source. We can identify the source. We can identify the source. I am not going to put that part in there. I don't think that is necessary to put it in there. You correct me if I am wrong.

Croley:

Who is making this motion?

Taylor:

Commissioner, we are putting it out there, I am stating it for clarity, which is what you asked for, but I am going to ask for somebody, whomever, maybe you, to approve the motion and then we will get a second. You told me to give you clarity and I am giving you clarity.

Croley:

Well, I am also going to ask you for a legal point of order. Is that – can you transfer money and create this fund in this manner without a public hearing and a budgetary amendment? I think that is probably going to have to be answered by the Clerk's office.

Clerk Thomas:

You've got \$205,000 left that is budgeted in the current budget. That can be done with just a line item change. If you want to do the \$250,000, the other \$45,000 is in the fund balance and it has to be appropriated, so you will have to do an advertised budget change to get that appropriated if your motion is to give them \$250,000. Is that confusing?

Morgan:

No, you are saying taking it out of fund balance.

Clerk Thomas:

Let me clarify. Ms. McLendon told the Commissioner here, that there is \$500,000 there. Only \$205,000 is currently appropriated in a line item budget. The rest of the money is not appropriated. The reason that the rest is not appropriated - this situation goes back four years. This money has been budgeted and not spent. Budgeted and not spent. Budgeted and not spent. O.K. The original source of this money and you are not going to like this, Ms. Minnis, but the original source is actually the one cent sales tax back when Thornton Williams had a broader interpretation of the ordinance. O.K. The point is, there is \$205,000 in the current year that is appropriated. We can do a line item change and get that to them quicker. If you want to give them \$45,000 more, then you must appropriate it from the one cent tax fund balance. There is a fund balance in that particular fund. Not the General Fund Balance.

Taylor:

Alright, with that being said.

Croley:

Well, my question was – We can do the \$205,000. I understand that – to a new line item. It comes back – Does that require a public hearing? And you are saying, "No."

Clerk Thomas:

No. It requires a budget amendment.

Croley:

Well that leaves \$362,000 in cash. That \$362,000 – if you use any of that, it would require a public hearing.

Clerk Thomas:

Right. You will need to get \$45,000 out of that.

Taylor:

Thank you for the clarity. Thank you for stopping us right there.

Croley:

Again, to take the legal thing a little bit further, in order to replenish the money, would require a change in this ordinance.

Taylor:
Correct.

Croley:
And, that would require a super-majority vote. Correct?

Minnis:
Right.

Taylor:
It will require a super-majority vote, but when we go through our budgeting process, we can put whatever we want in that particular line item. That is the budgeting process. Whatever we want to put, we can put it there, per the \$2 million. It can be done either way with or without that.

Let's move on. It has to be amended to \$205, 000 instead of \$250,000.

Holt:
There is a question from them.

Taylor:
Yes, I am going to get him.

Minnis:
Because you took action at your last meeting, and you had an actual vote to use the 10% of the 95%, you would have to undo that before you can do that.

Taylor:
Let me hear from Commissioner Morgan and then we will take up that action.

Morgan:
Thank you, Madam Chair, just a quick question for the attorney.

Do we not need to include in this motion the fact that this should follow the amendment of the ordinance. If we are committing these and then we don't have a super majority vote to amend the ordinance, how is the money going to get replaced?

Minnis:
The answer to that question is, "It depends." I know you guys says think that lawyers say that all the time. If in the budget process you find a different source to replace the money, then you don't need the ordinance. But, if you intent is to replace the money from the ordinance, then the two need to be tied together.

Morgan:

Is that not our intention?

Minnis:

I was just answering from a technical point of view. There are other places to replace the money. But, if your intent is to replace the money out of the discretionary sales surtax, then that would be tied to the amendment of the ordinance. If that makes sense.

Croley:

We are getting the cart before the horse.

Morgan:

Well, I don't see why we can't amend the motion to include that.

Holt:

Well, once reason why I was going to say that we shouldn't is because what if we can get it from another source? So, if you leave it open and vote on it in two separate issues, then you can replace it from any source.

Taylor:

Let's move this motion. It is on the floor.

Lamb:

I don't mind attaching it. If you want to attach it, that is fine.

Holt:

No, you've got to do the ordinance and everything and that means that means that we are back to –

Taylor:

It is not on the floor. It is not in the motion.

Here is where we are. Everybody just back up a minute. We have learned two things about the motion that is on the floor. Number 1 is that we cannot appropriate \$250,000 in this motion because that amount is not fully appropriated.

So, what we are going to do at this time is to clarify this motion with the correct amount in it and the required language that needs to go in there to give the City of Gretna accountability. We are going to clarify this motion. It is still on the floor. I think it is not on the floor. You withdrew, you rescinded you motion.

Holt:

I rescinded the motion and we are still in discussion.

Taylor:

With that being said, here is what we will do then. Since we have rescinded that motion and it is no longer on the floor, we need to rescind the previous motion. We can entertain that now since there is no motion on the floor. The one that was made at our previous meeting where we had

subsequently agreed as a 5 – 0 vote to designate 10% of the 95% awarded from this particular funding source. We need to rescind that so that we can eliminate that percentage which might fall short of what the City is asking for.

Lamb:

I so move, Madam Chairman, to rescind that particular motion.

Taylor:

There is a motion to rescind that vote that was taken at the previous meeting that I just identified. There is a motion, is there a second?

Holt:

Second.

Taylor:

There is a motion and a second to rescind that particular item. Are there any questions?

There being none, all in favor of this motion, let it be known by saying, "Aye."

Holt: aye.

Lamb: Aye.

Taylor: Aye.

Morgan: Aye.

Taylor:

All opposed, the same sign.

Croley: No.

Taylor:

4 – 1 to rescind that particular item.

Now, that being cleared up, let me try and restate the motion that we need to go forward with. Then someone can put that motion on the floor. I am trying to bring it all to one point of clarity. Help me out.

We are going to get a motion on the floor to approve \$205,000 to go toward the sewer line at the interchange of the City of Gretna. In this agreement for these funds, there needs to be an agreement, shall I say, that would require the City of Gretna to submit supporting documentation for the expenditures, receipts before any reimbursement can be extended. As well, there is one other.

Holt:

Accountability.

Taylor:

And that it only be used for the sewer line. That is important that these funds not be expended in any other way. Those three items will now be

Knowles:

I just have one clarification that we need. The use of the word “reimbursement.” We are here today requesting these funds because we don’t currently have them. So, we won’t be able to expend the money and then go and request reimbursement from the county. We want the county to obligate these funds for direct payments upon approved receipts and all that, but it is paid directly to the contractor.

Taylor:

Mr. Clerk, do you have any problems with that?

Thomas:

No.

Taylor:

Then I don’t see any problems. You are saying that when Contractor A finishes putting a floor in, he can send the bill to the Clerk and the Clerk will recognize that as a proper expenditure and then a check will be cut to the Contractor.

Knowles:

We will send the supporting documentation to the Clerk as we are obligated to do now. It is just that the money is spent at that point in time, not after the city has paid it. We don’t have it to pay.

Taylor:

Clearly understood.

Now, this facility will be inspected by a professional building inspector, right?

Knowles:

We have a building official, just like the county and the other municipalities.

Taylor:

And those receipts will come after those inspections are completed.

Knowles:

Yes.

Taylor:

Thank you.

Alright. Clear as mud? You don’t have any idea, Ms. Muriel?

Straughn:

No, I was just wondering about the other \$45,000.

Taylor:

Well, we'll have to get to that in just a minute. Someone follow with a motion with what is in front of us.

Holt:

I move approval for the county to move \$205,000 from fund 301 to the City of Gretna for the City of Gretna Sewer Project and for it to be used only for the sewer project, with receipts filed with the Clerk for payment.

Taylor:

There is a motion, is there a second?

Lamb:

Second.

Morgan:

Question.

Taylor:

There is a motion and a second and now there is a question.

Morgan:

We have the Clerk and the Finance Officer here. Based on the City of Gretna's attorney assurance that there are no issues that are going to be presented down the road.

Clerk:

(inaudible)

Morgan:

Yes, and I appreciate the fact that you all took the opportunity to discuss that so we can clear up any questions. Secondly, I think Commissioner Holt's motion is based on the premise that we will be amending that ordinance. Is that right?

Holt:

Yes, definitely. I don't have it.

Morgan:

I know it is not in your motion, but based on the premise that we are going to do that.

Holt:

It is not in there. No, because we may get the money from somewhere else.

Morgan:

I just want the citizens to be aware of that and that is why we are considering it this way.

Back to my original question. Thank you.

Clerk:

The only thing that the Finance Department would want to see the bid award and then they will process them.

Holt:

There you go.

Clerk:

There should not be any issues with going forward.

Taylor:

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

Holt: Aye.

Lamb: Aye.

Morgan: Aye.

Taylor: Aye.

Opposed by the same sign.

Croley: No.

Taylor:

Make that 4 – 1 to approve this particular item.

Now, with regard to the remaining \$45,000, I am going to direct staff to bring that back to us at the proper time. Obviously, it will have to be done at a public hearing with a budget amendment. Bring all necessary requirements back to us at the proper time so we can go through that and see if we can get that on to you as well. But, obviously, you have enough to get started. Am I right?

Knowles:

Yes. Let me be clear, Madam Chair. Is the Contract to contain an appropriation of \$250,000 or is it an appropriation of \$205,000?

Taylor:

Today, it is \$205,000. But, the board did approve \$250,000 as you are aware. You stood there and watched us go through the motion. We are going to be looking at two different ones because of the funding source. I am hoping that you all will be a little more patient with us to get you the rest.

Knowles:

We will indeed.

Taylor:

You all have a nice day.

16. Approval of Interlocal Agreement Between Gadsden County and the City of Chattahoochee and Authorization for Chair to Execute Flood Mitigation for Crawfish Island

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

17. Approval of a Request to do Advertised Budget Change to Use Excess Money in Court Facilities Fund to Replace Roof and One Air Conditioning Unit at the Record Center

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE STAFF TO MOVE FORWARD WITH DOING AN ADVERTISED BUDGET CHANGE TO USE EXCESS MONEY IN THE COURT FACILITIES FUND TO REPLACE THE ROOF AND ONE A/C UNIT AT THE RECORD CENTER. Commissioner Holt was not present for this vote.

18. Approval to Accept the FY 2011 Third Quarter Report

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE THIRD QUARTER REPORT. Commissioner Holt was not present for this vote.

19. Approval of Budget Amendments # 110082 and 11083 for the Cairo-Concord CR 157A Resurfacing Project

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 – 0, BY VOICE VOTE TO APPROVE AMENDMENTS #11082 AND 110083 FOR THE CAIRO CONCORD CR 157A RESURFACING PROJECT. Commissioner Holt was not present for this vote.

20. Florida State Hospital Update

Commissioner Morgan reported that he made a public records request July 8 regarding the reorganization plan for Florida State Hospital. He stated the following statistics for the record :

Actual number of positions deleted: 301
Total number of individuals who received dismissal letters 142
Total number to date who have applied for or have been offered positions (not dismissed) 63
Total number of individuals who were laid off: 79 of which 28 were Gadsden County residents.

COUNTY ADMINISTRATOR

- **Redistricting of the Voting Districts** – Mr. Lawson was directed to agenda Redistricting for the second meeting in August.

- **Land Use Code – Solar Farms in AG zones** Commissioner Croley asked if the Growth Management Department has made any progress toward getting a proposal ready for the board's consideration regarding the Land Use Code – How to get projects through the system more expeditiously, in particular the proposed Solar Farms on Agriculture lands. – Mr. Lawson was asked to communicate that via email to each commissioner.
- **Privatization of County Probation and Roadside Mowing**
- Commissioner Croley asked, "What progress is being made for investigating the possibility of outsourcing the probation department and roadside mowing?"

Mr. Lawson replied by saying that he was waiting for some kind of indication that the board wanted to consider privatization of the County Probation Department. The conclusion was that it should be placed on the agenda this for discussion along with the county judge and the county probation director present. Also, it was said that this should be done prior to the upcoming budget discussions.

COUNTY ATTORNEY

- **Rescinding Board Action**
- Ms. Minnis reported that she did some research on "rescinding motions" at the instruction of the board at the last meeting. She referenced Section 35 of Roberts Rules – any member can move to rescind an action. If the action to rescind is not previously noticed, it requires a super majority vote of the members present the previous action.
- **Outside Attorneys Hired by the Board**
- Also at the request of the board she reported the following:
 - Prior to hiring the Ausley Law Firm, the county did have an agreement with another firm to work on the Ashford Bankruptcy case. That case is winding down.
 - There is a contract with Bryant Miller and Olive to do its bond work.
 - The Florida Association of Counties Trust (FACT –the county's Risk Management Carrier) also hired an outside attorney and is paid by them.
 - The Ausley Law Firm has not contracted with any outside attorneys to perform services. All services have been kept in house.
- **State Laws and local firearm ordinances.**
- New legislation goes into effect on October 1 which will severely penalize the county and commissioners individually if they do not repeal any local ordinances that place any kind of regulation on use of firearms in the county. Ms. Minnis stated that she will be bringing ordinances back to the board to be repealed.

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Lamb

Commissioner Croley

Commissioner Holt

Commissioner Morgan

- **Request to Link County Website to EGadsden Website**
Commissioner Morgan reported that the Tourist Development Council has a website “Egadsden” and he asked that it be linked to the County website.
- **Build out for the Tax Collector’s office - Status**
The Tax Collector will meet with the administrator and then come back to the board.
- **Tax Abatement Referendum –**
If the board should consider approaching the public with a referendum to consider giving tax abatements as an incentive to prospective businesses, the Supervisor of Elections said that she needed at least 60 days notice in order to get the referendum on the ballot. There would be no extra expense to the county unless it should require a third page to the ballot.

He asked that the board consider bringing such referendum back on an agenda quick soon.

Commissioner Taylor

- **Budget Workshop** She reminded the commissioners of the July 28th Budget Workshop. Commissioners should bring their quarterly reports.
- **TDC appointments** – bring to agenda ASAP – What slots are open? What qualifications do they need in order to fill those slots?
- **Citizens Growth Management Bill of Rights** –In order to repeal or amend the ordinance would require a super majority vote. She asked that the attorney to look at the possibility of being able to waiver that step for economic development projects. Can the ordinance be waived for a period of time?
- **Lonnie Clark Road** –She asked staff to bring back historical info on this road project – when did it come before us for approval?
- **“Family exemption”** “I want to look at this again and see if we made the best decision. I understand the opposition on it, but I did not totally understand the Pro-position for the people who need this. She asked that it be brought back for discussion.

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD AND UPON MOTION BY COMMISSIONER HOLT, CHAIR TAYLOR DECLARED THE MEETING ADJOURNED AT 11:53 A.M.

Sherrie Taylor, 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 2, 2011, AT 6:00 P.M.
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ.**

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

INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL

Chair Taylor called the meeting to order then led in an invocation and pledge of allegiance to the U.S. flag.

The roll was called by Deputy Clerk Muriel Straughn and noted above.

AMENDMENTS AND APPROVAL OF THE AGENDA

The following amendments were made to the agenda:

- Remove: Item 8 from Consent Agenda.
- Move: Item 20 to be the first order of business under General Business.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, TO AMEND THE AGENDA AS REQUESTED AND APPROVE IT AS AMENDED.

AWARDS, PRESENTATIONS AND APPEARANCES U

No items.

CLERK OF COURT

1. Presentation of County Finance and County Clerk Issues

Clerk Thomas had no report.

CONSENT AGENDA (Items 2-10)

Items 7 and 8 were pulled for discussion.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0 TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF ITEMS 7 AND 8, WHICH WERE PULLED FOR DISCUSSION.

- 2. Ratification of Approval to Pay County Bills**
- 3. Sheriff's Request to Use \$19,000 Special Law enforcement Funds to Purchase a D.A.R.E. Vehicle and Equipment and Give Budgetary to Expend the Funds**
- 4. Request to Use Law Enforcement Education Fund (LEEF) for D.A.R.E. Officers Training for School Resource Deputies and Give Budgetary Authority to Expend Funds**
- 5. Approve the Chamber of Commerce's Recommendation to Appoint of Lisa Stephaney, HR Director at Quincy Joist, to the WORKFORCE PLUS Board of Directors**
- 6. Approval to Transfer of a 1994 Oldsmobile, Property Record No. A-00386, from the Board of County Commissioners to the Gadsden County Health Council.**
- 7. ~~Approval of Bid Award No. 11-10 to Rudd's Pest Control of Quincy, FL. For Pest Control Services~~**
- 8. ~~Approval of Bid No. 11-04 for Solid Waste Division to Talquin Portable Restrooms for portable restroom service at the County Rural Waste Site.~~**—This item was deleted from the agenda at the beginning of the meeting.
- 9. Approval of Local Agency Program (LAP) Agreement for Roadside Beautification/Landscaping Project FPID 428100-1-38-01 The LAP Agreement is for \$4,146.00 – Native Wildflower Planting along US 27, US 90, CR 270A, and SR 65 in Gadsden County**
- 10. Approval of LAP Agreement for Gateway Signage and Landscaping Project - The funding for the design only grant is \$10,140.00 US 27, SR 267, US 90, CR 270A and SR 65**

ITEMS PULLED FROM THE CONSENT AGENDA

7. Approval of Bid Award No. 11-10 to [Rudd's Pest Control of Quincy, FL. For Pest Control Services](#)

Commissioner Morgan had a question regarding the bid tabulation form. There was a 40% difference between the lowest bid and the next lowest bid. He asked, "Are we comparing apples to apples or is there something we are missing?"

Mr. Lawson replied that all bidders were given the same specifications.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0 TO APPROVE THE BID AWARD TO RUDD’S PEST CONTROL OF QUINCY, FL.

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

There were no requests to speak filed with the Clerk.

PUBLIC HEARINGS

11. Public Hearing – Approval of Second Public Hearing on Behalf of the Rosedale Community

Interim County Administrator Arthur Lawson introduced the agenda item.

Mr. Justin Ford, engineer with Preble Rish, addressed the board. He explained that he had been working on the Community Development Block Grant for the Community of Rosedale to assist them with their water system. He presented the draft application and noted the project narrative on Page 5. He reported that if there were no objections to the application, it would be submitted to the Department of Community Affairs by August 15th, which is the deadline.

He went on to explain that the project would entail replacing the transmission main from the City of Chattahoochee to Rosedale to supply the community with consistent water flow and pressure. The project will also replace the pumps that control the pressure of the entire system. The application requests \$750,000 in funding. A portion of that will go toward the construction of the water main and the remaining portion will go toward the booster plant.

The City of Chattahoochee previously received a legislative appropriation for the Rosedale Community. He said that they are using that appropriation as leverage against the grant. In the work plan, it specifically outlines what those dollars were for and that leverage increased the strength of the CDBG application.

He went on to say that the “community needs score” is now fairly low at this time, but based on what DCA anticipates to receive in number of applications in this grant cycle, they hope the application will be in the fundable range.

Chair Taylor explained in detail the purpose of the hearing, then called for public input.

There was no response.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO APPROVE THE APPLICATION. COMMISSIONER CROLEY AMENDED THE MOTION AND COMMISSIONER LAMB AMENDED HIS SECOND TO INCLUDE THE AUTHORITY FOR THE CHAIR TO SIGN THE APPLICATION. THEY BOARD VOTED 5 – 0 ON THE AMENDED MOTION TO INCLUDE THE AUTHORIZATION FOR THE CHAIR’S SIGNATURE. .

A sign-in sheet was passed around for the purpose of recording those in attendance at the hearing. Mr. Ford asked everyone to sign it.

GENERAL BUSINESS

20. Approval of Millage Rate for TRIM Notification and Set the Date, Time and Place for the Public Hearings to Adopt the FY 2011/12 Gadsden County Budget

The following facts were stated during discussion among the board members:

- If the board should adopt the same millage rate as last year, it will reduce the county's revenue by \$70,000 more or less.
- The recommended millage rate is the same as the current rate.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO APPROVE THE TENTATIVE MILLAGE RATE OF 8.9064 MILLS AND APPROVE THE DATES LISTED BELOW AS THE PUBLIC HEARINGS FOR ADOPTION OF THE BUDGET.

- September 7, 2011 at 6:00 p.m. (Wednesday) County Commission Chambers.
- September 19, 2011 at 6:00 p.m. (Monday) County Commission Chambers.

12. Approval of Half Cent Sales Tax Dollars Collected in 2008-2009

Howard McKinnon, Chairman of the Gadsden County Health Council, appeared before the board explaining that their board has proposed using \$200,000 of the revenue generated in 2008 & 2009 from the indigent surtax to purchase a mobile health unit to travel into the rural areas of the county to render medical services to indigents.

McKinnon:

I know that initially, the Health Council had proposed a plan about maybe even staffing that with the proceeds. Of course, once the numbers for the hospital came in, that had to be changed. But, you know, we feel like that this will help us to address medical needs. As you all are aware, we are ranked as almost the last county by the Woods Foundation. We feel like this effort will help us be able to meet the needs of some people that live in the rural areas that just don't have any transportation. This will not fund a program. It would just buy the unit and equip it. The plan is – the Health Council is made up of a variety of medical providers. There are a lot of agencies that if they had a unit, they would utilize it and get their programs out. We would partner with these individuals, of course. Capital Regional and many others will be involved in that. So, that is why I am here tonight. That is our request. I think that there is more than \$200,000 left. You have spent some of that \$400,000 that was in reserve. I believe there is a little more than \$200,000 there. Mr. Thomas can tell you for sure how much is left. But, that is our request. If you have any questions, I will be glad to entertain them.

Taylor:

Does anyone have questions of Mr. McKinnon?

Lamb:

One question, Mr. Howard. Has there been any dialogue with GHI concerning these funds that are left?

McKinnon:

Well, not real recently. But, this is actually the third time that we have come here with this. In the initial stages, we did. Then, we attended a joint meeting and brought it up then, too.

I realize and we certainly respect your authority to decide how to spend those dollars. I realize that there are all kinds of ideas about how to do that. We are coming before you tonight asking that and I know that GHI is aware of it. They haven't told me specifically that they have problems with it. That is the best way that I can answer that, Mr. Lamb.

Lamb:

I haven't talk to GHI concerning this and I would really like to know where they are when it comes to these funds. They are the first priority for these funds, but I just haven't heard from them, so I don't know.

Croley:

Madam Chair, I just wanted to ask a question since there was no recommendation from the administrator on this item.

Mr. Clerk, you are the chief financial officer. You are familiar with these funds. Is this something that there is revenue there for this to be done and honor their request?

Thomas:

Let me say a couple of things about this because I think this gets lost. You always want money to be spent for what it is collected for. Right? That is the goal of government. But, the bottom line, when you go back to it is that the Board of County Commissioners has an indigent care tax, not a hospital tax. Madison County passed a hospital tax, which means that all that money can go toward their hospital. You passed an ordinance which said that money should go 2/3 for indigent care programs and up to 1/3 for the hospital. That is the ordinance that you passed. It was put on the ballot and the citizens voted for it – the indigent care tax. That is why they are here. Based on the ordinance that you passed, 2/3 of the money was supposed to go to them anyway. But, because of the hospital, you were able to change that and now what is going to them is essentially about 20% of it instead of the 66%. So, that is why they are here. I know a couple of you were not on the board at the time, but if you look back at the ordinance and Ms. Minnis can probably verify that, the indigent care tax set out a whole bunch of things and programs that the money was supposed to be spent on. Instead of doing that, you spent most of the money on debt service for the hospital, which is probably what the people thought they were voting for. They didn't understand the ordinance that was passed. So, Mr. McKinnon is here with a legitimate request to say, "The money that you collected for the first 15 months or so, you used to get the hospital open. There was about \$400,000 left. Then you used about \$143,000 of that for the heliport. So, what he is asking for is most of the difference there. Since the hospital has been open, the majority, about 60% of it, goes to debt service on the hospital and about 20% goes directly to Capital Regional and the Health Council and the Health Department gets about 20%.

But, he is going back to the money collected prior to the hospital being open and saying, "This is what is left. " You passed an ordinance that says that they are entitled to 66% of this money, which they didn't get because you needed it for the hospital. So, really, that is the difference.

You passed an indigent care tax saying that it could be used for all of these different programs. Not a hospital tax. That was an available option. You could have passed the half cent hospital tax, but you didn't do it.

So, that is why he is here. It is a legitimate request based on your actions in the past.

Croley:

Ms. Minnis, do you disagree with anything the clerk has outlined?

Minnis:

The only clarification that I would make is that as I understand it, it is not inappropriate to use indigent care money for the purposes the county has used them before.

Thomas:

I don't disagree with that at all. I am just saying that the hospital took precedent and everybody acknowledges that.

Minnis:

Right. And, I understand that this is not an expense that would be prohibited under the ordinance that you passed.

Croley:

Well, I have the chief financial officer agreeing that this is right and our attorney agreeing that it is right. I know Mr. McKinnon and Mr. Martinez have been here before asking for some use of this money for their projects. It is my position that we should support them in this request. While I appreciate the concerns about the hospital board, I do think thought, these folks have been very patient and they have waited for their time. I know this is their third time that he has been here to make this request. That is just how I see it.

Morgan:

Mr. McKinnon, we appreciate you coming up here to talk with us. Beyond that, the service that you have given on this committee – I know it has been a long endeavor and you are gradually moving forward in that. I don't disagree with any of the comments that I have heard from the attorney or the clerk and members of the board.

I am going to take a little more conservative approach because of some questions I have about the future of the hospital. I will preface my comments with a question to the clerk. As the hospital continues to change and we look to attract other physicians that come here or other businesses that might be able to provide services or whatever to generate some revenue there, but we can build on what we have so successfully opened out there.

Are there any funds anywhere else that we have access to other than the remaining \$260,000 left in this fund without going into fund balance? They are obviously not looking too good.

Thomas:

You asked a great question and the short answer is "no." That is a real legitimate concern that I

expressed back during the time we were trying to get the hospital open. You remember, we talked about the money that was used to keep Urgent Care going from the dividends that had built up on the hospital trust. Those were spent. We had that conversation. Then we contracted with Capital Regional. Instead of you getting to keep those dividends and build them up and use it to do repair and maintenance at the hospital, you don't have that anymore because you give that to Capital Regional in your contract with them.

So, you've got a problem in the future that you need to prepare for in terms of making repairs and any additional build out and that sort of thing. That is a huge problem.

Morgan:

With that in mind, I think we have done such a good job and have overcome so many challenges to get the hospital open and up and going, working and growing and we have succeeded thus far. I would recommend that we keep this as something to consider, but let's get a little bit further down the road or up the field or whatever you want to call it before we look at depleting these funds. I will feel more comfortable knowing that if a golden egg comes to be laid here, we may have to seed that and we've got some money sitting here to do that with. If we do this, not because it is this particular item, but anything, that money will be gone and an opportunity may be missed. So, I will have to consider approaching it with a more conservative circumstance.

Holt:

Madam Chairman,

Taylor:

Yes.

Holt:

The money was intended for indigent care. If you look at the plan that followed with the referendum, that is exactly what it was for. I will say this and I have said it many times, that is what we should have followed. We should have followed the plan that we sold to the people. They voted for indigent care plan with 2/3 of the fund and 1/3 for the hospital. We need to readdress that and see if there is anything we can get going that it will move back toward center on that issue whether it is with indigent care money or looking at any other proceeds we can come up with on another referendum.

Also on this issue right here, bringing healthcare out there – what happens is that we have an emergency room. We do not have a hospital. I am repeating that again. You cannot go out there and spend the night. So, what I am saying is that you have to get to the people early out there in those outlying areas. That is what the hope of this mobile unit will do. It will get them in. Once they get in, they still have to go to Tallahassee because you can't stay there because it is an emergency room. We are saying "hospital", but unless you have overnight beds, it is not a hospital. I am still getting calls. I don't know if you all are or not. But, this is very important. This cuts out a lot of problems that you will have if you get out there into those little communities. Up there near the Georgia line where they call it the "dead zone." You are too far from Bainbridge and too far from Quincy, and you are too far from anywhere else that you are going. That is why the mobile unit is needed out in those areas. It is not that we are depleting any

funds. We are really saving money by getting out there early. Now, we have to go back and look at how we will remedy the problem, as the clerk says, of getting funds. Then, how are you going to remedy the problem of people going to Tallahassee that don't have money. Remember, you can't stay down there for observation, so even if they go in for observation and you see at TMH. I saw that the other night – in for observation at TMH, you are going to pay that bill. That bill has to be paid. Then, you've got a thousand dollar ride if you go in the ambulance. So, we have other problems. This is really a small one. It prevents problems by getting healthcare out there early. This is a dollar saver and a life saver. This is a "No-brainer." Thank you , Madam Chair.

Taylor:

It sounds like the board is split on this one. However, I have thought about and prepared and read the agenda packet. I am pretty much sided up with Commissioner Morgan and Commissioner Lamb. What we need to do is simply listen to both.

Obviously, we want to get the best bang for our bucks because of how limited dollars are. We need to see how it will help this county progress. I can appreciate being able to get out there in the rural communities with such a unit. It would certainly get behind it if that is something that this board as a whole can look at the two and see which way will be best for the community and the county. So, I spoke with GHI and I know they are coming to us sometime in August.

Howard and Max, I appreciate the both of you and I know that you all are working hard. I see some of the things you are doing around the county and I don't want to give the impression that you don't have the support of this board. You know you do. Last time, when you came before us, you asked for two outreach position and received funds.

There is actually \$260,000 left over in this line item that you are asking for. While GHI is waiting on a dollar figure for building out that hospital, it might be that they don't need all of the funding. So, be mindful. I hear a board that wants to help and is going to. To what degree, we don't know at this time. But, I will say that once both presentations have been heard, then we will make a decision. Hopefully very prayerfully, and I don't mind about using that word anywhere I go, we will be able to have both.

Holt:

Madam Chair?

Taylor:

Yes.

Holt:

Prevention of catastrophes is not – you are not going to get a unanimous anything on this board on this issue because we are not following what the referendum said. We are not following what the people voted for. So, how can we say that if we don't want to fund part of what we told them that we were going to do.

Now, this is the third time these people have been up here. All they are asking us to do is do the right thing. It does not take a rocket scientist to figure this out. This is not the FCAT. We can do

this. I am so frustrated with the hospital, the whole thing. I guess I have been up here too long. I think that when you tell people you are going to do something, you should do it.

Taylor:

Commissioner, let me say this to you and I have always been a woman of my word. I will have to listen to both and then make a presentation. You are absolutely right. This is not rocket science. This is not FCAT. By the way, FCAT is not difficult in this county anymore because we have done well and we have mastered it. So, it is even considered rocket science anymore with regard to FCAT. But, as far as this ordinance, with regard to the indigent tax, this board has made revisions to it due to what we had in front of us at the time, which was getting the hospital open. Those were revisions that we needed to make in order to be able to provide some services to the county. So, we have done that. What we could have or should have is not on this table at this time. What is in front of us is a past ordinance revising what the citizens voted for. We had to do it. We advertised it. They are aware and most are appreciative of the hospital. I am one.

So right now we are in a posture where we are going to move forward with what we have. When it is time and we can come back and revisit this, then we will. Otherwise, we needed those funds to open those doors out there. As intelligent as you are, you are well aware of that.

Holt:

If I may say this and this is my last comment on this issue.

Taylor:

I am going to allow one last comment, Commissioner.

Holt:

Words, I am not interested in. Today is not my day. On the hospital, you know, I have been fighting this one since 2002. But, on this – You tell the citizens to vote for something and they voted on it. They did what they were supposed to do. This board decided to change what was on the referendum. That was wrong. I told you that was wrong. I told everyone that was wrong. But what I am saying is what they are asking for is only a part of the money that is left. It is time to do the right thing. The citizens did not vote for hospital board to decide how to spend that money. The County Commission sets up the hospital board and it can be changed at any time. Now, what I am saying is this. To make this sound good and pass it on, there are situations where people cannot get to a doctor because you have those 12 – 15 minutes if you have a massive heart attack.

The citizens are out there saying, “Go ahead and do what you are supposed to do.” I am going to put in a motion to approve this and let it fail.

Taylor:

May I finish my comment?

Holt:

Sure.

Taylor:

Then I will entertain your motion.

Holt:
O.K.

Taylor:

I will finish my comment and Commissioner Holt, I don't want to get into a back and forth with you. That is not my demeanor and I certainly am not good at it at all. But, here is what I want to do. Let's make sure that the message that is coming from this board is the correct one.

Again, when folk voted for this particular referendum, there was a lot of confusion out there. Actually, folk thought they were voting to open the hospital. But, that is neither here nor there. The Board decided to do what it needed to do to open that hospital. And, as far as what happens with those dollars, It is not GHI, it is board directed as to what happens. That is why we are entertaining this request tonight. With that being said, I will move on, but I want clarity. It is this board that decides how those dollars are spent. WE did what we needed to do to get the hospital open. Opening that hospital is another incentive to bringing in businesses. These things impact other things. I don't think we did anything wrong. Citizens are pleased with it and we are going to move forward.

If you want to put your motion out there at this time, go ahead.

Holt:
Thank you. I move approval of the amount requested from the indigent funds.

Taylor:
There is a motion. Is there a second?

Croley:
I will second it.

Taylor:
There is a motion and a second to approve Item 12. All in favor, let it be known by saying "Aye."

Holt: **Aye.**
Croley: **Aye.**

Taylor:
Opposed?

Lamb: **No.**
Morgan: **No.**
Taylor: **No.**

Taylor:

That is 2 – 3. It is not approved at this time. What we will do is to try and schedule a meeting as soon as possible, Mr. McKinnon, so that we can get you back before us and get this thing moved.

McKinnon:

One quick closing comment. Of course, we respect your decision. Lastly, you know, we all work together here and we don't want to be in an adversarial position with you because we all have the same interest for our citizens. But, I will make this plea. I worked in county government at one time and we were going through the enterprise zone process back in the mid 1990's or late 90's and we had to go out into the communities to get input from the citizens. One thing that we heard in every community was a plea for a mobile unit. Since then, I know that there have been several health studies done and that is still a common thread. So, I just want to make this plea to you. The citizens are asking for it and if we have an opportunity to work it out, I think that would be great.

Thank you for your time.

13. Approval of the Health Insurance Rates/Options

This agenda item provided the board with proposed health insurance information as it relates to the County's current health care coverage and sought board approval to change from the current Premier Plus Plan to the Capital Select Plan and to also absorb the 1% annual premium increase. (See the attached agenda report to see the rate and service differences between the two plans.)

The Insurance Committee met and evaluated the plans and premiums and recommended that the county go with the Capital Select Plan.

It was clarified for the record that the Insurance Committee is comprised of a representative from each constitutional officer and the county administrator and representative from the Human Services Department.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE OPTION 1 FOR THE CAPITAL SELECT PLAN AND THE BOARD WILL ABSORB THE 1% INCREASE IN THE COST.

14. Approval of Interlocal Agreement between Gadsden County and the City of Chattahoochee to Complete Crawfish Island Project

The Community Development Block Grant disaster relief funding was made available to Florida by the United States Department of Housing and Urban Development under Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et. Seq.) (Federal Register – Docket No. F.R. 5256-N-01, Volume 74, Number 29 and Federal Register Docket No. F.R. 5256-N-01 Volume 74, Number 156.) for federally declared natural disasters that occurred during 2008.

Gadsden County received funding to stabilize the banks of Mosquito Creek near the Crawfish Island Community in order to improve the water flow and reduce flooding; the City of

Chattahoochee also received funding for work in the Crawfish Island and Mosquito Creek area. The City of Chattahoochee desires to bid and construct both portions of the project as a single combined project. The Interlocal agreement shall serve as acknowledgement and permission by the County for the City to let the proposed improvements and administer the construction activities completed on the items proposed by the County.

The BOCC approved and executed a contract with Preble Rish on January 18, 2011 for the engineering services for this project.

The Department of Community Affairs Disaster Recovery Initiative (DRI) has allocated \$241,866.00 to Gadsden County for the implementation of Storm Recovery and Mitigation. The project was reviewed and approved by the Department. No county match will be required.

Request: Approve the Interlocal Agreement with the City of Chattahoochee and Authorize the Chairperson to Execute it.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE INTERLOCAL AGREEMENT

15. request to Process Administrative Future Land Use Map Amendment for Properties Located on or Near Bostick Road in Havana, Totaling Approximately 35 Acres (CPA-2011-02) Changing the Land Use Designation from Commercial to Rural Residential to Reflect the actual land use of the properties and to establish a land use designation consistent with the existing use of the property on the FLUM

Applicants: Sam & Nell Cunningham, Simon and Sara Boddery, Charles Foster Coleman, Molly Coleman Wilson, Sara C. Coleman, David O'Brian

Location: North and adjacent to the Havana Golf and Country Club on the east side of US 27.

Parcel No.: 2-27-3N-2W-0000-00123-0100;
2-27-3N-2W-0000-00210-0100;
2-27-3N-2W-0000-00123-0300;
2-27-3N-2W-0000-00210-0500
2-27-3N-2W-0000-00210-0600
2-27-3N-2W-0000-00210-0400
2-27-3N-2W-0000-00123-0200

The parcels listed above were designated on the FLUM in 1991 as Commercial property. These properties are part of a COMM designated area located in Township 3N, Range 2W, Section 27. However, the properties have not been developed as commercial nor are the access streets built for commercial traffic. They have been developed as single family residential uses. The owners petitioned the county to do an administrative change because they believe that an error occurred on the original plan.

The fiscal impact to the county will be approximately \$1,500. The Planning Department agrees that the property has been developed as residential and that it would be improbable for the property to develop as Commercial.

The amendment will be subject to the Citizens Growth Management Bill of Rights, thus requiring a meeting with the area residents.

Commissioner Holt noted that this type of error occurs all over the county map. She cautioned that if the staff assists in making this as an administrative change, she wanted to make sure that the staff is consistent with those people who come forward after this one. She would expect the same level of cooperation from the county staff to correct those as well.

It was determined that the trigger would be when a citizen brings the matter to the attention of the department.

Mr. Wilson, from the community of Bostick Road, addressed the board. She introduced others in the community who were present.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO AUTHORIZE STAFF TO MOVE FORWARD WITH MAKING THE ADMINISTRATIVE LAND USE CHANGE TO CORRECT AN ERROR TO THE FUTURE LAND USE MAP. THIS CHANGE WILL CHANGE APPROXIMATELY 35 ACRES FROM COMMERCIAL TO RURAL RESIDENTIAL.

16. Process for Amending of the Gadsden County Comprehensive Plan and Land Development Code to Allow Solar Energy Farms as a Permitted Use by Right in Agricultural Land Use Districts

At the June 7, 2011 Board meeting, the Board directed that the Planning and Community Development Director review the county's development process to allow solar farms as a permitted "by right" use in the Agricultural Future Land Use Districts as required by the Gadsden County Comprehensive Plan and Land Development Code.

Gadsden County has been announced as one of a number of finalists by National Solar Power as the possible location of approximately 20 related 200 acre solar farms. This is anticipated to be of considerable economic benefit to the county. Therefore, the board directed the staff to review the process for approval of a solar farm.

Staff found that the Comprehensive Plan and the Land Development Code (LDC) require review and approval of a solar farm as a Class II Public Use/Utility or Essential Service requiring approval as a "Special Exception" in the Agricultural Future Land Use District. Special Exception uses require approval by the Planning Commission and the Board of County Commissioners. Additionally, Special Exception uses require compliance with the Citizen's Bill of Rights as well as the public notice requirements of the LDC.

See the attached agenda report for time frames involved for each step.

Commissioner Holt stated that she is in favor of solar farms, but not in favor of doing this "by right." She preferred to continue to do it by special exception. She stated that she was also in favor of going through the comprehensive plan and making all changes needed at one time rather

than one piece at a time.

Discussion followed among the board.

There was a consensus to bring back a “by right amendment” to the comprehensive plan – follow normal process for text changes.

Growth Manager Director Antony Matheny said he would take it to the Planning Commission in October, but would meet with attorney and administrator prior to then.

17. Approval of Selection of Kimley-Horn & Associates Inc. to Administer a FDOT Funded County Grant to Prepare a County-Wide Bicycle and Pedestrian Master Plan (BPMP)

The Capital Regional Transportation Planning Agency (CRTPA) submits a priority list of enhancement projects to the Florida Department of Transportation (FDOT) District 3 for consideration in the development of their Five Year Work Program. The process of developing the priority list takes approximately one year to complete, from application solicitation to the final prioritization of the final projects. Prioritized projects from 2009 were submitted to FDOT for consideration for their 2011-2015 Work Plan.

Three transportation enhancement funding requests were submitted by Gadsden County in 2009 and approved for funding by FDOT Five Year plan. The Bicycle and Pedestrian Mobility Plan was one of them with funding available as of 2011. On October 29, 2010 the County entered into a LAP Agreement and is now ready to enter into the Planning Phase of the project.

In response to and RFP six firms submitted qualified applications. They were ranked by a bid committee. The firm of Kimley-Horn and Associates, Inc. was selected as the highest scored firm with 92.75 points out of a possible 100.

The total funding for the project is \$90,000.00 for completion of the Plan. It is a reimbursable grant.

Recommendation: Award the bid to Kimley Horn to prepare the County’s Bicycle and Pedestrian Master Plan as authorized by the LAP Agreement.

Commissioner Croley disclosed that he had been contacted by Preble Rish and by Sprinkle Consulting

Commissioner Morgan asked if the bid committee gave any special consideration to those companies who were local. Mr. Matheny replied that they used only the criteria that purchasing department brought forward.

Discussion followed.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE

BOARD VOTED 4 – 1 TO APPROVE THE STAFF RECOMMENDATION AND AWARD THE BID TO KIMLEY-HORN. COMMISSIONER MORGAN OPPOSED.

18. Approval of Tourist Development Council's Budget for FY 2011-2012

A MOTION WAS MADE BY COMMISSIONER MORGAN TO APPROVE THE BUDGET. COMMISSIONER CROLEY SECONDED THE MOTION.

Jeff DuBree addressed the board to answer questions raised regarding the budget and marketing strategies that TDC proposed to promote tourism in Gadsden County.

Commissioner Holt stated that she was looking for something that would market the county on a continuous basis. She suggested some radio advertising during the football weekends that would draw people to Gadsden County while they are waiting to go to a game.

Commissioner Croley suggested that there could be some co-op advertising.

Commissioner Lamb inquired about when the business appointment to the TDC board would expire. Mr. Dubree stated it would expire next year. He also stated that the current vacancy is for a bed tax collector.

Commissioner Taylor expressed some dissatisfaction regarding how the money has been spent for the last two years and could not support an increase to the budget.

THE BOARD VOTED 3 – 2 TO APPROVE THE BUDGET OF THE TDC AS PRESENTED. COMMISSIONERS TAYLOR AND HOLT OPPOSED.

Chair Taylor asked for a joint meeting with TDC as a whole to engage in dialogue that would result in both boards sharing a parallel vision.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO ARRANGE FOR A JOINT MEETING WITH THE TOURIST DEVELOPMENT COUNCIL.

Celebration of Its Children by the School Board

Chair Taylor announced that the School Board will hold a meeting on August 20 at 10:00 a.m. to celebrate its children. The intent is to show appreciation to the children for doing so well on the FCAT. They hope to have 2,000 plus children present.

19. Approval of Amendment No. 6 for Grant LP6721 Water/Waste Water Infrastructure and Authorize the Chairperson to Execute

This item sought approval to request and extension for the legislative appropriation by the Florida Department of Environmental Protection for the construction of water and waste water

infrastructure.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0 TO APPROVE THE AMENDMENT TO THE GRANT NAMED ABOVE.

20. ~~Approval of Millage Rate for TRIM Notification and Set the Date, Time and Place for the Public Hearings to Adopt the FY 2011/12 Gadsden County Budget~~

21. County Administrator – Update on Board Requests

None

22. County Attorney – Update on Various Legal Issues

None

23. Discussion Items by Commissioners

23a. Commissioner Lamb, District 1

- He thanked all board members for their support at the ground breaking of the Havana Park.

23b. Commissioner Croley, District 2

- He congratulated Commissioner Lamb on the park project.
- He referenced the CRTPA signed appropriation book that has \$91 million worth of projects in Gadsden County over the next five years. Rail, air, bikes, trails, road projects, pending funding priorities at the federal level. He filed the official document with the Clerk. He asked the administrator to have the county's website linked to the report for the public to see.
- He complimented the board saying that he feels the board is beginning to work together cohesively, especially regarding the budget this year.

23c. Commissioner Holt, District 4

- Asked for a list of the various boards to which the BOCC makes appointments and include the expiration terms of the appointees as well as the functions of those boards, how the appointments are made, etc. The entire process.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, TO HAVE THE ADMINISTRATOR PROVIDE THE COMMISSIONERS WITH THE LIST DESCRIBED ABOVE.

Economic Development

- There will be other things that the BOCC will be called upon to do for the expansion taking place in Gretna. She asked for a meeting with the cities so that the county can plan well for the appearances of the roadways etc.

24d. Commissioner Morgan, Vice Chair, District 3

- He asked that the Board place the upcoming modification to the Tax Collector/Property Appraiser's office as a priority and take measures to properly fund that project.

24e. Commissioner Taylor, Chair, District 5

- She reported that she met with EMS, Shawn Wood and Red Cross. She said that she is happy to report that she is confident in how they are handling pending disasters. She learned that FEMA will not reimburse for damages to heir properties.
- Businesses need to have a plan of action in the event FEMA needs to help the businesses in disaster circumstances. She suggested that the Chamber of Commerce spearhead this effort with the local businesses.
- The Edward Butler Governmental Office Complex does not have a generator in the event the power fails. She suggested that staff look at retrofitting the old one that was at the Sheriff's office.
- She commented that the Chamber of Commerce demonstration with the potential Solar Farm was impressive.
- She reiterated the need to build a jail pod. She said that she spoke with the clerk and he thinks the county needs to do something to push it along. She encouraged the Board to find a way to do it.

24a. For the Record: Sublease of the W. A. Woodham Building to the City of Quincy Police Department

24b. For the Record: Interlocal Agreement with the City of Quincy for Mosquito Control Services

24c. For the Record: Letter from FAC Regarding Commissioner Gene Morgan's Appointment to Serve on the Policy Committees and Workgroups

24d. For the Record: Letter from FAC Regarding Commissioner Eugene Lamb's Appointment to Serve on the Board of Directors

24e. For the Record: Letter from the Gadsden County Sheriff's Office Regarding Pledge of Support for the City of Gretna/Greensboro Projects for the Creation of New Jobs for Gadsden County

24f. For the Record: Quit Claim Deed Regarding Additional Right of Way on Joe Knight Road

24g. For the Record: Sub-Grant for the Sheriff's Office Area Drug Taskforce

24h. For the Record: Letter to Ms. Carol Edwards Regarding her Appointment to the Library Commission

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR DECLARED THE MEETING
ADJOURNED AT 8:10 P.M.



ATTEST:

Muriel Straughn

Muriel Straughn, Deputy Clerk

Sherrie Taylor

Sherrie Taylor, Chair

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON AUGUST 16, 2011 AT 9:00 A.M.,
THE FOLLOWING PROCEEDING WAS HAD, VIZ:**

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

Invocation, Pledge of Allegiance, Roll Call

Chair Taylor called the meeting to order at 6:00pm. She then opened the meeting with a prayer and pledge of allegiance to the U.S. Flag.

The roll was called by Muriel Straughn, deputy clerk, with all members present as listed above.

Instructions to the Public re Cell Phones and Speaker Forms

Chair Taylor addressed the Board concerning cell phones during the meeting and forms that where to be completed if you where speaking before the Board.

Amendments to the Agenda and Approval of the Agenda

The agenda was amended as follows:

Add:

4-A: Eugene Lamb, Jr. Park at Richbay Presentation of Funds
(Elizabeth Jenkins and Dale Riggins, Eugene Lamb, Jr. Park Fundraisers)

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

1. Discussion of Redistricting

County Attorney, Debra Minnis addressed the board regarding information about redrawing district lines. She gave update on current districts as they are structured and outlined the below.

- Attachments: Map of Current Districts
- Census increase of 2.4%

- Breakdown of population by district
- Census Data Definition
- FL House Redistricting Schedule
- Comparables in District since 2000
- Ideal district population sample
- Senate Redistricting Schedule
- Program on Internet – District Builder

Commissioner Croley inquired on current inmates in the State, County and Private facilities are they being considered part of the population of the Census. He also asked about the new Prison they are building at Pat Thomas Law Enforcement Academy.

Attorney Minnis stated that the current facilities were counted, but that the new facility at Pat Thomas would not be included.

Commissioner Holt inquired why was this item placed on the agenda and was it voted by the BOCC.

Chair Taylor replied that was on the agenda for informational process only as a part of redistricting.

Commissioner Holt stated that if we did not decide to put it on the agenda, there should be a process for items placed on the agenda. She stated that she was told by the Board they would vote on what would be placed on the agenda. She also stated the percentages are not there to warrant redistricting and the cost for hiring a consultant would be \$25,000. It is not cost saving. She suggested that if the Board considered doing this, they need to wait until after the Legislature is done.

Commissioner Morgan remarked with a point of clarification, expressing that some items the Board will not have a say as to what goes on the agenda. That there are some items that we take up under are personal allowances. He reiterated saying that there are items on the agenda that the Board does not have to approve for it to be placed on the agenda.

Commissioner Lamb expressed his appreciation to Mrs. Knight for gathering the information that was requested by the Board. He also concurred that the numbers do not warrant redistricting. He emphasized that this is informational purposes only.

Commissioner Croley read FL Statutes requiring redistricting from time to time. This is following the law. He applauded Supervisor Knight and the County Attorney for providing the information.

Commissioner Holt said the reason she brought the issue up was for procedural purposes only. She stated that she was not targeting this issue only. She also commented that she wanted to thank everyone for trying to follow procedures when it comes redistricting of district lines.

Chair Taylor stated that she heard the comments of all Commissioners. The information was thorough. We have an overview of the districts, county and legislature. She said that we needed to

wait on the census report and that's why we called in Clerk and Supervisor of Elections. Chair instructed Mr. Lawson that this is an item that We need to bring up for a vote on whether we want to redistrict after we look at what the legislators are doing. If only a 2% increase, it does not warrant but we need to give this due process and stated that if it happened it would be in an odd year, 2013.

Chair Taylor along with the consensus of Board directed staff to keep this item before the Board and bring back after the Legislature had redrawn their lines.

Chair Taylor asked Mrs. Knight would she come up and address the Board, she asked had she gone through a redistricting process before.

Supervisor of Elections Shirley Knight addressed the Board on redistricting process that she participated in. She commented that the last time district lines were redrawn was in 2003 by a committee appointed by BCC along with a consultant hired to draw the maps. She stated that the members of the Redistricting Committee consisted of a member from the Democratic and Republican Party. She said the Board also chose a citizen from each of their districts, the Consultant and herself.

Commissioner Morgan thanked the Supervisor of Elections, Shirley Knight for all her hard work and asked if she could recall the cost of the redistricting project to the county in 2003.

Supervisor of Elections, Shirley Knight stated that if she could recall the figure would be around \$25,000.00 for the consultant and to her office \$5,000 for their work totaling \$30,000.00.

Commissioner Morgan replied that the county would need to budget \$50,000 in 2013 if it decided that lines should be redrawn for redistricting purposes.

Chair Taylor enthusiastically articulated her support for the information that was provided by the Attorney and Supervisor of Elections for their work thus far on the Redistricting information and with no further comments that concluded the Redistricting Report.

2. Update on Capital Regional Medical Center Gadsden Memorial Campus

Craig McMillan, Gadsden Hospital Inc., Board Chairman gave periodic update of what was going on at Hospital. He stated that they added a new board member and he thanked the Board for confirming their decision. He stated that they are excited about things that are going on at hospital. He commented on Indigent Care that is provided to the community.

Bud Weathington, CEO, CRMC commented that they just completed first year of operation and it was very successful. He stated with Indigent Care there is a loss but, that is within the plan that was projected. It has proven to be a good viable arrangement. He concluded that patient satisfaction had been good and well received in the County and look forward to great things happening between CRMC and Gadsden County.

Commissioner Morgan added that he visited the hospital after a fall and that he received great care. He asked Mr. Weathington do you anticipate any growth in Gadsden County, such as a mobile unit coming into the County.

Mr. Weathington said that he was agreeable to look at alternatives such as the mobile health unit if we can make the budget fit, but could make no promises. He also commented that Medicaid payments were reduced as of July 1st.

Commissioner Croley inquired about the helicopter pad. He asked was it life saving and is it working as planned.

Mr. Weathington replied that it indeed was life saving and that is working for the County.

Commissioner Lamb commented that had heard nothing but good things about the hospital.

Mr. Weathington commented that he was there for the Board if they needed him for anything.

Discussion occurred among the Board.

Craig McMillan came once more before the Board. He reminded the Board of the importance of Capital Regional Medical Center and thanked them for partnering with Gadsden County.

Chair Taylor thanked Mr. Weathington and Mr. McMillan for their comments and hard work for the county.

Chair Taylor stopped for a minute to Recognize John Daly – Chair of Leon County Board of County Commissioners who whose there concerning issues about the BP Spill

3. Florida 4-H Horse Show Class Results

Dr. Henry Grant, County Extension Director addressed the Board and introduced Yolando Goode, Extension Agent.

Mrs. Goode acknowledged that she was pleased to present the winners for the Florida 4-H State Horse Show 2011 Class Results. She presented to the Board for recognition Kendell King, Autumn Coopinger, Natasha Manos, then went into details about their accomplishments with 4-H.

She stated that Kendall King participated in Senior Keyhole, and placed third, Senior Poles and placed third, and Senior Stake Race and became the State Champion by placing first in a field of 30 riders.

She said that Autumn Coppinger participated in Senior Keyhole, and placed eleventh, she also ran in Senior barrels and Senior Poles; she then participated in Stock Type Mare Halter Class and placed fourth.

She commented on Natasha Manos participation in Junior Keyhole and placed seventh, in Junior Poles and placed eleventh, she also ran in Junior Barrels and Junior State Race.

Mrs. Goode concluded by saying 4-H is one of the largest youth development programs in the nation. She said that it provided educational opportunities and life experienced to youth throughout the country and thanked the Board for their continuous support.

Chair Taylor along with the Board thanked and applauded the young ladies for their accomplishments and hard work to the 4-H Program and the highlighting of Gadsden County.

4. Recognition of Miss Alaysha T. Henderson

Chair Taylor recognized that education is important and that she felt you should honor students that have made great academic achievement. She gave recognition to Alaysha T. Henderson, 4th Grader at George W. Munroe Elementary School, who scored a perfect 6 in FCAT writing section, the highest achievement. Chair Taylor presented to her and read into record Resolution No: 2011-029.

The Board paused for a moment to congratulate Alaysha and her family for her accomplishments.

4A. Ms. Elizabeth Jenkins Presentation and Mr. Dell Riggins

Ms. Elizabeth Jenkins and Mr. Dell Riggins made a presentation to the Board of County Commissioners and thanked them for the efforts in making the Eugene Lamb Jr. Park a part of the Richbay Community. They presented a check to Mr. Lawson in the amount of \$4,071.00 for the park and pledged to continue their fundraising efforts.

5. Clerk of Courts

Presentation of County Finance and County Clerk Issues

Nicholas Thomas, Clerk of Court, commented that he had comments on Item 15, when it is presented. He informed the Board on the ½ cent indigent sales tax for informational purposes.

CONSENT AGENDA

Item 10 -Approval of Revised Circulation of Library Material and Overdue Library Materials Policy by Carolyn Poole, Library Director was pulled from the Agenda for discussion.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0 TO APPROVE THE REMAINDER OF THE CONSENT AGENDA.

6. Approval of Minutes – June 7, 2011 & July 5, 2011

7. Ratification of Approval to Pay County Bills

8. Approval of Commissioner Lamb's Travel to the Florida Association of Counties' Leadership Retreat

9. Approval and Execution of Resolution Number 2011-028 and Budget Amendment Number 110097

10. ~~Approval of Revised Circulation of Library Material and Overdue Library Materials Policy~~

Moved to the General Business for discussion.

11. **Approval to Apply for the 2010-2011 Department of Health County Award Grant and Authorize the Chairperson to Sign Resolution Number 2011-027**
12. **Approval of Appointments to the Gadsden County Industrial Authority**

Consent Items pulled for discussion.

10. **Approval of Revised Circulation of Library Material and Overdue Library Materials Policy**

Chair Taylor explained why item 10 was removed from the Consent Agenda. She commented that the Library would like to start turning over past due obligations to a Collection Agency. She stated that she would like to try other stop gap measures first. She then made a motion to deny and it was seconded by Commissioner Holt.

Discussion occurred from the Board.

Commissioner Croley suggested to the Board and staff that they look at other counties and see what they do as regards to overdue library books.

UPON MOTION BY CHAIR TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO DENY APPROVAL OF REVISED CIRCULATION OF LIBRARY MATERIAL AND OVERDUE LIBRARY MATERIALS POLICY.

CITIZENS REQUESTING TO BE HEARD ON NON AGENDA ITEMS – (3 minute limit)

There were no citizens wishing to be heard on non agenda items.

General Business

Senior Citizens Additional Homestead Exemption

Commissioner Lamb, Committee Chair, gave an update on the Homestead Exemption Committee. He stated that the statute mentioned is very direct and it will not be easy to take advantage of the additional Homestead Exemption unless you meet the criteria.

Property Appraiser, Clay VanLandingham, recommended that the Board pursue the additional \$25,000 to those who meet the criteria for the Senior Citizens additional Homestead Exemption. He stated that the statute covers the ordinance. They had to 65 years old and income requirements are per household.

Discussion occurred among the Board.

Chair Taylor inquired what would the Board need to do.

County Attorney, Debra Mennis commented that the Board must adopt an ordinance.

Commissioner Morgan asked if passed would there be room to repeal the ordinance. Mrs. Mennis, commented yes, but it would require public notice to repeal.

Commissioner Croley gave his support for the motion.

Chair Taylor asked for a motion.

Mr. Vanlandingham stated that the earliest the ordinance could take effect would be 2012, if the ordinance went to effect this year.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE OPTION 1 IN THE PRINTED MATERIAL OF THE AGENDA.

14. Approval of Solid Waste Services Transition

Public Works Director, Charles Chapman and Administrative Coordinator, Robert Presnell, addressed the Board and stated they were directed by the Board to bring back a recommendation for a plan to implement the curbside garbage pickup in the county. Mr. Presnell commented Waste-Pro USA had agreed to waive the CPI during the transition. He said that the transition should run smoothly and it should help reduce taxpayer expenses for essential solid waste and recycling services.

The cost to the public is \$14.50 per month with recycling and once a month large item pickup.

Chair Taylor called for Public Comment.

Public Comment

Troy Mullis, 565 Gould Road at Lake Talquin expressed that he enjoyed the public waste facility and enjoyed the flexibility. He commented that he would be willing to pay more if needed. He asked the Board what time would pickups take place and where?

Chair Taylor asked Mr. Presnell to answer the questions that were asked by Mr. Mullis.

Mr. Presnell stated that there were benefits to the Waste Pro USA, such as: low monthly fee, Curbside - pickup for trash and recycling, 94 gallon roll – off container & recycle bin. He said that they would work with Waste-Pro, so that all transitions ran smoothly during the process.

Commissioner Morgan commented that he would like to see options during the transition period.

Mr. Lawson expressed that this issues were brought before the board to get direction so they would know how to budget this item in order to finalize the upcoming budget.

Discussion occurred among the Board.

Commissioner Holt inquired what the pick-up service rate was based on.

Commissioner Croley commented on issues of disabled persons, he directed staff to look at how Leon or Tallahassee provides service to them. This should not be taken as mandatory. It should be the freedom of choice to the individuals. Don't want this to be oppressive to the public. If the board goes forward, communication should reference the FL Statutes in English and Spanish. Look at an ordinance to prohibit throwing trash into the woods and make it civil as well as criminal offense. Look at making a violator responsible for cleanup.

Commissioner Morgan suggested that the Board table this discussion until they have heard from the public.

Commissioner Lamb stated the he supports the report by the Solid Waste Committee.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 2 – 3, BY VOICE VOTE, TO TABLE THIS ITEM. THE MOTION TO TABLE FAILED.

Chair Taylor asked for another motion.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 -0, BY VOICE VOTE FOR THE APPROVAL OF OPTION 1 WITH BILANGUAL LANGUAGE SOLID WASTE SERVICES TRANSITION.

15. Approval of a Rate Increase for Gadsden County EMS Outlined by the Attached Financial Proposal

Mr. Lawson commented on item 15.

Chair Taylor asked for a motion. The motion was made by Commissioner Lamb.

Clerk Thomas interjected that he did not have a problem with the approval of the rate increase for Gadsden County EMS, but he did call to the Board's attention that he thought the assumptions might be overly optimistic. He gave a brief background and cautioned the board about contributions. He stated that he would have his staff go back and look at a transfer from EMS to General Fund before the next budget workshop. He stated that they should be cautious the first year. He also told the Board that they should not count on EMS subsidizing the General Fund.

Chair Taylor stated that the Clerk and she had a prior conversation on ways that they can be more conservative. She said that this was item that the Board had to look at closely during the Budget Workshop. She went on to expound that they would have to use creative ways to generate revenue for the County.

Mr. Arthur Lawson concurred with the Clerk and stated that they would have follow-up during Budget Workshops.

Commissioner Morgan asked where the fees are in line with other Counties, such as Leon. Commissioner Holt asked the Clerk to prepare something in writing for them to have before them

when they discuss the budget on Thursday.

Commissioner Lamb made a motion and Commissioner Croley seconded the motion to approve the rate increases.

Chair Taylor asked for comments.

Commissioner Croley remarked that he thought the fees should be in line with surrounding counties. He thanked Clerk Thomas for his comments about not over estimating the resources.

UPON MOTION BY COMMISSONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE, FOR APPROVAL OF A RATE INCREASE FOR GADSDEN COUNTY EMS OUTLINED BY THE ATTACHED FINANCIAL PROPOSAL WITH STAFF LOOKING CLOSELY AT NUMBERS DURING BUDGETING PROCESS.

16. Approval of Selection of Kimley -Horn and Associates Inc. to Complete the Approval and Adoption Process for EAR-Based Amendments and Two Area Plans for Gadsden County

Mr. Lawson gave brief comments on Item 16.

The Board had brief discussion on the approval of selection of Kimley-Horn and Associates Inc. to complete the approval and adoption process for EAR –Based Amendments and Two Area Plans for the County.

Discussion occurred among the Board.

Commissioner Holt asked who was working on project before.

Mr. Lawson commented that it was Preble – Rish.

Commissioner Morgan asked was the \$50,000.00 budgeted.

Mr. Lawson stated that it was budget \$50,000.00.

Chair Taylor asked for a motion to approve.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE, FOR APPROVAL OF SELECTION OF KIMLEY-HORN AND ASSOCIATES INC. TO COMPLETE THE APPROVAL AND ADOPTION PROCESS FOR EAR – BASED AMENDMENTS AND TWO AREA PLANS FOR GADSDEN COUNTY.

17. Approval and Adoption of New Image/Brand and Website for the Gadsden County Tourist Development Council

Mr. Lawson gave an overview of the approval and adoption of New Image/Brand and Website for the Gadsden Tourist Development Council.

Commissioner Holt asked that the language be bold and larger, due to fact it is not readable.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, FOR APPROVAL AND ADOPTION OF NEW IMAGE/BRAND AND WEBSITE FOR THE GADSDEN COUNTY TOURIST DEVELOPMENT COUNCIL AS STATED.

18. **County Administrator** - No additional issues

19. **County Attorney**

John Daily – BP Oil Spill

Leon County Commissioner Chair, John Daily, greeted the Board. He commented that he was not appearing in commissioner capacity, but in his private position. He said that for over 15 years he had been working with local governments. He commented that he approached Mrs. Mennis, because this is legal issue instead of the County Administrator. He named the counties that he was currently working with. He informed the Board of BP Information and commented on the impact of the spill. He stated that he looked forward with working with the County and would get with Mr. Lawson.

Chair Taylor stated that the item was not properly advertised and it should be tabled. She directed Mr. Daily to submit item documents to the Deputy Clerk and she would distribute to the County Administrator.

David Gardner , Chamber of Commerce

Mr. David Gardner, Chamber of Commerce updated the Board on the National Solar Farm. He said that Gadsden is in the final four sites. He commented that he didn't know final selection timeline and that they were doing a lot of due diligence.

Commissioner Morgan commented on one of the larger companies in the County closing and asked Mr. Gardner to give briefing.

Mr. Garner told the Board that the company he was referencing was the Printing House and that it had let go the last of 41 employees last week. He said that nothing has been officially released. He stated that in better news, there were two companies who may be interested in coming to Quincy.

20. Discussion Items by Commissioners

Commissioner Lamb

Commissioner Lamb commented on the Gadsden County Health Department. He said that the Health Department has announced its new Interim Director, Mr. Paul Myers and welcomed him aboard.

Commissioner Croley

Commissioner Croley asked that his the item be added to the Agenda. In other business he stated that he attended the Leon County Chamber of Commerce Retreat. He talked about the National Gas Facility and stated that they would like to make presentation - Requested

UPON A MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO HAVE A SPOKEPERSON FROM NO PETERO COME TO BOARD MEETING FOR PRESENTATION ON PROPANE GAS.

Commissioner Holt

Commissioner Holt stated that two members where approved to the Industrial Board. She asked that some statistical data regarding unemployment in Gadsden County. She asked for updates for Workforce Plus.

UPON MOTION BY MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER CROLEY TO DIRECT STAFF TO GATHER INFORMATION REGARDING UNEMPLOYMENT RATE IN GADSDEN COUNTY.

Commissioner Lamb injected and recognized Mr. Dale Summerford, Tax Collector for the County and thanked for his attendance.

Commissioner Holt stated that the Board really needed to look at the Comprehensive Plan and Land Development Code to ensure that is supports development related to job creation.

Commissioner Holt made a motion to set aside a workshop date to look at Comprehensive Plan. Motion failed for lack of a second.

Commissioner Holt reminded the Board of the importance of the Comprehensive Plan.

Commissioner Morgan

Commissioner Morgan expressed his appreciation for the youth who were presented for recognition from 4-H and Alaysha Henderson from George W. Munroe.

Commissioner Morgan thanked and showed appreciation for the comments from Clerk Thomas regarding EMS Rate Increase.

He also stated that Commissioner Holt brought an interesting point that Comprehensive Plan was related to job creation and asked that staff do follow-up.

Mr. Lawson confirmed that staff was working on that information and that he would try to have at next meeting.

Commissioner Morgan thanked David Garner for all his hard work for economic development through the Chamber.

The Board then made comments to Mr. Gardner about his efforts to attract businesses to the Gadsden Industry.

Relocation of the Driver's License Office to Tax Collector

He also asked about the requested information on volunteer boards and how they are elected.

Mr. Lawson said he had directed that task to staff. It could be ready by next meeting.

Concern for updates for potential remodeling for the Tax Collector's office for Driver's License duties.

He also stated that it would affect budget. Would like to open it up for discussion.

Chair Taylor asked for comments, but warned that it was not an agenda item; therefore no action could be taken.

Clyde Collins, Building Official discussed plans for the relocation of the Driver's License Office to Tax Collector.

Dale Summerford, Tax Collector addressed the Board. He stated that he would prefer that Board of County Commissioner's keep all of his employees under one roof. He went on to detail how that would benefit the citizens of Gadsden County. He said that the drop dead date for the transition of the Driver's License responsibilities to his office is November 30, 2011.

The Board took no action. They decided that would discuss it further on Thursday, August 18, 2011 at the Budget Meeting.

Chair Taylor asked that further discussions be tabled.

Clyde Collins, Building Official came before the Board once more and reiterated that it would not cost any money for the County to lease the building only to maintain it.

Chair Taylor and the Board directed Mr. Lawson to look at options and get back to Board.

Commissioner Taylor

Chair Taylor expressed her concern for Generators for county buildings and the Clerk's Office.

Mr. Lawson said that they have not taken a look into the possibilities of purchases generators at this time.

Chair Taylor asked Mr. Lawson to look at this information for informational purposes only.

Chair Taylor commented that with 5 A schools in 5 years in the County that was something to celebrate. She said that the School District would be celebrating on August 20, 2011 the accomplishments. She stated that it would involve all municipalities participating. She explained how the event would work to the Board. She asked the Board if the School District could have \$2,000 - \$2,500 from the contingency money for the event and that it would help with the purchase of book-bags, uniforms, etc... She asked that it be placed on the next agenda.

Mr. Lawson commented that the event would have occurred by meeting date.

Chair Taylor replied that it would be ok stating the event would be over but bills still must be paid and would be coming in for this grand event.

Chair Taylor offered a motion and it was second by Commissioner Croley.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO HAVE ITEM PLACED ON AGENDA FOR NEXT OFFICIAL MEETING DATE OF SEPTEMBER 6, 2011 TO HAVE \$2,500.00 FROM THE CONTINGENCY FUND TO SUPPORT THIS EVENT WITH THE SCHOOL DISTRICT.

Chair Taylor also brought up the subject of Abandoned Houses in the county and asked staff to bring the ordinance back and look at it.

She also mentioned Streamlining Planning and Zoning re Community Development. She said that staff had been working on this and it would be brought back soon to the Board.

Chair Taylor made clarifications and gave reminders about upcoming meetings:

- September 6, 2011, Regular Meeting, 6:00pm
- September 7, 2011, First Budget Hearing, 6:00pm
- September 19, 2011, Final Budget Hearing, 6:00pm
- September 20, 2011, Regular Meeting, 9:00am

Meeting with TDC – August 23rd at 4:00 p.m.

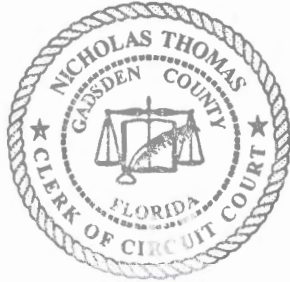
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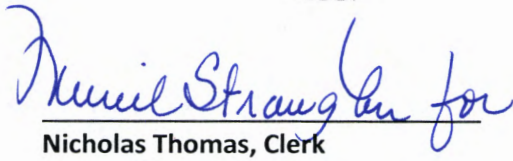
- a. For the Record: Letter from the Florida Department of Health Regarding DOH EMS Grant Award**
- b. For the Record: Letter from the Gadsden County Health Department Regarding the Activities and Expenditures Report**
- c. For the Record: Financial Statements from the Boys and Girls Clubs of the Big Bend, Inc.**
- d. For the Record: Letter from Department of Community Affairs Regarding FFY 2010 Community Development Application**
- e. For the Record: Interlocal Agreement between the City of Gretna and Gadsden County – Gretna Highway 12 Wastewater Line Project**

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, CHAIR TAYLOR DECLARED, THE MEETING ADJOURNED AT 11:40 A.M.



ATTEST:


Nicholas Thomas, Clerk


Sherrie Taylor, Chair

**AT A BUDGET WORKSHOP AND SPECIAL MEETING
HELD IN AND FOR GADSDEN COUNTY, FLORIDA ON
AUGUST 18, 2011 AT 4:00 P.M., THE FOLLOWING
PROCEEDING WAS HAD, VIZ.**

Present: **Sherrie Taylor, Chair, District 5**
 Gene Morgan, Vice-Chair, District 3
 Eugene Lamb, District 1
 Doug Croley, District 2
 Brenda Holt, District 4
 Nicholas Thomas, Clerk
 Arthur Lawson, Interim County Administrator
 Jeff Price, Sr. Budget Analyst

CALL TO ORDER

Chair Taylor called the meeting to order at 4:20 p.m. The meeting convened late due to technical recording issues.

Mr. Lawson, Interim County Administrator, addressed the Board and said that Jeff Price, Sr. Budget Analyst would facilitate the meeting.

GENERAL OVERVIEW OF THE BUDGET

TENTATIVE BUDGET

Mr. Price addressed the board pointing out the changes made to the budget as a result of the last budget workshop on July 28, 2011.

- Page 4 – Changed the name “Solid Waste” to “Neighborhood Services” and made it a division of Public Works. The solid waste program was eliminated, which resulted in a savings of \$221,000 in expenditures. It also increased franchise fees (revenue) by \$20,000.
- Moved Administrative Coordinator costs from County Administrator’s budget to Neighborhood Services budget – moved \$80,000 to that department
- Increased EMS rates by \$290,000; increase the insurance adjustments by \$250,000 – net increase of \$40,000.
- Medical Insurance – new rates added to the personnel section(reflected in the 8/18 budget edition)
- Decreased Sheriff’s transfer by \$74,000 (reflected in the 8/18 edition of the budget.)

Don Crum, Director of Emergency Medical Services for Gadsden County, addressed the Board concerning the EMS Budget.

Commissioner Morgan asked if the trips from Quincy to Tallahassee hospitals had decreased since the opening of the county's Rural Emergency Facility.

Mr. Crum confirmed that there are fewer trips, which has resulted in some savings. However, there are too many variables in place in order to get very specific with what percentage of the "billed" amounts could actually be collected, even with the increased fees that were imposed earlier in the year.

Commissioner Taylor said that in order for the Board to make intelligent decisions regarding budgeting for EMS, it needs to have access to factual data specific to Medicare patients rather than someone's speculation as to how much is collectable. She suggested to Mr. Crum that he find historical information and make it available to the board.

Clerk Thomas commented that he felt it was unrealistic to think that the increase in the EMS fees would result in the ability to transfer money from EMS to the General Fund. However, he said he would be content if the board would simply keep EMS revenues in EMS and not transfer any of it to the General Fund as was proposed in the budget. He pointed out there would be a savings to the General Fund simply by not having to transfer money from it to EMS as it has done in the past.

No action was taken by Board.

Waste Site Closing

Chair Taylor questioned the deletion of the 6 part- time positions.

Mr. Lawson replied that the cuts resulted from the closing of the Waste Sites.

Chair Taylor directed Mr. Lawson to make sure there would be some kind of transition for those departing employees to services such as Workforce Plus. She asked to have the record reflect that she had asked for this. "We need to make sure that there is some kind of exit interview and that these people know what kind of benefits there are out there available to them such as WorkForce Plus. And, as Commissioner Lamb has said, if there is anything available in our government as well."

No action was taken by Board.

Public Comment (Community Organizations & Constitutional Officers)

David Gardner, Gadsden Chamber of Commerce, addressed the Board with his request for \$100,000 for the Economic Development activities performed by the Chamber. He presented the Board with handouts on the recent Economic Development activities and gave them an update on the National Solar Power Project. He expressed his gratitude for their support for the last two years.

He reported that most businesses in the County were operating in a survival mode, trying to retain their employees during critical times. He said that the Chamber has been and will continue to work intentionally and tirelessly to recruit new businesses as well as trying to retain the small businesses already in the area.

Pam Harrison - Tribue, Small Business Chairperson, discussed the education and assistance they offer to local small businesses through the Chamber of Commerce. The program helps them establish a business from the ground up and helps them write a business plan. She commented that she is currently helping some small entities obtain their 501(c)3. She mentioned some of the new shops that have opened in the area, such as Main Street Café and the Cupcake Shop as a result of working through their program.

Chair Taylor thanked both David Gardner and Ms. Tribue-Harrison for their presentations.

No Action was taken by Board.

Mary Dekle, Legal Services of North Florida, addressed the Board requested \$10,000.00 for their efforts through Legal Services.

Paul Arnold, Sr. Attorney for Legal Services, commented on the programs they offer throughout the county. He stated that the work that has been done through Legal Services saved the community money. He discussed in length the preservation of families, preservation of finances and preservation of homes. He said that they have assisted 32 families with foreclosure assistance in the last year.

Chair Taylor thanked them for their commitment to the citizens of Gadsden County.

No Action was taken by Board.

Major James Morgan, Captain Jim Corder, Gadsden County Sheriff's Office

Major James Morgan & Captain Jim Corder appeared before the Board on behalf of the Sheriff's Budget request.

Captain Corder discussed the possibilities of building a new jail, the addition of new pod, and needed air conditioning repairs. He told the Board that there were 9 individuals charged with 1st degree murder who are not properly secured in the jail. He went on to thank the Building Official Clyde Collins & the Board for the repairs that had already been completed.

Major Morgan discussed the items that need immediate repair such as locks and leaking showers.

Commissioner Croley asked about the \$340,000.00 that had been appropriated in the budget for the jail.

Clerk Thomas stated that \$800,000.00 had been spent, leaving a balance of more than \$500,000.00.

Commissioner Croley reminded his fellow commissioners that the Board has responsibility for the physical repairs. He admitted that he was irritated because they weren't getting done. He asked how long it would take to rebuild the monies to a level sufficient to accomplish the work that needed to be done.

Clerk Thomas stated that the Board could transfer monies back to that budget at any time they choose.

Mr. Lawson cautioned that procurement policies must be followed unless the board waives them. The repairs could be accomplished more expeditiously except for time constraints imposed by board policy.

Commissioner Holt asked the staff to make quarterly reports to the BOCC on the jail in an effort to stay abreast of how the work is proceeding. She agreed that it is the Board's responsibility. She commented that the federal lobbyist (that was cut from the budget) could have helped the board go after federal dollars to accomplish such things as the jail.

Commissioner Lamb stated that the Sheriff's office had enlightened the board on the conditions at the jail. He concurred with Commissioner Holt in saying that they need to go out and find new money. He said that he supported the effort to get a new jail, but until that could be done, the Board should make sure that the facility is safe and functional. He ended with saying that they needed to move forward and give more attention on the Jail.

Commissioner Morgan stated that his position was to make the jail a priority and get the work done.

Chair Taylor commented that with only the \$250,000.00 that was in the budget the work would never get done. She said the Sheriff had plans for a new jail in hand and the plans for a new pod. She said the money is out there in the form of Bonds. She thought the Citizen Committee concept was a great idea, but she was told the work had already been done by the Sheriff's own study and some of the money is there. She commented that a \$9 million jail is out of the question at this time, but a \$2 million pod could possibly be done.

Staff was directed to come up with a solution and come back in October with a proposal.

Captain Corder commented that the \$250,000.00 would pay for the locks, which was an absolute critical need.

Chair Taylor asked again, "Why haven't we done anything with the monies that have been set aside for this?" She went on to say that she was told that the appropriated money was not enough to take care of all the things that needed to be done.

Commissioner Holt reiterated that the Board should prioritize the work according to the greatest need and do only what it could afford to do.

Commissioner Croley asked Mr. Thomas for his opinion about the possibility of doing a bond for the jail. Commissioner Lamb stated that a Committee should be formed with Citizens from the Community, Law Enforcement and the Finance Department to discuss the problems and make a recommendation for a solution going forward. He said the Jail is for all of Gadsden County. He thanked Building Official Clyde Collins for all of his hard work in trying to keep it going.

Commissioner Morgan said that the board should make the jail project a priority and move forward to get the work done.

In response to Commissioner Croley's comment regarding potential funding sources for the jail, Clerk Thomas confirmed that the project may be eligible for bonding, however, there were other sources of revenue that the Board could earmark for the project. He gave different scenarios. As far as a bond issue, Clerk Thomas stated that he could not support a \$9 million bond in light of the fact the county already has two outstanding bond issues. (Hospital and roads) With the revenue outlook being so bleak, he said he would be opposed to another bond issue. However, he did say that he felt the discretionary sales tax could be pledged toward a \$ 2 million dollar bond or loan for a pod would be doable. He said that the Board must first determine what kind of pod and the size it needed.

Commissioner Croley said that the he didn't think a Citizen Committee was the way to go but, he thought the Committee should be formed with people such as Clerk Thomas, Property Appraiser, Tax Collector and County Administrator. He said that the Board needed to know what the costs are going to be.

Discussion followed among the Board.

Chair Taylor directed staff to come back with a proposal in 60 -90 days to get the jail problems addressed.

Relocation of the Driver License Office - Dale Summerford, Tax Collector

Dale Summerford, Tax Collector, addressed the board regarding renovation of space at his office to accommodate the new state responsibilities placed on him to issue drivers licenses. He highlighted the issues involved and gave them his expectations of the expenditures for next fiscal year. He stated that it will be necessary to add at least two additional employees to handle the new responsibilities. He stated if he was to go the current location on the west of town (Highway Patrol Station,) he would operate in a deficit mode. He estimated that he could not run that office with less than 4 people. In addition to increased staff, there would be the expenses of operating a separate facility.

Clyde Collins, Building Official, said that he could renovate the Tax Collector's office for approximately \$200,00-\$250,000, but getting it done by the November 30 deadline poses a problem if they attempt the job in-house.

Mr. Summerford reiterated that it would cost additional funds to go out to the west of town to the current Driver's License. He stated that they would be working from a deficit position. He said that legislature has mandated the job has to be done. He mentioned that he and the Clerk Thomas discussed the possibility of getting the funds from the bank. **He then asked that the board do a short term loan of \$250,000.00 - \$300,000.00, so that the work that is needed could be done.** He said that they would be returning to the Board \$100,000.00 and Property Appraiser \$30,000.00 later in the fiscal year and at that time some of the funds could be earmarked for the renovation expense.

Commissioner Morgan thanked Mr. Summerford for getting work done for \$250,000.00. He said that as of September 13, 2012 they would have \$205,000.00 of the \$300,000.00. He said that we needed to get the loan, so the work could be done as quickly as possible.

Commissioner Holt proposed that the Board make a "across the board cut" for the Constitutional Officers. She was opposed to borrowing money as well as a bond. She stated that jail should be the 1st priority within current revenue.

Commissioner Croley said the matter needed to be worked out between Clerk Thomas, Mr. Vanlandingham and Mr. Summerford and they should come back with a recommendation. I'm for avoiding loans and bonds. "I suggest we have another meeting, we are not getting anywhere. Mr. Lawson can't bear taking all the cuts; it should be across the board."

Chair Taylor along with consensus of the Board gave Staff directions:

- **Funding - Bring back various options for cutting budgets of all constitutional offices as well as Commissioners at 1%, 2%, 3%; bring back figures and tell what will be generated from each.**

Future Meetings

Mr. Lawson commented that another meeting would be needed as soon as possible to discuss the findings of the Commissioner's entire request.

- August 22, 2011 - Monday at 4:00 p.m. - Budget Workshop instead of 6pm (Allocate a few hours)
- September 6, 2011 - Regular Board Meeting
- September 7, 2011 – First Budget Public Hearing

BOCC Priorities and Directions

There was discussion about a bill from Preble-Rish for \$191,000. **No Action was taken by the Board.**

ADJOURNMENT

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, CHAIR TAYLOR DECLARED THE MEETING
ADJOURNED AT 6:50P.M.**

Sherrie Taylor, Chair

ATTEST:

Nicholas Thomas, Clerk

Minutes prepared by Beryl Wood

**AT A SPECIAL JOINT MEETING OF THE COUNTY COMMISSION
AND THE TOURIST DEVELOPMENT COUNCIL HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON AUGUST 23, 2011 AT 4:00
P.M., THE FOLLOWING PROCEEDING WAS HAD, VIZ:**

Present: Jeff DuBree, Chairman of TDC, Sportsman's Lodge, Bed Tax Collector Lake Talquin
Sherrie Taylor, Chair of BOCC, District 5
Patricia Vice, Greensboro Area Tourism
Lee Garner, City of Chattahoochee Manager and RV Campground, Tax Collector
Jim Kellum, Business Owner and Antique Dealer
David Knight, Council Member of Midway
Larry Edwards, City of Quincy Commission, District 2
Eugene Lamb, Jr., District 1
Brenda Holt, District 4 (arrived late)
Doug Croley, District 2
David Weiss, County Attorney Office
Michael Gray, County Attorney Office
Arthur Lawson, Interim County Manager
Muriel Straughn, Deputy Clerk

Absent: Gene Morgan, District 3

The meeting was called to order by BOCC Chairman Sherrie Taylor. She then asked everyone to introduce themselves. She then stated that since, this was the Tourist Board sharing their vision plans with the Board of County Commissioner's she would turn the meeting over, to Jeff DuBree, TDC Chairman. She reminded everyone that they would try to move quickly due to the fact there was a 6:00pm meeting scheduled.

Tourist Development Council's Vision (Strategic Plan)

Jeff DuBree, TDC Chairman introduced the Vision. He commented they had not met as a body, since the last County Commission Meeting, so we haven't had an opportunity collectively to discuss today's meeting.

Chair Taylor commented that was good, which means no preset agenda, so we can all kind of talk.

Chair DuBree: As far as the Strategic Plan and our vision it's spelled out on the pages, it's probably consistent with what we are trying to do here. We are trying to create Tourism, we are create a Tourism based Economy and enhance that to see if it gets larger, create jobs. We would like to do that by having the slightest amount of impact on our Residents. That's pretty much kind of our vision with much more detailed spelled out in the Strategic Plan. If you have any questions with regard to that or anyone else had any comments, but that would sum up our vision.

Commissioner Holt arrived at this juncture of the meeting.

Chair Taylor: I've turned the meeting back over to Jeff, the Chairperson of TDC. He has just gone over the vision of the Tourist Development and I think it is found on page 4. They have not had an opportunity to meet, so they don't really know what will be asked of this meeting. The idea is that the County Commission has a clear conception of what is going on with TDC, so there aren't any questions are confusion as to what's coming through the Board for approval. He (Jeff) was at the vision statement, could you please reiterate that one more time.

DuBree: Basically, our purpose is to create tourism in this community a viable economic boost through tourism. We feel it's a pretty viable, a 4 million dollar industry right now, just in Bed Tax Collections, probably you could double that number for the people that come in stay and hotels and camp grounds that are subject to the Bed Tax are probably going to spend that much money again, so it's a boost right now currently the way it is, probably a 8 to 9 dollar Industry to this community, so it creates that kind of economic boost. We want to see it improve, we want to see the Bed Tax number go up, and we want to do all that by focusing around some target markets that are spelled out in the plan. We would like to do that with the least and slightest amount of impact unless it's a positive impact on our residents here.

Taylor: Any questions about the vision? The vision seems to be fair and on target, the question now is how you are going to make this vision a reality? What are your plans?

DuBree: Well, over the last couple of years, we have shifted gears and hired a PR Firm, we didn't have a brand, and we didn't have really an effective website. We've worked on that over the course of the last 8 or 9 months and we are now at a stage where we can begin marketing. We haven't done a whole lot of marketing other than some events, that we've been able to market late in the game of the last fiscal year, so really are marketing strategy is just starting, but we have the brand and we want to keep that brand consistent and get it out there and focus on the target markets, focus on the current events, possibly produce some new events, especially those that might be more length than one day. It might be combining events that we already have or a new event that would create people coming to stay for a

length of time, the County could really recognize us from all around the region. "That's where they have the X, Y, Z festival, but primary our main goal is bringing people here every day and that's to increase that number, my experience with the Tourism as it relates to Lake Talquin, I see tourist every single day, coming in that are from out of this area. Some of the tourist are day trippers but a lot of them are from outside of the areas, so I think there are other regions in the county, that can say the same thing about Tourism, I think to create jobs you are going to have to produce tourism coming here on daily basis, not just on a focused event. The primary focus where I think the TDC has shifted over the last 2 years is to try to really focus on everyday tourist, not giving up the events, still focus, we are trying to advance to improve our image, not only with our residence, that will help tourism. If our own residences speak highly of our community, then that's going to spread out beyond our boundaries. To use those events and still focus, the priority really has shifted gears over the last 2 years with the Strategic Plan and hiring of PR Firm to bring more everyday visitor's to come to the community.

Kellum: In doing that transition over the last two years, it's put everybody in a tough position. We don't have millions of dollars to be spending; we have a certain amount of monies. A lot of those monies have already been tied up in different areas and categories. I do believe that the vision was to try to go beyond events. Events have been driving Gadsden County for the past 10 or 15 years that I know of. Events may not bring a total amount of Bed Tax that we want every month, but what it does is help get started producing numbers like the Pumpkin Festival. I'm very familiar with that number; we're driving that number to almost 15 or 16, 000 per year of people. What it does is when they come to this county, whether they come to the Pumpkin Festival, do rides whatever they do at Pumpkin Festival, they still buy gas, they stop and shop, they might pick up groceries. What we are trying to do is expand on what we have already been doing for the last 12 or 15 years, but by going with Ron Sachs and trying to do a broader market, where we trying to get people more aware everyday of Gadsden County and the events going on. Now, that's been a struggle too, because we spent a lot of time on developing the internet which I thought it took longer than it should have taken. The things that we doing on that, I'm just not totally happy with. What I'm hoping for is down the road we will be able to get some articles like we had years and years ago, through Gagner where they actually got writers to come and we actually had an article written in Southern Living and for 4 or 5 years people would come to especially Havana because they did an article. They would say I read your article last week in the Southern Living, which was in a Doctor's Office, which was 5 years old but it didn't matter it still made the tourist drive. When they came down they looked for this area. I think that's the vision that we are trying to do is keep enough money to try and keep our events going and promote new events and as these events continue to go and we don't need to fund them, maybe we can help the younger events come in, which is a good idea. That's been the kind of struggle the last couple of years, to try to diversify some of the money to cover a much bigger area.

Chair Taylor: I follow that, comments?

Commissioner Croley: I was going to ask the question about, to measure the effectiveness, what's the best yard stick to do that by, Jeff?

DuBree: I think the look at the Sales Tax Data, which would be the Bed Tax portion of it and see if what we are doing is working.

Croley: So the most effective yardstick, the fairest objective is to look at the increase in Bed Tax Revenue, which if it's going up, and then we must be doing something right. If it is stagnant or going down then we must be doing something wrong. Is that fair to say?

DuBree: I brought some data with me that I will pass down. These are the Bed Tax Collections for the last fiscal year and this fiscal year running from July 09 through June 10 then the second year would be July 10 through June 11, if you look at Gadsden County at the top, those are the monthly Bed Tax Collections for that 12 month period. In the fiscal year of 09-10, we collected \$73,831.00 in Bed Tax. In 2010 – 2011 Budget Year, for the same months we collected \$82,389.00 which is an 11.6% increase, which I think is pretty impressive, because I also looked at Gadsden County General Sales Tax, and it remained relatively equal from these two years. While the rest of the Community's Economy is very roughly the same, tourism as far as Bed Tax Collection increased by 11.6%. I also copied some counties that are surrounding us, Jefferson, Leon, Franklin, Washington, Wakulla and Jackson County. Liberty and Calhoun don't have a Bed Tax, but I listed them just to show I was picking up the surrounding areas. If you look at the percentage change in the other counties Jefferson County went down 5%, Leon was relatively equal down less than 1%, Washington County was down, Wakulla County was up 3.4%, but bear in mind they received a lot of money from BP, so even with that money from BP they only went up 3.4%. Now, Jackson I can't understand the data there, they jumped 50%, but if you look at November for some reason they went from collecting \$19,000.00 in November 09 to \$96,000.00 in 2010.

Unidentified Person: I think they have an increase in the amount they charge.

DuBree: I thought so to, but then I don't know how to explain that either way they had an increase. They did a good job I think over in Jackson County and I think it shows and 11.6% increase from last year. We are doing something right.

Croley: That's my whole point that if I look at what you are doing there is a group of volunteers that have hired a special media representative to help you and formulate a business plan, would you have a market plan. I don't see where you are going wrong with the surrounding counties. Jackson County isn't further enough out in an isolated spot when you are traveling there with those motels that they have, like right there at I-10, they probably pick up more revenue on the Bed Tax and if they have an increase more than like you said.

DuBree: I think one thing is some of the money, was something that happened last year or year before last that changed the way they code their impact money. I think it was for the Civic Center and they decided they are not going to build one.

Croley: I think ya'll are doing a great job, especially with the amount of pay ya'll receive.

Lee Garner: If, I may Mr. Chairman. I think we have come a long way in the last 2 years; we struggled trying to find ourselves in terms of who we were and what we were supposed to do. I think when we

started and we worked on this Strategic Plan and got professional help. I think that sort of turned everything around. I commend the Commission for approving our Strategic Plan and for allowing us to where we been so far. We are just beginning to walk.

Commissioner Holt: I'd like to thank you for the work you have done. I want you to keep that in mind when you hear me talking, because when we do volunteer, we appreciate when other people volunteer, so that's kind of a wash, as far as that goes. My concern is when you said every day. That's what I'm looking for that everyday type of thing; if you head in that direction I don't have a problem with it. My real concerns though are not just with this Board, I asked to meet with all the Boards that we have appointed. For some reason over some years, it's been understood by some people that when you bring things before this Board they are automatically approved and they may not be your concept. I heard from Planning and Zoning, I heard from other Boards, we did all that work and then ya'll didn't vote for it. We are not supposed to vote for it, that's not what we are supposed to do. We are supposed to consider it, you turn in a recommendation and then we are supposed to consider it and weigh it out along with Citizen's Input. Citizen's are calling us about issues that your Board recommended or other Boards, so it's not anything about you or your particular Board. They are doing this with all Boards as they become more knowledgeable about the items and issues that are going on in the County, they are concerned about those. I just wanted to make sure that we are on that plan so that we understand. The other thing I'm concerned with is improvement; if we have the 11%, how did we get to 30%. How do we get to that effectiveness and as quickly as possible, because this is an economic engine? We need to be able to produce jobs; everything that this Board looks at from now on has been if it will tie in to jobs. I cannot be tied to anything else. We must produce the jobs, if we didn't have boating on Lake Talquin; I'm looking at having Tourist Boats down there or whatever it takes. I don't want to fish because it's too hot, but I sure would ride round and look like I do on tours. This weekend starts football season, as I said before, FAMU will have 20-30,000 people and FSU will have 40-50,000 people at their football games, how do we get them over here, before or after the game. That's what I'm interested in, if they are already there they are a captive audience, they are ready for the game. How do we get them to come to Gadsden County? We want them to shop and put them on I-10 and Highway 90, then they can go on back to the game, but we don't have to provide all those services for them, but we have to try to capture those dollars, so these are some things that I'm looking to be included in your plan. When that comes you have a few events and you are advertising out there, it is drawing in that population that's already in Tallahassee. I don't care if FSU is playing Notre Dame, but I would like to see people from Notre Dame over here shopping and spending money over here in Gadsden County. That's where my concern is not at an event, but how do we get those dollars over here. How do we tie that to the economic process? I think this is a good start, because you are hearing what we have to say and we are hearing what you have to say. I'd like to make that point, I was talking to someone that was appointed to the Board and they said I don't want to be taken off that Board. I told them it's not about me and it's not about you, it's not about neither one of us. It's about the people here and what they need and if I don't feel like you are the right person for that appointment, then I'm going to withdraw you off there as soon as I can and have someone else and as soon as it's time for me to leave this Board people are going to move me, it's no hard feelings. That's just the way politics are, but I would just like to see that number go up. We start hammering out how we are going to get those numbers up. Another thing that

Data, I know I'm Data driven at the hotel and events you don't have those Data Cards. I need for them to say why are you in Gadsden County, if it's Pumpkin Festival, write that on there. Where are you staying at? I've asked for this for years. The other thing is I asked for it to be in this building also, I think all County Employees, Governmental Offices should have a card, it could have something like how am I doing. Let them rate you every now and then, people are going to say negative things about us, but you also get some improvement things in there too. That will help us. That's the kind of thing that I'm looking for. My last one on the fish is as you know there is a lot of development out in Gretna, how do you partner with them to get that tourism coming in. It's coming on the West Side, if Mom and Dad and all them are coming in with the Family for a Poker Tournament, they're going to be sitting out there in those hotels. How do we get them to do? What is it they are going to be doing are we going to have a Water Works Park or some Put-Put Golf, to that end you may be able to find out , what other people are doing? How do we get it here? That's the kind of thing you may hear about that I may not hear about. What are those people going to be doing, when those events are going on, people will have their families with them a lot of the times. Look around and collect that data to see how we can improve. Plan with the Cities and the Counties to see what we can do when we see development coming. Thank you.

DuBree: To respond to a couple of your comments. I think the first comment was referencing to how the Board our Council operates. I think everybody on this Board knows that we are an Advisory Board. We have been fortunate much of the items we have brought before you, have been voted our way, so we are thankful of that. As a Council here, I don't think there is anyone that is not aware of what our role is. I think this is probably ok. As far as increasing money coming in, that number we mentioned, we are now just beginning to market, so we are hopeful, that the number will continue to increase. I think a 30% jump might be unrealistic right off the bat, we'll shoot for it. Certainly we want to see a steady climb. The fact that we are already 11% plus and haven't done a whole lot of marketing, I think is a good sign. FSU and FAMU are part of our plan. We want to focus bringing people over just like that by doing some marketing with Alumni and different sources that would be tied to the event. Maybe steer some events that are taking place. I think sometimes an event coordinator has to try to decide should they have an event during a football game or pick a weekend that's not during a football game, so that's kind of a tuff call for the Event Planner. Do you want to try to focus on the local people that would probably go to a game and would probably have to make a choice or you want to play off that market 100,000 people or 60,000 people that are at a major sporting event. That can play a role. The Guest Survey's that you mentioned we are working on that right now. We have a survey already written, we just have to go around and get some feedback from the hotels and properties to see what is feasible, but we have one written that's asking a lot of the questions that you referenced and we want to start that program. Gretna you mentioned also, we are chopping at the bits, to get on board with Gretna. I have had several conversations with Antonio Jefferson to keep me informed as to what's going on. I've made the connection with Ron Sachs; hopefully they can play some media role for press releases, to help them get really kick started when they get the ball rolling. Telling the locals and how the project is coming along with construction. That's what we are working on as far as Gretna, right now.

Kellum: The last event we had at the Pumpkin Festival, we addressed that issue and actually hired 4 or 5 students from FSU that came out and did the survey for us on the street. I was real disappointed

because we only did like 450 surveys for the whole day, which obviously we're unhappy with. I thought we would have a lot more than that. Then again, you have to remember that a lot of them are there with their parents are there with kids and family. They are not really interested in giving us a lot of information. We did giveaway tickets for rides, for people that would feel out the applications and out of that 400 plus we had 247 rooms that were booked and whether they were all booked in Gadsden County, is hard for us to do in Havana, ya'll need to find a way to get us two or three hotels over there. A lot of times they go up the Interstate to 27 and stay there, but we are working on trying to do packages with the hotels here, so that we are sending out this on our websites; that they will have special prices to stay at these hotels, I think that will improve. Off those few surveys I was real impressed with the amount of people that did an overnight even on a 1 day event.

Commissioner Lamb: Ron Sachs, Gene Morgan is our representative for this Board. He has responded back to us, with what was going on and I think he has represented the Board pretty good. Hearing the Commissioners I think they feel that too much emphasis is put on the old events, events that have been done in the past. You need to create some new events and put some emphasis on them, on trying to accommodate the people from Florida A&M and Florida State, from what I've been hearing. I think by ya'll hiring this young man Ron Sachs, he must be good. I don't know him that well; he wouldn't be on board if we hadn't voted for him. I'm giving him a chance I think that's all I can do is give him a chance. He is going to help enhance the whole situation. We are looking forward to what's going to happen. I just have to wait and see, from what Jeff is telling us everything is going pretty good. I hope to communicate with you guys more and hear from you all. We need to stay in contact, so you guys will know what's going on. We need to know what you guys are doing, so we can answer questions that are asked of us.

DuBree: This meeting was an excellent idea, excellent avenue for that, great idea.

Taylor: This was something that I'm glad my colleagues are here, because it was an issue that I saw because of the lack of understanding and your direction. I'm looking at this sheet you gave us and there are different variables that drive these numbers. For example hotel rates for one year vary from year to year, so obviously that drives your number. My understanding from Mr. Kellum your marketing strategy really didn't get in place until June, July of this year.

DuBree: We are really still tweaking it. We have the budget numbers there, but really haven't as a body collectively fine tuned, we know where we kind of want to focus the dollar.

Taylor: So in essence the percentage here that we are looking at, the increase of 11.6% we can't really give that to what you have done. You said that your marketing strategy isn't really in place right now, so we can say that this increase obviously has some other driven variable that caused it to increase, it can be room rates, obviously activities that are bringing people into the hotel and making them pay, such as sports events, concerts, so there are other variables that drive. I'm looking at specifically this 10-11 , \$82,389.00 there are some other things that have driven that which is why we have the 11.6% increase. We can't really attribute this increase to what you put in place right now. You can't really measure because it has not been out there long enough.

DuBree: I agree

Taylor: You haven't been out there from one year to the other to see if what Mr. Sachs has come up with or what your vision has really caused a change in our revenue. To look at this, is really not an impact on what you are doing, so that needs to be clear. I've heard from my Commissioners around this Board and I've heard from you'll and what I'm hearing as far as events. I'll focus on one in particular. The Chairman is saying day to day is a good focus point, people coming in their everyday as often as possible. I'm hearing from one of the Board Members, Event driven; let's have the Pumpkin Festival it brings in \$15,000.00. I'm also hearing from FAMU and FSU and the Casino, let's capitalize off these opportunities. When you are over in Tallahassee after a FSU game, it takes anywhere from 1- 2 hours to go and eat at some of the local restaurants, that's your capitalizing opportunity. Have some kind of event over here, where we can feed folks as well or at least advertise what's going on in our community. I've always thought events 5 or 6 of them a year, financed by the TDC gives us more of a focus group that's coming to 3 or 4 fishing tournaments, treasure hunt over in Havana, and some community wide events. These are some of the things I have seen, not the Board that we should do to bring in concentrated revenue. This thing that's going on in Gretna we know it's coming, everything is laid for it to happen, we should be designing some kind of tourism strategic to make sure we are ready to enhance off of it. So I what I'm saying is I see you are spending and obviously it's going to take time for you to collect data before you can see that's it working. I feel a little short and a little back when, when one of the Commissioners said, what are you doing to measure it and then you begin to scratch your head like well, you didn't have anything to measure. We don't want to continue to throw money. I looked at your budget; it was a \$30,000 increase an increase based on what, an increase if you are doing well a decrease if you're not. I know you wanted to hire a person that was an idea a concept but the goal of this money was to bring more dollars in. You can't give yourself this 11% pat on the back just yet. In 11-12 that will be your baby whatever numbers come out that will be yours. I'm hoping it's just as big. That's where it stands with me. We are putting a lot of money into this marketing firm. To brand a name cost millions of dollars. We aren't putting that in there for us to believe this name is being branded it's hard to believe that concept when you don't have enough to effectively brand E Gadsden all over the United States. I'm hearing you and I want to grab hold to you, but you don't have me there yet.

Kellum: Madam Chairman, may I address you for a second.

Chair Taylor: Excuse me, I'm not your Chairperson, this is your Chair. I'm going to give him the job of chairing this.

DuBree: I thought I was going to get the day off.

Chair Taylor: No, you're the Chairperson

Kellum: When we say events we forget about all we do during the year. Maybe you don't know what we do, we bring it before you. I would say one of the reason we have increased is there are several things. Gadsden Arts has become more effective in doing shows which drives, not just for one day but for several weeks even a month or two. The Center has tripled in place they use to do one or two a year now they do five or six now and we fund those. Also we try to encourage Quincy and I know there

events in Chattahoochee that have been for several years, but one of the things Havana and I have talked about is Havana because that's where I live that's where I'm from. One of the things that we do to drive business and to keep it coming back in Havana is our merchant's participation. They give us dollars every month. We are always putting on TV ads and Newspaper ads all the time that the TDC don't fund, but when we do major events it really helps us, not to dig into the little bit of reserve that we have, we advertise Havana and that's Gadsden County and if Quincy would do more of that and Chattahoochee would do more of that and Gretna maybe do more of that and Midway should be doing more, then that's going to drive everyday is business and that's where you could see more than a 11% increase. It's that we aren't sitting on a dead rock we've been moving down a river. We are trying to do a big job with a little bit of money.

Taylor: Obviously there is something that has happened to cause the 11% increase. What I'm saying is it's not due to the marketing strategy by the TDC Board.

Kellum: I would like to correct you on that, because Ron Sachs, we haven't seen a full impact yet, but for the last five of six years I know these projects are being funded and be worked on trying to expand and I think that's why you are seeing an increase, when all the other counties are going down. When I travel throughout all these little towns they are gone, they are not on the map anymore.

Taylor: You just said a moment ago, that you are the only one that is pretty much marketing outside of Havana.

Kellum: We know what we are doing; we have been trying to encourage Quincy and some of the other areas.

DuBree: Havana is very aggressive and very helpful to the whole community.

Taylor: The point of the matter is this, we need to be able to determine, how to gauge, what variables make it go up, what variables make it go down. One has already given you a set target as to how you can increase it. I'm saying, I'm speaking primarily about the market strategy that you are going with now. What's happened in this year? What you are using now, the Ron Sachs marketing is not off the ground yet, so I'm saying that particular strategy has nothing to do with your increase.

Kellum: I agree with you.

Taylor: Over the years, you have deviated from what you were doing, because now you follow a strategic plan in the last two years. You aren't doing like you use to do. You are in Havana, but the TDC is doing a little different, they are pointing their money to a marketing agency now, not event driven. You still doing it, but the TDC is what I'm talking about and the marketing strategy is what I'm talking about specifically, not over what we've been doing over the last 10 years.

Holt: In your visioning statement you have local business development, you brought up a very important point, and you brought up Havana the Tourism Council is countywide. It's working in Havana. I would accept the Tourism Council to say it works in Havana; let's get with Quincy, because you're the Tourism Council. You get with the City of Quincy and say hey look ya'll we're having this event and apply for

money and say we model that in other locations. They may not know that you are doing all this over here and that's what I'm saying it's a good strategy, and then it should be out there that Gretna should be out there with that model, Chattahoochee, Greensboro and it may not be the exact model maybe they can tweak a little bit for their own particular area. I think that's a very important point that you make. If the Art Center is doing great and I see them do great. I've been in there last year, more than I ever have and I love it, but if they are doing good there, then maybe some other businesses will learn how to do it.

Kellum: I took on the Vice-Chair this year to try and help Jeff. We already talked to several leaders in the community. We are trying to have dates where we go and set up towards Chattahoochee and coming into Quincy to have forums and invite everybody; these are the things that we see being done in these areas. If you would just organize and become a business advertising organization that's a start, even if you give \$25.00 a month that's a start. They have their own meetings and Chattahoochee could do the same thing. We produce a paper that we send out to South Georgia and Tallahassee when we are doing things for 3 months. Every city should be doing that same thing. When they come to Havana, we give them a paper from Quincy or Midway or Gretna.

Holt: I'm just saying we need to use the model.

Kellum: The point is if we going to have the forums as the TDC to try to get folks to come so they can hear what's going on in other areas, to try to get them motivated to do something on their own.

DuBree: One of our primary goals is to try to bring the Community together and to get all our strategic partners involved in what the TDC is trying to do. With doing that you are going to have such things as the Havana Merchants are really well organized, if we can bring the whole community together also.

Larry Edwards: I want to apologize early for having to leave. One point that I wanted to bring up is pertaining to events. Havana and Quincy have major events the same time we have major events. We need to make sure that we coordinate on events especially on big events. Quincy- Fest, Blues & Bar-B-Que, you all had a great crowd and we had a great crowd, but what if we had held them on separate weekends.

Kellum: As TDC, we should have put that on the calendar and said one of you do it on this week and one do it on that week.

Edwards: I apologize I'm new, I'm coming on board & hopefully we can come up.

DuBree: Another option with that is to still have them on the same week, but have some activities in Quincy on Friday Night and something in Havana on Saturday and maybe something on Sunday where it involves a great reason to come here and spend the weekend, because there is something going on every day.

Lamb: The only thing that I would like to bring up is that these items were brought to my attention by some of the members too. If a vacancy opens up on the Board the Tourism Board Chairman needs to

bring that to the attention of the County Commission, so we can fill that position and that was not done in your last appointment and we were kind of disappointed that it wasn't done in the correct way.

DuBree: I think what our approach was and you can correct us and tell us how to do it the next time. We were attempting to gather some names for you to make recommendation, not tell you who to pick, but make a recommendation. That's where probably the miscommunication came from. But if you prefer us not to do it that way, then we can just easily tell you when a vacancy is open, you would have to advise us there.

Taylor: It would be good to tell us the vacancy and what kind of position it is, so if it's a Tax Collector position then we know that's the kind of personnel we need to look for if it's a business owner and so forth. I understand that your Board is made up of 3 Tax Collector's, 3 Business Owners and 3 Citizens At-Large or Elected Officials. Let me back up a half a second, first of all I personally want to say thank you all for what you do on our Board and for the work that you have done. We need to be able to, you just had a prime example just a moment ago of targeting in what we need to do to be more focused. TDC needs to know everything, to the best of your knowledge what's going on in this County, so that you can help advertise it. If you see a conflict coming then help us or notify us, notify the municipalities. We did that with this last Veteran's Day that ya'll did. One of you did the calling from Ron Sachs we heard about the difference, but we didn't hear anymore from Ron Sachs, luckily one was in the morning and one was in the afternoon, when you have the big Blues and Bar-B-Que and ya'll have your thing it would be best to do them on separate weekends, not in the same weekend, but separate because that is even more money. I could see what you are saying to capitalize on the overnight deal, but you get more when you separate because now they are in there 2 weekends in a row instead of 3 days or 4 days. What I'm saying to you is just make sure that your scheduling is a good thing that we are not on top of each other. Capitalize off the events that are going on and let us know what we can do to help you get the word out or firm this strategic plan up so more focused and bring in the dollars. We just want to see it work. Commissioner Morgan says to us quite a bit, let's don't waste Tax Payers Dollars, let's make sure we are spending them and we are being very conscious of how we are spending them and we have tried to do that. If I'm going to put a \$130,000.00 in a budget, I what to make sure that he is doing a yeoman's job and if I could give him \$450,00.00 I would, that's what I want to make sure of. That's where I'm at try to capitalize off of the moment, so that we could get the best for our books.

Holt: One thing I would like to mention is the Logo, that's not going to be on I-10 right, because you aren't going to read a cursive sign on I-10, when you have 5 seconds of drive time. When you see a sign you have 5 or 6 seconds if they can't read that sign they are going on. I asked about it in our notes in the Commission Meeting, find a literature where you have time to pick it up and read it, but it needs to be clear enough and it's in cursive. I really don't think it's going to work on a stretch where cars are going. I would get off 95, 75 and I-10 and stop, but if I can't read I'm not going to stop. On paper or if you are walking you have more time and that's my concern if you are going to put it up on highways. The everyday tourism I'm really concerned with that, how do we get that everyday tourist? When I look at the numbers here, I look at by the month if it went down in a month from 09- 10, what was going on in that month. What made them come this time that didn't make them come before, you may have had an event or something there and I'm just saying whatever was going on if it worked before maybe we need

to look at doing it again or it didn't work and it went down, but you need to do something to improve it. If your numbers are here, is it a month to month thing.

DuBree: Maybe some of the data is there was an extra Saturday or Sunday.

Holt: You are right it could be that, Mr. Gardner a fellow asked me when I was in Chattahoochee, for some reason ladies and gentlemen I love Chattahoochee; there is a pretty spill to that river up there. He asked me why don't they just rebuild the Old Fort down there by the bridge and do a replica of the Old Fort, you can do the Indians, the Black Soldiers, the English and the Spanish and you would get people every day. I said that I would sit right there and watch it, because I'm a history person, I love stuff like that. He had to kind of inform me, I remember I read about it some years ago but I haven't read about it recently until he brought it up. I was up there getting gas, by Hardees and he was telling me all about it. Those kinds of things, what would make someone say they would like to put some tourism roads in at Lake Talquin and go around and view Lake Talquin, you have some people that just want to look for those of us that don't want to fish. Those are the kind of things the new things. I said before in Gretna at the Horse Track, the Creek Indians are already advertising the big events they are having in Alabama and I'm sure they are going to do the same thing here. We kind of know our niche a little bit better than they do. They may have the money, but we have the knowledge about the area, we can kind of guide them and that helps us.

DuBree: One way that we can help focus on getting that business from Gretna just because what they are going to have to offer there is the same way we are going to try to bring people here every day. The Strategic Plan spells out 4 target markets that we recognize this County as having as being important reasons to come here as one is the outdoor experiences, because of the lakes , rivers, the farms, the culture art heritage, we have a pretty big business market . We have a lot business travelers that like staying in Gadsden County and some are doing business in Gadsden County, but a lot of them are doing business in Leon County, but they chose to stay. The same as in the football games some people don't like to be in the middle of everything, they like to be a little outside of everything, but close enough until where they can get there and that's a real strong market for us and that's something we are going to focus on. Some of those same business travelers are probably going to shoot on over to Gretna when that's completed. In our geographic location was sort of what I was referring to, focusing on those and marketing is going to help and taking advantage.

Holt: Commissioner Lamb mentioned about the appointments, We have other people that are asking to serve on Boards and we get the information before a recommendation then those people feel that they never had an opportunity to serve, it's not any one's fault. We just need to make sure we nail down our procedure as to how we are going to do it. I had some people to ask me about serving on different Boards and I appointed one to another Board, but didn't ask about this one. What happens is it throws them off a lot of people retire and they come back here and they want to serve and help, and there is really no where to put them a lot of times.

DuBree: It's good to bring in fresh ideas. I don't think any of us plan on being on this Council forever.

Garner: You mentioned about the river, there is nobody that has pushed that river more than 15 years that I have lived here. We are working with River Way South to Apalachicola for 6 counties and we just included Holmes and Washington County. Everything that we have is going east and west that river runs north and south, we are trying our best with the River Way South with Ron Sachs they have done a lot. They're doing inventories that will be available to the Tourist Development Council to do the Three years ago we had the University of Georgia did the mock up for Chattahoochee and Sneads. The weekend after next we plan on having Jackson County and Gadsden County doing a joint River Fest that has River Fest 3 times in the park. We will have River Fest on Saturday, 3rd of September and we didn't have all the fireworks this time, due to Greensboro. That was a comment that came up here with the Tourism Development Council, we are trying to have our fireworks on Labor Day in Chattahoochee this time and I hope we have 3 to 5,000 people in Chattahoochee for this River Fest on September 3, Labor Day. I envision this becoming one of the biggest events that could be a 3 day Labor Day Event in the next few years. I want to thank the behind the scenes stuff that Ron Sachs has done to promote River Fest, they have done a great job in doing this as a result the Tourism Development Council here and I want to thank them, but I want to invite everybody to come to Chattahoochee on September 3rd, I know that it's Labor Day, but come on out. It starts at 8:00am with 5k run, kayak, bands, food, and arts and crafts. When we have our next Council in September we will be able to approve the Development Plans for Old Marriotta plant in Chattahoochee, LLC so we can have those riverboats you were talking about. Then we could have some riverboat tours all up and down Chattahoochee, we are working on it. I want to ask TDC can you help us.

Holt: I'm going to go, but this is a great idea. The television cameras are in here on Tuesday nights, that's a good time to announce some of your events. Every other Tuesday night before we start our fight it's up here. You can count on Citizen's to be heard and you can announce what's going on. I would love to see when the Indians out there in Gretna get off that bus and they have on all the feathers the Cameras where just on them, they followed them everywhere they went. Can you imagine someone having an event like that and Blacks and Spanish dressed like the Old Fort, then coming here dressed like that what good press that would make for your event.

Taylor: The point I was making and she asked you a question that we really shouldn't be asking now. This event is less than a week or so away and that was what time? We should know this, that's part of getting the information out there, getting it advertised, putting it where people can get it and help you to disentailed.

Garner: It's out in several venues and next week it will be in Tallahassee Democrat.

Taylor: What I'm saying to you Mr. Garner is that we didn't know anything about this until you just mentioned it and we should. We didn't know anything about it and I'm glad to know now and I certainly plan on participating, but if marketing was at the level then we should have known, that's what I saying. She just asked you what time because; obviously she knows nothing about the event. I'm hoping that we can get it out there so it can get the attraction that you are looking for. I am sure 5,000 plus will be there, but we want to make sure all sectors are familiar with activities that are going on up there.

DuBree: Grace Malloy wanted to speak to us all, today. Grace.

Grace Malloy: Thank you, Mr. Chairman, just briefly. I have been involved in marketing one time or another for the past 25 years and watched the TDC work since 2005 since I came. The last 2 years I seen the focus has been on a larger image for the County as a whole, creating the website, featuring everybody creating all the resources and creating a logo. Prior to that I did see, all the separate events in the different areas, they weren't as successful as they could have been because you didn't have a marketing professional like Ron Sachs promoting those events. My concern now though is that we not through the baby out of the back water, I thinking we are swimming with one type of activity, to all another type of activity and I think all of it needs to happen. We are on track this year to continue with Ron Sachs, they will share their expertise with us, we have a logo and we have a website. There are some additional plans in their contract and that's very helpful. They for the Gadsden Art Center got us a blog and it was very exciting, it was very upscale, creating a strong impression for our presentation. That's said as the Quincy Main Street, Chair and as someone who goes to Havana a lot. I know a lot of people who own local business and one thing that they have told me is that our community based events are really bread and butter for them. The things as simple as the fireworks in Greensboro, Boat Races, Quincy Fest and Festivals in Havana those our big days for locally owned business. They are in keeping with TDC goals, the purpose of the tax, is for people who live outside, in neighboring counties. The purpose of the tax is not directly to generate more hotel tax, although we all want more revenue, it is important, but not the first priority of that statue. It is to bring people into Gadsden County, who like Jim said, will shop, go to those local businesses and keep those restaurants alive. As we move forward, I think the general approach for the county is valuable again sticking with Bed Tax but as we move forward in the long term refocusing and promoting our events is also important. They are really what make up our culture in our county. The events that our volunteers put together, our municipal governments that really illustrates how unique we are in our county, Gretna, Chattahoochee and so on we all have our own culture, each town has its own flavor. In those towns people really work to express those events, people are interested in that if they know about. All I'm encouraging in the long run is that we look at that. One thing that I have not seen a lot of marketing and coordinating calendars, marketing that would take all the events in the county that come up in any given month and present that very visibility. Present the new logo; drive the traffic the traffic to the Westside. The logo and website are great; one of the next steps is to drive the traffic to the Westside to get that logo seen. If we have more of a coordinated effort in designing and placing promotion we can get more attention drawn to the west side logo. One long term idea may be a point person, part time person that keeps up with all the events in any given month and promote those together, so if someone outside the county would come over night and say gee there is more to offer in Gadsden County than I thought. That's the impression, there is a lot happening here, even in the situation where Quincy and Havana had the musical festival's on the same day, that was unfortunate and people had to chose, but if both were promoted together that might actual draw people to stay overnight to enjoy both in the same day, if not in the same weekend. Those are the kind of things to be capitalized on. That's just my thought moving forward, is to take some of what was done before and some new and take advantage of all of it and carry forward. If I can be of any help in the long run, I would be happy to help, I've done a lot of marketing.

DuBree: Thanks for offering to help and we will probably take you up on that. I would like to reassure that is part of our plan we are not abandoning events. We plan on making it a strong part and do some of the exact same things that we are going to market to drive people to the website that's certainly one of our goals. This TDC hasn't done a lot of marketing from Day 1. All the marketing we have done has been through events, we've taken checks and written given them to Havana and marketed how they have chosen Quincy the Art Center and there is a disadvantage to that, some of the language in the Strategic Plan was to try to become more unified and to not have two events take place or to market them together, because the TDC would have kind of the call of how to do that rather of just funnel the money out. By no means are we giving up on events, it's going to be a viable part of what we are doing. The image, the positiveness to our residents it will expand out beyond our boundaries. One comment I would like to make about the Strategic Plan these state statues does say technical to be a tourist you have to be outside your boundaries. That's not to say that TDC couldn't expound upon that and most TDC's if you look at what their plans are they either have bed night criteria for given grants they have mileage for advertising. Realistic, when I drive to Tallahassee I don't consider myself a tourist. I'm not a tourist when I go shopping in Tallahassee now granted this county would love to see the money that Leon County could bring here. We would not want to encourage that, but really for a TDC we would have to look a little further out and most TDC's if you look at what they are doing and they own drive is, language and bylaws or their own Strategic Plans it's reaching a little bit further out than the county right next door.

Malloy: If I could add a little to that, In terms of Gadsden County if we know people are from Tallahassee and they do shop here and get our gas, that's revenue for Gadsden County or if they by meals that is helpful and that is needed. My comments are really for your 2012-2013 Budget Year, not to upset the path you are on now, but to plan on it in the long term as everybody talks to try to determine the long term view, as everybody figures out how to put all these pieces together. One thing of the things I see is that we are being introduced more too social media and that's great. That is cutting edge, being an old school person, In the long run media guys are going to be needed to get people more familiar with the Gadsden County logo and the slogan which is great. These comments are for the long term goals.

DuBree: I have one request from the TDC, I notice when I go to your website there is no link to the EGadsden Website. Your area where you have places to stay, there is nothing there, like a dead end, even by linking the EGadsden that would be helpful with us trying to work together.

Malloy: In our meetings in August, we put out an article about the new website and the logo.

DuBree: I notice that with the Art you have going on right now you don't list us as helping you either.

Malloy: We did, we listed Gadsden County, TDC.

DuBree: I'm sorry, I saw TCC and VISIT Florida across the banner, but I didn't see anything for Gadsden County, and could you add us to your link?

Malloy: I think the Banner went up prior to the June meeting, if you look in printed materials you are definitely in there. I have looked at those links in a while, so we will do that.

Croley: While, Grace is up and you're mentioning old school thoughts. Let me share something with all of you as I had mentioned here in the last County Commission Meeting. I attended the Regional Chamber Meeting as I frequently do that was held in Destin. Ron Sachs put on a great program and they talked about the impact of advertising and I don't think any of ya'll are quite on the mark according to what they had to say and their billings of \$147 million dollars a year, so I think they kind of know what they are talking about. You do need to do some combination, but what they pointed out was they are doing these videos that you can see of I Tube, which you can view on the county I Pad. It's not how much money you spend, but it's the creativity used in the ad. I just heard Lee Garner talk about his event. I'm sure it can be promoted in many different ways, but if you want to reach out and get a lot of people it starts with you being more creative and start thinking what supply around these county and other places as well. We don't think it's outside of the box, that's whatever is done in the past if that's what everybody what's to do, we keep doing the same stuff by expect to see different results. Greensboro and the fireworks, get on the modern media, it's not how much money you spend it's how creative you are. As a member and as a sponsor for my business, I want you linked to that. I'm telling your Board that, I don't want to give you money from the public and support you in that if you are going to partner with the other groups that are trying to promote the County. Quincy Musical Theatre, I sponsor some of your things, I'm expecting to see the same degree of cooperation. As a supporter and as a County Commissioner, TDC advocate or whatever this business about everybody mounting their horses and riding off every different directions, doesn't make a lot of sense to me, you need to pull it together. Midway has a lot going. Havana is a model, I don't think Mr. Kellum or the Havana Merchants Association and all the things they have done. They are constantly promoting themselves with that, but they are doing it with cooperation with TDC. It disturbs me when I hear some of the dialogue that has been going on. I'm going to come back and say 3 times a fellow Commissioner referenced certain racial groups that did not include everybody and I am offended. This is not a black county this is not a white county, it's not a Hispanic county, it's everybody's county.

Taylor: Let me say this real quick, to bring us all together. I called this meeting because I wanted exactly this good dialogue going on, so we can have a productive County and so we can capitalize off our resources to the best and that we work together as one. This is not dictatorship, this is a Board, we speak as one, but we speak from one being in majority vote, not one individual Commissioner. We each have our own opinion, but at the end of the day we come together and we speak as one. There is no dictatorship around here. We are intelligent enough to agree to disagree, but still keep in mind it's not about us, but about this County, but moving forward in a positive direction. I appreciate the Art Center, I appreciate you humbly saying, and we will fix the concern that the Chairman had. Thank you for doing that. I have never been raised with any kind of bias, it does nothing but divide people, for reasons that have nothing to do with what's going on today. There are jobs, people losing their homes, today is poor health conditions, and today is just all kind of issues that have more profound impact on our lives than black and white. It is not why we take on the responsibility, so I tend not to jump down in situations that have no real focus or impact. I leave those things to the side, it's what the majority of us what to see

done and I don't think there is not one of us around this Board that does not want to see this County do well. Every entity that's seating here under the sound of my voice, what's to see us do well, otherwise I'm sure every one of us has something to do at twenty minutes after 5 than to seat here. All of us do, you are here today because you're passionate about what's in front of us. To work together is the most important thing we can do today, this is historic, in my opinion it is outside the box, because we are doing something we are talking, we are getting along, and we are getting dialogue. I think when we leave here today; you all are going to look at both marketing and events. You are going to look at seriously, because that's what came out of here. You are also going to look at scheduling and making sure there's no conflict, because that's what came out of here, you are going to look at budget; you are going to look at ways to make sure that the market strategy that you are using is working, because that's what came out of this meeting. So those are 3 things that came out of here that you are going to look at, this has worked for us. I don't get off into things that have no value, God knows I've been a target on so many different cases; it has no value, no true direction. We are going to stay focused on what it is that we need to do to promote, Gadsden County, if it is working let's duplicate it all over and let's talk and work together. That's the way we are going to go. One last comment and then we will adjourn if it's ok with you all. Again, those 3 things we need to focus on and I can see you all nodded and agreement and please don't get discouraged and think about leaving us, because we are not going let you get out of the agreement, that's not going to happen. Please stay, let's just work toward that, let's close this gap, let's close it and bring it together. I appreciate what you are doing and one last thing. We need to get the appointments, I know I'm going to have to reappoint one, but I'm going to put you back if you are willing to come back.

DuBree: I'm on a one-year, I'll be glad to continue as Chairman through this year and we will take it from there.

Taylor: We will take it from there, your name and some other name was on there for reappointment. If you want to stay, stay where you are. I appreciate what you are doing. I do have one that I need to address. We will address that particular one so, that you will have a full quorum when you do meet. Again, you got something out of this, would you agree that you received something out of it, was it worth the time.

Knight: Just before we dismiss. I'm new to this. I appreciate the opportunity to serve. I'm here to serve the Citizen's of Gadsden County and I have served my best diligently. I thanked we are on the right track, especially when we develop some KPI's to determine how we are doing, with the survey, etc. That is one step forward to making sure we have a way of measuring, to make sure we are doing a good job. I just would like to thank you for the opportunity.

DuBree: Meeting adjourned.

Adjournment

There being no other business before the Board/Council, The Chair declared the meeting adjourned.

Sherrie Taylor, Chair of Board of County Commissioners

ATTEST:

Muriel Straughn, Deputy Clerk

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON SEPTEMBER 6, 2011 AT 6:00
P.M., THE FOLLOWING PROCEEDINGS WERE HAD.**

Present: Sherrie Taylor, Chair, District 5
Gene Morgan, Vice-Chair, District 3
Eugene Lamb, District 1
Doug Croley, District 2
Brenda Holt, District 4
Nicholas Thomas, Clerk
Mike Glazer, Deputy County Attorney
Arthur Lawson, Interim County Administrator

Invocation, Pledge of Allegiance and Roll Call

Chair Taylor called the meeting to order then opened with a prayer and the pledge of allegiance to the U.S. flag.

Deputy Clerk Muriel Straughn called the roll and recorded the attendance as noted above.

Amendments and Approval of Agenda

Add: 16A Commissioner Lamb's Travel to FAC Policy Conference 16A

Add: 12A Amendment to Lease for Hospital Beds - 12A

Pull: Item 9 from the Consent Agenda add for discussion: Appointment of Clarence Jackson to Tourist Development Council

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

1. Introduction of the Interim Director for Gadsden County Health Department

Mr. Paul Myers, Interim Administrator to Gadsden County Health Department, introduced himself saying that he is from Alachua County, Florida and would be the interim director until a permanent director is found. He said that he was not a candidate for the position. He explained that there is an on-going nationwide search, which would close on August 31. The successful candidate should be in place by the end of October.

2. Impact of the Budget Cuts - Capital Area Community Action Agency

Ms. Dorothy Inman-Crews, Executive Director, addressed the board. She reported the following:

- Gadsden County received \$1.8 million last year for the many programs under the Community Action umbrella to provide services directly to residents. (2010-2011)
- There is likely to be some major cuts in the programs that will greatly impact Gadsden County. There is a 50% slated cut for Community Service Block Grant, 50% slated cut for the low income home energy assistance program. That would reduce the funding from \$492,000 to \$258,000. This is the money that is ordinarily used to assist citizens with their utility services. Funding is based on the population of the county and the poverty population of the county. Many of the utility vendors will be hurt by the cutbacks because otherwise, what is paid on behalf of the citizens would be an uncollectable account to the utility provider.
- Another major hit will be the weatherization ARRA (stimulus dollars) – this program helped the disabled and elderly residents to make their homes more energy efficient and thus lower the utility consumption and their bills. Those dollars go away as of the end of February 2012. It will be reduced from \$1.3 million in the current year to \$533,000 for October 1, 2011 thru February, and then they go back to almost nothing.
- With the current allocation, the program will pay for 372 homes to be weatherized from the stimulus. 270 homes have been completed. There are a few ready to be billed to the state for reimbursement. Approximately 100 homes must be finished before February to make sure they get maximum use of the dollars. Included in that dollar amount are extra allocations \$379,652, which Gadsden County requested after they ran out of money. This money allowed them to keep the contractors working. They ran out again in August and requested and received another \$812,000.00 for Gadsden County.
- Riverside, a multi-family project with 50 units, was weatherized. Another multi-family project with 35 units is pending.
- They have served 3,431 residents in the current year that ends September 30, 2011.

She asked the board to support their efforts to go to the federal government to request that they reconsider the massive cuts to the poor. **She asked for a resolution from the board in support of the effort to stop the 50% reduction by Congress and send it to President Obama and the federal Congressional delegation.**

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO DIRECT THE STAFF TO COMPOSE THE RESOLUTION REQUESTED AND BRING IT BACK TO THE AGENDA AT A FUTURE MEETING.

Chair Taylor asked Ms. Inman-Crews to get with the staff regarding the content and language that she would like to have included in the resolution.

3. Request From Mr. Charlie Harris for Gadsden County to Re-apply for a Community Development Block Grant to Fund Infrastructure Improvements for His Proposed Assisted Living Facility

Anthony Matheny, Planning and Community Development Director, Charlie Harris, Facility Owner and Auburn Ford, Grant Consultant, were all present. Mr. Matheny recalled the following facts concerning the proposed project:

- Mr. Harris applied for CDBG grant funds for his project, but the application was denied because of deficiencies in the application. (lack of participating party letter of commitment, no local government letter of commitment, participating party business plan, lack of engineering cost estimates)
- He must now reapply in a different funding cycle with a new application. He is asking for permission to apply.

A MOTION WAS MADE BY COMMISSIONER HOLT AND SECONDED BY COMMISSIONER LAMB TO GRANT PERMISSION TO MR. HARRIS TO MAKE AN APPLICATION FOR THE CDBG ECONOMIC DEVELOPMENT FUNDING CYCLE 2011 WITH WHICH TO INSTALL INFRASTRUCTURE TO HIS PROPOSED PROJECT.

Commissioner Morgan noted that this item was on the agenda under awards, presentations and appearances. He questioned whether it should be acted on at this meeting. He objected to taking a vote because there was no documentation to explain or support the request.

Attorney Mike Glazer confirmed that action could be taken on the applicants request as there was adequate notice in the agenda material.

THE BOARD VOTED 4 – 1, BY VOICE VOTE, TO GRANT PERMISSION FOR MR. HARRIS TO MOVE FORWARD WITH THE APPLICATION AS REQUESTED. COMMISSIONER MORGAN OPPOSED THE MOTION.

Clerk of Courts

4. Value Adjustment Board Appointments

Nicholas Thomas, Clerk of the Courts, addressed the board explaining that the Value Adjustment Board is made up of five members- two county commissioners, one School Board member, one homestead property representative appointed by the County Commission and one Business person located in the School District appointed by the School Board.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE COMMISSIONER TAYLOR, COMMISSIONER MORGAN AND MS. EMILY ROWAN TO THE VALUE ADJUSTMENT BOARD.

5. Presentation of County Finance and County Clerk Issues

Clerk Thomas informed the board of couple of invoices that have been submitted for payment as emergency repairs done at the jail. The invoices must be paid out of the current budget. (Chiller went out.) One invoice was for \$66,000, which did not include the labor. He also had a \$25,000 invoice for repairs to the jail showers. The total amount was \$91,000 – not including the labor cost, which will follow by separate invoice. He said they would have to amend their budget via an advertised budget change to show an increase in the overall budget and that the

only source that it could be taken from was from the Capital Projects fund balance. He mentioned it at this time because it had been proposed to use some of the Capital Projects money to give to the City of Gretna for their infrastructure project at the I-10 interchange. He stated that his only purpose in bringing the matter up was so they would be mindful of them as they deliberate on Item 11 that follows on this agenda.

The county administrator was instructed to bring that item back at the next public hearing meeting.

Consent

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0 TO APPROVE ITEMS 6 THRU 8 BELOW.

6. Ratification of Approval to Pay County Bills

Accounts Payable Dated:	August 19, 2011
	August 26, 2011
	September 2, 2011
Payroll Dated:	August 25, 2011

7. Approval of Bid Award (RFP 11-09) to Stanley, Hunt, Dupree & Rhine for Actuarial Services for OPEB (Optional Post Employment Benefits) a Governmental Accounting Standards Board (GASB) Requirement at a cost of \$7,015

8. Approval of Commissioner Taylor's Travel to Attend the Advance County Commissioner (ACC) Education Program (Sherrie Taylor, Chairperson) The cost will be approximately \$1200 for all three seminars.

Seminar 1: October 13-14, 2011 –Leadership Skills for Change Agents in Florida's Growth
Seminar 2: January 5 – 6, 2012 – Strategic Visioning and Implementing that Vision
Seminar 3: April 19-20, 2012 – Understanding and Working with Growth Stakeholders and County Deal Makers in Florida's Growth Environment

9. **Reappointment of Current Tourist Development (TDC) Members with Expired Terms** (Anthony Matheny, Planning and Community Development Director and Sonya Burns, TDC Secretary)

This agenda item requested that the Board of County Commissioners reappoint sitting members of the Gadsden County TDC. At a joint meeting between the BOCC and the TDC, Chairman Sherrie Taylor agreed to reappoint Jeff Dubree whose term expired in December of 2010 (Owner of Whippoorwill Lodge at Lake Talquin, and bed tax collector) and Patricia Vice of the West Gadsden Historical Society whose term expired. Both expressed their desire and willingness to continue to serve.

It was noted that none of the seated council members are from District 4. Commissioner Holt stated that she would like to appoint Clarence Jackson to the Council. He is a city councilman in Gretna.

Commissioner Croley supported the appointment of Mr. Jackson subject to legal review and determination that his appointment is in compliance with the statutes.

COMMISSIONER HOLT MADE A MOTION TO APPOINT CLARENCE JACKSON TO THE TDC BOARD. COMMISSIONER CROLEY SECONDED THE MOTION.

QUESTION WAS RAISED BY COMMISSIONER MORGAN. He pointed out that the agenda item requested the re-appointment of Jeff Dubree and Patricia Vice (current members whose terms have expired.)

Commissioner Taylor restated the motion.

QUESTION WAS RAISED BY COMMISSIONER MORGAN. He said, "So we are going to appoint a member to the TDC without getting any input or speaking with the TDC itself. Is that what I am hearing? Again, I don't have any problems with Mr. Jackson or District 4."

Commissioner Taylor replied, "Yes, I think we are being consistent. I don't think we are out of the norm because other commissioners have appointments and made sure that those appointments were in compliance with the FL Statutes. That is the only question we have to verify and that is to make certain that he is qualified to serve based on his qualifications. If there are any concerns, then bring it back to us. Otherwise, we are going to recommend that he be appointed to represent District 4.

CHAIR TAYLOR CALLED FOR A VOTE. THE BOARD VOTED 4 – 1 IN FAVOR OF MR. JACKSON'S APPOINTMENT. COMMISSIONER MORGAN OPPOSED THE MOTION.

Taylor:

My particular concern was Mr. Patel. I understand that he no longer – he is trying to be active from Washington, D.C., which is making it a little difficult. It has been difficult to have a quorum to have an official meeting because of his absenteeism. So, what I am going to do is to allow him to continue to serve until the end of this year. I think that is your normal expiration 12/31. I think that is only fair. That gives me a chance to make sure that he is going to come back. I do want to make that noted that with the consent of my colleagues, give him until the end of this year. Then, if he is unable to continue in a regular capacity, then we will look to reappoint. I think that is only fair to those who are coming regularly – to make sure that there are enough to have the meetings. That is the only amendment that I have to your chart. Not that he continue to December of 2012, but that he continue until December of 2011 as far as Mr. Patel. That is my only change.

Commissioner Lamb noted that as of December 31, 2011, Mr. Kellum's term would be up.

Commissioner Holt stated that there should not be more representation from one district than another if possible. The other board members agreed that it should be dispersed throughout the county when possible.

Chair Taylor suggested that the term for Mr. Patel, Ms. Vice and Mr. DuBree be changed to end as of December 31, 2011. Commissioner Morgan and Commissioner Croley disagreed with changing the length of the terms.

Commissioner Morgan asked to table the appointments until there has been discussion with TDC and give them time to have other conversations that should take place, then come back and vote on it.

Commissioner Holt reminded everyone that the TDC does not appoint, the BOCC appoints them.

Commissioner Lamb was in favor of adding Mr. Jackson, but he did not support changing the terms of the appointments. He said that a person could simply resign during their term if they did not wish to continue for the full term.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 3 – 2 TO REAPPOINT JEFF DUBREE (HIS TERM EXPIRED ON 12/31/2010) FOR THE REMAINDER OF THE UNEXPIRED TERM THAT WILL END ON 12/31/2011. (COMMISSIONER CROLEY AND COMMISSIONER MORGAN OPPOSED THE MOTION.)

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO APPOINT MS. PATRICIA VICE FOR ANOTHER TERM. (Her previous appointment expired in December of 2010.)

Citizens requesting to be Heard on Non-Agenda Items (3 minute limit)

Michael Taylor, 120 North Macon St., Quincy, FL - Small Business Coordinator for the Small Business Service Center through the Chamber of Commerce. He said that he has requested \$25,000 from the Chamber of Commerce budget to keep their program going. The program helps small business people who have the capability to hire other people. They help with technical assistance and guidance toward funding resources. The grant funding for the program ran out and will not be available to them this year. He reported that they had 13 graduates from the program last year. He asked the BOCC to reconsider their request for \$25,000 so they can keep their momentum going.

Elizabeth Peterson, 23 Macon Street, Quincy FL, introduced herself as a graduate of the Small Business Center. She finished classes in July. She said, "The time that Mr. Taylor and Ms. Tribue and Ms. Franklin have given to us has been absolutely awesome...There is a core group of us that started this course in January and we are continuing to meet every other week because we have found that we are motivation for each other. We are there for each other. It is a tiring process. We all have goals. We all have businesses that will really thrive and bring good to our county. Please consider what you can to keep this program going."

Chair Taylor asked them to speak with Mr. Lawson and let him entertain their request. Then he could bring it to the board.

Commissioner Croley asked to make a point of order. He told everyone that there is a Budget Hearing on September 7, 2011 at 6:00 p.m. He continued, "At that hearing, the citizens have a right to speak out about what they think are priorities in the budget process. He pointed out that Ms. Peterson and Mr. Taylor have every right to come back on the 7th and restate exactly how they feel about the budget process. "

Public Hearings

10. Public Hearing – First Reading of Neighborhood Commercial Land Development Code Text Amendments – Proposed Ordinance (Anthony Matheny, Planning and Community Development Director)

Growth Management Director Anthony Matheny stated, "This agenda item is a request to change the Land Development Code to reflect what you have already approved in our Comprehensive Plan earlier this year. When the Comprehensive Plan is changed, we have to go to the Land Development Code, which is the marching orders for what is listed in the Comprehensive Plan – how we carry that out is changed to reflect the change in the Comprehensive Plan. That is all this is. It changes the Neighborhood Commercial. If you have a specific question, I will be happy – if you will tell me what section of bullet point that is, to elaborate on it further. Again, was approved by this board earlier this year as a Comprehensive Plan amendment. "

Chair Taylor:
Commissioners, are there any questions at this time?

Holt:
Commissioners, I was asking earlier about looking at the Comprehensive Plan. This is what I was talking about. Because there is nothing in here that we have gone back through to say that the economy has changed. We need to change what we are doing to look at increasing or decreasing the economic development section of the County. If we look at "2" it says "The allowances 4202(c) 3 in the retail section of restaurants. That is something that you may want to do , but when you look down here where you look at the flexibility, you are looking at two years where it says, "defining grant" additional flexibility to previously historical uses. If you look down there, it says "that has been vacant for more than two years." We want to make sure that those businesses, even though they may have been vacant more than 5 years, that they can come back and open that business back up. This is why I kept saying, "Let's look at the Comprehensive Plan and adjust those Mom and Pop businesses out there that have been closed for years. Our children, people have to come back home and they are looking at starting those businesses back up, or going into a new neighborhood and say, "I want to open a barber shop" and that type of thing. Maybe granddaddy had a barber shop there before. We have two years there, but if we go back and look at it, we may want to extend that time. If they have been closed for more than two years. We need to look at that...Your land development code needs to match your Comprehensive Plan. "

Matheny:

Commissioner, if I may, if you will read just a little bit further, it says, "unless extended by the board." So, you do have that option to extend it. If you feel like it is a business that has been out of business for four or five years and you feel like it needs to come back and it is appropriate, you all could make that decision.

Holt:

Right, but if I am a businessperson and I am looking at Madison County, you could have been closed five years, they don't care. Gadsden County has two years. Which one do you think I am going to go to? I am not going to come somewhere where I have to go and get approval and go through this extended process when I can go to another county. You see, it is not attracting businesses. It not whether you can approve them when they get here, we want to attract the business. That is what I was talking about. Your Land Development Code is going to match your Comprehensive Plan if that is what they are trying to do.

Taylor:

Well, if they are Mom and Pop, they are not going to Madison County. They are going to stay right here with us.

Holt:

Yes, they will. They will go to Madison.

Taylor:

That was your definition. I am just following up on you.

Holt:

They will.

Taylor:

You think so?

Listen; before we go any further with the discussion, this is a public hearing. Ladies and gentlemen, those of you in the audience can have input on this particular item and that is why it is considered a public hearing – so you can come up and state your opposition or position on it. Whether you are for it or against it. At this particular time, I am going to ask if there is anyone in the audience who wishes to speak on this item.

None at this time. Thank you.

Are there any other discussions before we take any action?

Holt:

Madam Chairman, on the minute's sections where it says intersection criteria for local roads, that is another one that we may need to look at. I know that when we discussed this a few years ago, under that one, you had to be near a collector road. Those were some requirements and areas that were near an intersection. In a lot of neighborhoods, there may be some properties that are not near an intersection if it is a country store or something like that. That is one that we need to look at.

Taylor:

That one, I had issues with, too. I have to agree with you on that one. Specifically in the rural community, which is where we are basically, there are not a lot of large intersections or exchanges back up into the communities. So, that is an issue with me having to make that a mandate. Now, I appreciate the language that will allow the two years to be relaxed with the approval of this board. Is there any language that would allow a neighborhood store or whatever business that comes up to not have this intersection as a criteria?

Matheny:

Well, the language would be if you decided to change it tonight, it would be the new language. I mean, you all would have to make those changes. But, this has been debated heavily by the Planning Commission, and that is their recommendation to this board. But, if you wanted to change it –

Taylor:

Well, if it has been debated then obviously, there have been some concerns with them on this language as well. I can appreciate our Planning Commission and they do a yeoman's job. But, I do have a particular problem with hindering people from moving forward. As someone said a moment ago, it is those these small businesses that is driving the work force today, so, I don't want to see it hindered because it is not located near one of these major intersections, so that one I do have a little heart ache with and I would like to see it changed.

Croley:

The Planning and Zoning Commission went through all of this in great detail. Their recommendation is to approve Option 1. They looked at all of this. It would seem logical that with the flexibility that Mr. Matheny has already expressed that exists here and recognizing the concerns by Commissioner Holt and yourself, it looks like to me that Option 1 ought to be the right thing to do and move this forward as they recommend. If we have a bunch of problems or complaints down the road, then we can see about having it readjusted. But, they have done a lot of work on this and it would seem rather inappropriate for us to be second guessing after the fact and after this much hard work went into it.

Taylor:

Well, as Mr. Matheny so eloquently said a moment ago, this item was well debated. What that tells me is that there was some heartburn over this particular item. Sometimes it helps when someone else takes the burden of making those decisions. So, if you give that burden to this board that this particular item needs to be changed, it takes the heartburn away from Planning and Zoning and puts this thing back into a favorable position. And again, when looking at Economic growth and development, we have to be smart about this. We've got to be able to have that here and not having people buying expensive pieces of property near these interchanges and that throwing them away from here. We've got to be smart. If this is a heartburn and it has been stated so, let's change this one and I am willing to move on with the rest intact.

Matheny:

Let me be clear, Commissioner. What I meant when I said that is that this item, this neighborhood commercial item has been well debated. The minutes will reflect that there was a lot of discussion about it. I did not particularly mean that segment of the item.

Taylor:

Well, we are going to have this segment of the item looked at.

Lamb:

Madam Chairman, what is it that you want changed?

Taylor:

I don't think that having to have these particular businesses located near a specific interchange should be necessary. I think that if it is in an area where you've gotten the citizens to agree for you to be there and it has gone through the proper process, then they can be there. I don't think it needs to be next to I-10 or next to Highway 90.

Lamb:

Which section are you talking about – 5902?

Taylor:

That is 5904 b, sir. That is the only one. I don't have any problems with anything else on here at all. It is page number 3. Right there at the top where it says 5204 B. It includes language about intersection location criteria. It is indicating that you need to be near some kind of major interchange for this. That is the only one.

Commissioner Croley, hold your thought. I am going to finish with Commissioner Lamb and then I am going to hear from Commissioner Morgan.

Lamb:

I am alright.

Taylor:

O.K. Do you follow?

Lamb:

Yes.

Taylor:

Commissioner Morgan?

Morgan:

Thank you, Madam Chair.

Mr. Matheny, thanks for coming before us with this. If there is an instance where a business does not meet this particular criterion, they could come before us and ask for a special exception going through those processes and procedures, correct or not?

Matheny:
Correct.

Morgan:
So, that would be a particular concern that comes up. Rather than change the wording here, we could address that at that particular time, could we not?

Matheny:
You could as long as it relates to the Land Development Code. If it is in the Comp Plan, I would have to go all the way back through it. We don't have time to do it right now, but if it is in the Comp Plan, you would have to do a Comp Plan amendment. You cannot do a variance to the Comp Plan. But on the LDC, they could come in for a variance or special exception, whatever is appropriate.

Morgan:
I agree with Commissioner Croley. We need to support what has been presented to us tonight. Again, these folks are serving in a capacity for a reason. It is my understanding that this is your recommendation. Is that correct?

Matheny:
My recommendation coincides with the Planning Commission Recommendations.

Holt:
Madam Chairman, May I?

Thank you.

This is what I said before about not looking at the Comprehensive Plan. It is not the Planning and Zoning Board's responsibility to look at economic development. It is this board's responsibility. You are looking at maintaining. I am looking at economic development and progress. There is a difference. Keep on doing what we have been doing. That is exactly what this recommendation is. You must look at how you get the businesses here that you want. They are not going to come if we are not attractive to them. So, it is this board's responsibility to sit down with that big book and study it and do recommendations and make decisions.

The Planning and Zoning's responsibility is to make recommendations. It is not for you to take them all. That is not our job just because they studied it and they are good people. They were not elected by the citizens. We were elected by the citizens to do this. Now, we need to sit down and take some time and dates to look at this big book. The Land Development Code is what they use to implement the Comprehensive Plan. This is the rule book that you go by, but the Comprehensive Plan is the Bible.

Now, if you've got to have a business near an intersection and the whole community wants it, they have got to come up here in order to get approval. First of all, you have got to want to come. What makes those businesses want to come here? That is where we are at a loss. You are maintaining not having businesses in the County. That is all you are doing if you don't look at this book. Commissioners, there is no way around it.

Taylor:

Alright, let's do this. Let's go ahead and put a motion out there. Commissioner Holt, I am going to start with you to put a motion out there to approve all else with the exception with the language in 5204.

Croley:

Wait a minute. Commissioner Lamb brought an item up here a few years ago where somebody put a motorcycle repair shop in a neighborhood. They were working on those motorcycles late.

Now, what this thing is saying here is, if I understand it right, - If we've got a row of houses down a street, somebody can't just go put a motorcycle repair shop in the middle of all these houses. Theoretically, it is supposed to be open up at the corner like the corner store. We see some of those kinds of repair shops at some of the corners. Now, if they do want to do that, Commissioner Morgan has confirmed with Mr. Matheny that they can come up here and get approval to do that if the neighborhood is content with it.

I think that taking that requirement out opens a Pandora's Box of problems. I believe that is why it is in the Land Code the way that Planning and Zoning wrote it up so that you can avoid those situations that Commissioner Lamb ran into in his district. It is not going to depress business. It is not going to stop somebody from opening a viable business. If they have a viable business plan, I am confident and I have already seen that nobody is likely to get turned down unless there is something wrong in the community about it. **I WOULD RATHER ERR ON THE SIDE OF CAUTION BY ACCEPTING WHAT THE PLANNING AND ZONING COMMISSION HAS RECOMMENDED. AND TO THAT AFFECT, I AM MOVING OPTION 1 AS RECOMMENDED BY THE COMMISSION. HOPEFULLY, SOMEBODY WILL SECOND IT AND WE CAN MOVE FORWARD.**

MORGAN:

I WILL SECOND IT.

Holt:

I kind of figured that. Madam Chair, go ahead and move the motion.

Taylor:

There is a motion and a second.

Holt:

Commissioner, what you are saying is to maintain, as I said, that is not attracting. One tragic story begets another. Now there was a businessman who wanted to come up and open a store on US 27 up there. Yes, there was.

Croley:

I thought it was in a neighborhood.

Holt:

No, no, no. It was up on US 27. They wanted to open up there. O.K. Now, whether the community wanted it or not, that commercial piece of property said they could put that

particular business there. That is what it says when you look at it. Now, the problem that comes in is this. That owner bought that property looking at the things that he could do with it. When they came before us and the board said, "No," that man lost his money. That is what is wrong with your Comprehensive Plan. He lost a good \$100,000 simply because he could not develop that property.

Right here, you have language that is even being disputed by us. What happens is one businessman tells another, "You had better not go into Gadsden County because I just lost my money there. We need to go back and redo this book. I don't care how you try to get out of it. You keep saying, "Planning and Zoning Board, Planning and Zoning Board." They are not the elected officials. I know you have a motion and you have a second, but as I said, that intersection language is a problem. They are going to have to come back to Building Inspection anyway. They are going to have to come back up there and get building permits anyway. They can recommend that they come back to this board. I am trying to attract businesses, not the wrong businesses, but businesses.

Like I said, we have people on the Planning and Zoning Board that we need to look at those terms. We need some progressive people on those boards to look at economic development in this county. But, we keep reappointing. As soon as we stop doing that and start looking at what this county needs instead of what certain people want, then we will move forward.

Thank you very much. We can move on.

Lamb:

One question. Like he has stated now, once someone applies, they can come to this board and we can move it up or down at this board. Number 2 is before you go and purchase a piece of property, you had better ask what you can put there. That is just common sense. Don't you go buy or purchase something and think that you can put what you want to put there.

Holt:

Commissioner Lamb, you are exactly where I am telling you where we need to be. Because it is written in our Comprehensive Plan that they can put those businesses there. We are the ones that did not go back and change the book. They are buying on what we are saying.

Taylor:

Here is what is happening here and Commissioner Lamb; I think you were headed that way. In sending this one back for further discussion on that particular item. There is confusion here. We need to make sure that when it comes to economic development and growth that we don't run people off because they've got to look at a particular area to open a business. Now, we've got this Citizens' Bill of Rights that says that if you are going to build it over here, there is a process that you must go through. I am saying that we need to get rid of this intersection deal because that limits who can come in here and who wants to come here because they have to get a particular piece of land in order to build and develop. It has to be next to an intersection. We need to be careful with these restrictions.

We have to have economic development and growth. Our dollars are dwindling. You hear it from Clay VanLandingham and you hear it from Dale. We have to have businesses coming in.

Now, I agree with everything else that is on here. No problems with it, but we need to be careful about tying the hands of a developer who is coming in...We represent the rural area where there are no major highways. That is where the basis of our community is. I am saying that everything else is good. Let's just change that language. As long as it follows the Bill of Rights process, then that person should be able to do whatever they want to build wherever they want to build it.

Lamb:

Madam Chairman, I have a question on that. You make a good point, but you don't want anything coming.

Taylor:

That is true. That is why I voted for the Bill of Rights. You are not going to put nuclear waste next to my house.

Lamb:

Right. And, the same thing for other folks. We have to have the same feeling for other folks.

Taylor:

Exactly. You won't want to put one next to their house either because they have the right to say, "Hey, when you advertised to me to tell me that you are coming out here with that mess, meet with me and I am going to tell you, "I don't want it and I am going up there to that board of county commissioners and tell them I don't want it."

Lamb:

But, doesn't this item here protect us saying that you can't put just anything near us? Doesn't it say that?

Taylor:

No, what this says is that you can put anything there, just put it next to I-10 and US90. It doesn't restrict what you can and cannot put there. Let me revise that. Everything that comes into this county has to go through a process. It has to have citizens input. It has to have Planning and Zoning Input and it has to have this county commission input. Everything that comes no matter what and no matter where. But, what this particular item says is "Businesses, if you come, you can only develop next to a major exchange. " That is not good.

Now, you are right, in neighborhoods, you don't want anything landing there. But there is commercial real estate in neighborhoods that is there already. But, businesses that come have to go through the proper process no matter where. But, we are saying, "Yes, you can come, but you can only locate over here."

What Commissioner Holt and I are saying is, "Let them come. Choose a site. If the community is not with it, then they get away from there. But if the community is with it, then it is a welcomed business."

Lamb:

I hear you plainly. I hear you good.

Now, I want to go to Mr. Matheny. I want you to comment on this. I have a question. You are coming from out of town. You are coming into my county saying that you want to go over here. No, it is not where you want it to go; it is where it should go. Mr. Matheny, would you comment on this?

Matheny:

Well, if I could, I will provide some additional clarity here. On the neighborhood commercial, it basically applies to rural residential and agriculture areas. Some of the reasons that you want your commercial properties at an intersection with certain intersection criteria are to keep them clustered into one area and not spread out indiscriminately throughout your agricultural and residential areas with no rhyme nor reason. You have intersection criteria. If they are outside of a certain distance, then they need to be looking at something else or come back in within that distance of that intersection where you are going to have more economic activity.

Lamb:

What P & Z is really saying is, "This is where you will fit in at." "You don't fit in over here, although you might never build here, you don't fit in."

Matheny:

Correct.

Holt:

Madam Chairman, May I?

This is going to be beat for a while because these five people refuse to look in their book. I am saying this. O.K. You are not at an intersection and you want to open a barber shop in the community and the community wants it. You are saying that they cannot because they are not near a collector road. O.K. Now, this person got laid off last year and they don't have a job, but they can cut hair. They are commercial and that is where the problem comes in at. Not with the liquor store because they don't have that kind of money anyway.

I've got two or three people right now that can do hair, but they can't open because they are not near a collector road, but they have family property. You cannot stop these people from making a living. Now, they are going to make a living anyway because they are boot-legging because you won't let them open a business. They can't afford to buy property.

Commissioners, that same piece of commercial property in District 1 – they could have put up a slaughter house and slaughtered cows. They could do that because it is in the Comprehensive Plan. You had better go back and look at it.

We looked at it, but, it was before your time. What your commercial listing is different from what you want. You are sitting here telling us that you don't want this and you don't want that when all you have to do is change the book. The intersection part is what is killing your small business.

Commissioner, you and I rarely agree on an item, but I think we are the underdogs and we just need to let this one go. We argued it and we gave it a good argument, but we are going to have

to let this go and let time prove itself. You have to learn how to say when and this is the time to say when.

THERE IS A MOTION ON THE FLOOR TO APPROVE THIS ITEM AS RECOMMENDED BY THE PLANNING COMMISSION. ALL IN FAVOR LET IT BE KNOWN BY SAYING, "AYE."

ALL: AYE.

TAYLOR:

Make that 5 – 0 to move forward.

Matheny:

This will require a second reading. We will come back and go through the same thing at the next public hearing date.

Holt:

I would like to ask the director to bring back those category uses. If that can be brought back to the board. I think when you see what some of those uses are, you are going to see whether you want those in a community or not. – What you can put in neighborhood commercial.

11. Public Hearing – Approval of Resolution Number 2011-030 and Budget Amendments to the Fiscal Year 2010/2011 Budget – Funds for Records Center Roof and Line Item for Gretna Water/Sewer Line OMB BA 110098 AND 110099 (Connie McLendon, Finance Director and Jeff Price, Senior Management and Budget Analyst)

Chair Taylor announced a public hearing on the budget amendments named above. She stated that she would open it up to the public after board discussion.

Commissioner Croley made motion to split the question. Chair Taylor felt the motion was out of order and declined to carry it.

Commissioner Croley stated, "I believe that under Robert's Rules of Order, if a motion is made to divide the question, it must be entertained by the chair. I am asking you to call upon the parliamentarian for a determination. "

Attorney Glazer advised, "I think that is true, but you still need a second."

Croley:

Well, she never gave a chance for there to be a second. The chair ruled against the motion before it was ever heard.

Taylor:

It is also true that if a motion is put on the floor that is not legal, then I don't have to carry that motion for a second. If a motion is put on the floor that is beyond the authority of the one that is putting it on the floor, I do not have the need to move it. A motion to divide an item that has been advertised such as it is, I think is out of order. That is the reason.

Croley:

Maybe I misunderstood the parliamentarian's response, but is it permissible to divide a question?

Glazer:

That motion – she is correct. We have a single resolution on the floor. You can vote this motion up or down, but, this is a public hearing and I think that if you divide the question, you would have to come back another night.

Taylor:

Thank you very much. I do read believe it or not and I read well.

Croley:

My motion still stands whether I get a second or not.

Taylor:

So noted for the record, Commissioner Croley.

Chair Taylor called for public input. There was no response.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4-1, BY VOICE VOTE, TO APPROVE THE BUDGET AMENDMENTS AND THE RESOLUTION NAMED ABOVE. COMMISSIONER CROLEY CAST THE LONE NO VOTE.

General Business

12. Redirection of Half Cent Tax and Trust Revenues from Capital Regional Medical Center to Medicaid in Order to Take Advantage of Federal Matching Funds

Michael Glazer, Deputy County Attorney, stated that under the current lease agreement between the county and Capital Regional Medical Center, the county directs a portion of the Indigent Sales Tax to CRMC and proceeds from the Hospital Trust Dividends. There has been recent changes in the Medicaid legislation and CRMC is eligible to take advantage of a program previously available only to not-for-profit and governmental hospitals. Through this program, funds provided to a hospital from a governmental unit are now eligible for federal Medicaid matching dollars. For every dollar in Intergovernmental transfer (IGT) sent by a county to Medicaid, the hospital receives approximately \$1.70. In order for the hospital to receive that match, the County must enter into an agreement with AHCA by which it commits to send a specified amount of money to Medicaid over the course of a fiscal year. The county determines that amount.

Between June 2010 and May 2011, Gadsden County sent approximately \$290,000 of the half cent tax revenue to CRMS and approximately \$131,000 representing income from the Trust. CRMC requested that the county commit as much as they are comfortable with to the Agency for Healthcare Administration instead of to CRMC so that they will realize more income. CRMC is willing to commit that any additional revenues that they realize will be accounted for as revenue to the CRMC-Gadsden Memorial Campus in order to help the financial viability of the facility.

Clerk Thomas recommended \$400,000, which is less than what was paid to CRMC last year, from the surtax and the trust fund interest.

UPON MOTION BY COMMISSINER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE REQUEST TO ENTER INTO AN AGREEMENT WITH AREA AGENCY FOR HEALTHCARE ADMINISTRATION TO REDIRECT \$400,000 FOR MEDICAID PATIENTS ON BEHALF OF CRMC.

There was some discussion about the money that Gadsden County EMS is losing on the transport of Medicaid patients to the Tallahassee hospitals since the state cut the Medicaid benefits. The board requested data and analysis from the staff regarding the matter.

12A- Amendment to the Lease of Hospital Beds

Capital Regional Medical Center has requested to amend the lease agreement for 12 beds (approved by the BOCC on July 5, 2011) to include three cribs from the Gadsden Memorial Hospital. There was an urgent need for the beds and they have already been delivered. As amended the lease will generate \$5,400 per year and will eliminate the county's need to store these otherwise unused beds. CRMC is responsible for providing mattresses and for paying all maintenance cost.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE AMENDMENT TO THE HOSPITAL BED LEASE AGREEMENT.

13. Request for Funding for Community Celebration of Educational Progress of the Gadsden County Schools

A communitywide celebration was held on August 20, 2011 to acknowledge the superb accomplishments of the various students and faculty of the Gadsden County School System for progress made throughout the school system. This celebration was held to express appreciation for the total efforts of the outstanding educators, students and parents and the overall community. Such efforts have produced a historical five "A" schools and other progressing schools.

Financial support was provided by cities, municipalities, schools, health organizations, law enforcement, faith based organizations, businesses, TCC and other agencies.

A request was made of the County to assist in the effort by paying \$2,500 for the cost of sponsoring the event which provided free food, school supplies, children fingerprinting, entertainment and games.

Commissioner Lamb stated that he would support this for this one time, but he personally did not feel that it was an appropriate way to spend tax dollars. He said he will not support this type thing again as he feels that private contributions would be more appropriate.

Commissioner Morgan stated, "There is never a good reason to do the wrong thing."

Commissioner Holt stated that she felt that the money should have come from private donations.

A MOTION WAS MADE BY COMMISSIONER LAMB AND SECONDED BY COMMISSIONER TAYLOR TO APPROVE THE PAYMENT OF \$2,500.00 FROM THE CONTINGENCY FUND.

Commissioner Morgan was opposed to using tax payer monies in this fashion.

Commissioner Holt suggested that the commissioners could give individually toward this event, but felt the money should be raised from other sources and donations.

VOTE 3 – 2 (CROLEY/MORGAN OPPOSED)

14. Approval to Pay Invoice Number 90609 (Preble-Rish, Inc.) for Additional Planning Services to the Contract for the EAR –Based Amendments and Area Plans, Project Number 228.100 \$4,590

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 - 1, BY VOICE VOTE, TO APPROVE THE PAYMENT OF \$4,590 to Preble Rish. Chair Taylor voted no.

15. Approval of Revised Circulation of Library Materials and Overdue Library Materials Policy

Carolyn Poole, Library Director was present to answer questions.

A MOTION WAS MADE BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, TO APPROVE THE REVISED CIRCULATION MATERIALS AND OVERDUE LIBRARY MATERIAL POLICY.

Commissioner Morgan confirmed that the policy was the recommendation of the Library Commission. He also suggested that communication with the delinquent accounts would probably be productive. Emails & phone calls would be appropriate.

Commissioner Croley reported that Leon County Public Library has the State Attorney to send letters to delinquent accounts requesting the return of the books and media. He suggested that could be a measure to take when all else fails.

Commissioner Holt suggested that people not be allowed to continue to check out materials when they have delinquent accounts.

Discussion followed.

Library Commissioner Emily Rowan addressed the board with several concerns. In addition to explaining how the commissioner approached the new proposed policy, she told them that they are having a problem getting commission members to attend the meetings. There was a consensus that she should meet with Mr. Lawson to discuss appropriate measures to address her concern and then come back to the board with a proposal to bring about a solution.

She thanked them for their interest and the discussion points they raised.

THE BOARD VOTED 5 – 0 IN FAVOR OF THE MOTION.

There was a consensus for the Director to update the board on the progress of collecting the fees and getting the books returned in six months.

16. Approval and Execution of the State Housing Initiative Partnership (SHIP) Annual Report (Clyde Collins, Building Official and Phyllis Moore, SHIP Administrator)

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO APPROVE THE ANNUAL SHIP REPORT.

16a. Approval of Commissioner Lamb's travel to the Florida Association of Counties Policy Committee Conference

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE COMMISSIONER LAMB'S TRAVEL TO

County Administrator

17. Update on Solar Energy Farm/Land Use Change

Growth Management Director Anthony Matheny addressed the board regarding a proposal to change the Comp Plan and Land Development Code to make solar farms a permissible use on AG lands. He met with citizens at a Citizen's Bill of Rights meeting to discuss that possible change. Several questions were raised by them. One of their questions was, "If the proposed change was made, would the P & Z and BOCC still review the applications?" His answer was, "If solar farming is made a permissible use on Agriculture land use designations, then it would only be reviewed by the staff. If there happened to be sizable impacts, he would likely bring it to the board for review.

Commissioner Holt stated emphatically that it should come before the board for review.

Commissioner Croley explained that when he first mentioned this permissible right as a possibility, he intended it only for AG 3 land use parcels. He said he felt that solar farming would fit with that type land as a modern agri-business. He acknowledged that Commissioner Holt's concern has validity. He agreed that it should be reviewed by the board, especially regarding citing of the farms and issues relating to traffic and environmental concerns.

In view of this clarification, Mr. Matheny stated that no change would need to be made to the Code.

Commissioner Holt asked, "Is there anything that would prohibit solar farms from being located underneath power lines?" Mr. Matheny said that he did not have knowledge of that.

Mr. Matheny stated, "When I first received the directive from the county administrator to go forward with this, there was agreement that we were looking at making solar power use a permitted use in agricultural districts and we were going to go through the process of changing that in our Comprehensive Plan and Land Development Code. What I am hearing tonight is that there is at least some type of consensus that this board wants to retain the power to review the project and that it not be an internal review by our department to make the final decision on the project. Am I reading that correctly, Mr. County Administrator?"

That being the case, we don't have to make any changes. It is still a special exception and it will come to you as a special exception for you to approve or deny.

Croley:

Commissioners, I don't think that we need to not convey a message and that is exactly what is going to happen if you say that it all has to come up here for review. All I am saying to you is that modern agri-business activities like wind and solar are going to fit on agriculture land. Those are appropriate uses of collecting the sunshine or the wind from these large scale projects if they are suited on agriculture land. We have heard that from the University of Florida. So, I don't think that from my standpoint, Mr. Matheny and Mr. Lawson, I don't think that it is inappropriate to amend your code as Commissioner Holt has frequently stated, and keep it updated to say that solar farming can be done on AG lands, but I think it needs to be restricted to AG 3 land. You can't very well put a large scale solar farm right next to some of this rural residential and it fit in. It is not going to on land that is zoned 1:5 or something of that nature. But, when you look on the southwest side of the county, you see the dark areas on the map, it looks like to me that it would fit in appropriately. But, before anybody put them in there, that would be where we would be looking, they should have to come back up here. I think that is what I heard the citizens saying.

Matheny:

Well, I am going by what I am hearing tonight. So, I am going to take the county administrator's ultimate direction. But, what is being asked is that this board wants the final review. We already have that mechanism in place. Whether they will want to locate in AG 1, 2, or 3, it is a special exception for utilities as stated in the Comprehensive Plan and the Land Development Code. I don't know how else to go about it except to bring it back up here for this board to consider each project.

17. Update on Board Requests (Arthur Lawson, Interim County Administrator)

County Attorney

18. Discussion of New Changes to the Gun Law

In 2011, the FL Legislature has amended and strengthened its statement that the State of FL enacts all gun laws. They have further taken away any local power if there was any question on that front. There is a new law that goes into effect of October 1 that local governments cannot enact laws that deal with the storage of firearms or deal with waiting periods.

They have now imposed penalties on local government s if they don't comply, which includes fines on the elected officials if they willfully support any laws that are in violation of the state law.

Two staff people have gone through all of the Gadsden County Ordinances and Ms. Minnis will bring them back to the County Commission to repeal or amend those conflicting ordinances. It will come back to the agenda at the next meeting.

19. Update on Various Legal Issues

Discussion Items by Commissioners

21a. **Commissioner Lamb, District 1 –**

- FACC did talk about gun regulation and legislation at the last meeting.
- Havana also discussed it at their Town Hall meeting.
- FACC has said again that whenever we need help with grant writing, to call on them to help find someone.

21b. **Commissioner Croley, District 2**

- Talked to Mr. Lawson about citizens who bought waste site permits, but claim that they have not received letters regarding termination of services.

21c. **Commissioner Holt, District 4**

- She talked with AHCA and confirmed that if CRMC would put some swing beds, they could get extra funding
- Asked the board to identify what can be developed on commercial property
- Wants to form an economic development plan. Sit down with the Chamber and stakeholders to get it done. What can we do to encourage people to locate here?

21d. Commissioner **Morgan, Vice Chairman, District 3**

- Budget Hearing on September 7, 2011 at 6:00 p.m.
- Public Works staff was out on holiday due to rain. He thanked them for good job.

21e. Commissioner **Taylor, Chairperson, District 5 –**

- Requested BOCC look at ordinance to redirect the use of the surtax to accomplish the problems at the jail.
- Letter to people who are losing services at the dump sites. Set up meeting with the permit buyers and educate them about why the sites are being closed and have Waste Pro here also. All stake holders should be present.
- Would like to agenda the build out of the hospital. **MOTION TAYLOR/HOLT AGENDA THIS FOR THIRD TUESDAY IN OCTOBER. Vote was 5 – 0 in favor of motion.**
- Redistricting – to staff – we need to address this. 2% increase in population. Where are our obligations? What is required of us? Need to finish this process. Come back at a later date with a recommendation. Does the State require us to do something? Have all right people here for discussion.

Receipt and File

22.

- a. For the Record: Letter from Progress Energy Regarding Progress Energy's Transmission Line Enhancement Project in your Area – Quincy to Havana Rebuild
- b. For the Record: Budget Amendment Numbers 110031-110093 (Exceptions 110038, 110046, and 110057)

September Meeting(s)

- September 7, 2011, First Budget Hearing, 6:00 p.m.
- September 19, 2011, Final Budget Hearing, 6:00 p.m.
- September 20, 2011, Regular Meeting, 9:00 a.m.

Motion to Adjourn

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD AND UPON MOTION BY COMMISSIONER HOLT, THE CHAIR DECLARED THE MEETING ADJOURNED AT 9:00 P.M.

Sherrie Taylor, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

**AT A PUBLIC HEARING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON WEDNESDAY, SEPTEMBER 7,
2011 AT 6:00 P.M. , THE FOLLOWING PROCEEDING
WAS HAD, VIZ.**

Present: **Sherrie Taylor, Chair, District 5**
 Gene Morgan, Vice-Chair, District 3
 Eugene Lamb, District 1
 Doug Croley, District 2
 Brenda Holt, District 4
 Debra Minnis, County Attorney
 Arthur Lawson, Interim County Administrator
 Muriel Straughn, Deputy Clerk

1. Public Hearing – First Budget Hearing for Adoption of the Tentative Millage Rate and Tentative Budget for Fiscal Year 2011/2012

Millage Adoption

Chair Taylor called the meeting to order at 6:00 p.m. and turned it over to Interim County Administrator Arthur Lawson.

Mr. Lawson announced that this meeting is the first public hearing to adopt the Tentative Millage Rate and Tentative Budget for FY 2011/2012.

Sr. Budget Analyst Jeff Price made the following points as to the millage rate:

- The budget was predicated on the current 8.9064 mills.
- The proposed rate represents a 0.59 decrease in property values resulting in a reduction of countywide tax revenues of more than \$70,000.
- The calculated roll back rate, which is the rate that the property tax rate would generate the same amount of property tax revenue as last year, is 9.0820 mills.
- He recommended the adoption of the proposed millage rate of 8.9064 and the adoption of the tentative budget for FY11/12.
- Staff recommended advertising the second public hearing for Monday, September 19, 2011 at 6:00 p.m. located in the County Commission Chambers.

He then made the following remarks about the proposed budget:

- Total summary of the budget reflecting all the changes made on August 22 were incorporated in the budget.
- It balances with a reserve for contingency increased to over \$209,000.

A MOTION WAS MADE BY COMMISSIONER LAMB AND SECONDED BY COMMISSIONER MORGAN TO APPROVE THE PROPOSED MILLAGE RATE AT 8.9064.

Commissioner Holt stated the following for the record:

“Even though the state and federal government said they will provide the same services for fewer taxes, it is impossible. In this case, it is impossible also, therefore, unless you raise the millage rate, you raise fees. You can see that with the Driver’s License fees out there. They went from \$24.00 to \$48.00 for a regular driver’s license, plus and extra \$15.00 for late fees. Therefore, you cannot render the same services with a lower millage rate. Mathematically, it does not work.

So, Commissioners, even though we vote for a lower millage rate, that money has to be found somewhere. The state found theirs by raising fees. It is still a tax. They just did it on fees instead of on sales tax and property. So, we are going to have to let the customers and the citizens out there know that before we go and vote on this saying that we are going to keep the millage rate low and we are going to provide the same service. It is impossible to do that. I just wanted to make that comment. “

Commissioner Morgan followed Commissioner Holt by saying:

“I agree with you, Commissioner Holt. It is important for the citizens to understand that by keeping the millage rate the same, which I am in favor of doing, we are actually reducing the tax revenues, which Mr. Price just mentioned. To that end, I am going to disagree with you on this point. We can still provide quality basic services at a very high level. What it requires of us is to simply put together a more responsible disciplined budget where there is less wasteful spending. I think some of that has been accomplished over the last couple of years. We’ve still got some shortfalls on this one, in my opinion, but it is our responsibility to be as efficient as possible and provide those services. “

Holt:

“Commissioner Morgan, I was not implying that you couldn’t deliver services, they just won’t be the same because a dollar buys what a dollar buys. Fifty cents doesn’t buy what a dollar would buy. That is my point and the citizens need to know that. That way, you don’t have as many. You are not able to buy as many EMS trucks of the same quality or hire as many people. You are not going to provide the same services. It doesn’t matter how we say it, it just does not. So, the reality is that we are going to do the best that we can do with what we have, but you are not going to get the same services and I don’t want people to imply that we are going to give them the same service. We have people calling right now asking why the fees are so high. I said to them, “Check with the State of Florida.” Let them know and let Rick Scott and the rest of them know that they did raise the taxes, they did it through fees. It is the same thing. I am saying, as elected officials, we are accountable to the citizens. We have to let them know.

Thank you Madam Chairman.”

Taylor:

“Points are well taken. I think the citizens of this county as well as the state and the nation are well aware of the difficulties that face us all moving forward. I agree on both your points. We have to be mindful of how we spend the dollars, but then we have to let citizens know it is time to tighten our belts and try our best to continue to provide quality services. ”

Chair Taylor then called for public comments on the millage rates. There was no response. She then called for a vote on the motion.

THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE TENTATIVE MILLAGE RATE OF 8.9064 MILLS. .

ADOPTION OF THE TENTATIVE BUDGET FOR 2011/2012

Chair Taylor called for public comments regarding the tentative proposed budget.

Michael Taylor, 120 North Macon St., Quincy, FL - Small Business Service Center Director through the Chamber of Commerce addressed the board and asked them to reconsider the funding for the Chamber of Commerce which would include the \$25,000 for the Small Business Service Center.

Joseph Moore 4706 Mt. Pleasant Road – spoke in support of the Chamber of Commerce budget request of \$100,000. He went through the Small Business class sponsored by the Chamber. His desire is to rehabilitate old houses. Once he completes his classes and gets his 501c3, he will begin to apply for grants to start his business.

Channel Franklin, Tallahassee, FL –spoke as to the importance of maintaining the small business development center at the Chamber of Commerce. Small business is imperative to the economic health and development of the county. There are options that only small business can provide. She is continuing to work without a salary to those who have gone through this class.

Charlie Brown 99 Gray Road, Quincy, FL President of the Gadsden County Chamber of Commerce. He pled for the funding of the full \$100,000 for the Chamber of Commerce. The Chamber works very hard for economic development in Gadsden County. It will bring value back into the county.

Elizabeth Peterson, 23 Macon St., Quincy, FL – the small business center has served her and her classmates. Even though they have completed the class, they continue to meet on a bi-weekly basis to encourage each other. She said that this class is very important to the citizens of Gadsden County.

Commissioner Taylor responded to public comments.

Chair Taylor called for motion to adopt the budget. There was no motion. She then opened the floor for discussion. She asked to relax the meeting rules and just have free flowing conversation.

Commissioner Holt asked for a list of the things that were added to the budget as a result of the last workshop. Mr. Lawson stated that all the items were incorporated into the budget document, but there was not a separate listing of them, however, there were 17 different items either added or changed.

Discussion followed.

Commissioner Holt pointed out several things as follows:

- The 2% increase in commissioner's employee salaries was to offset the mandatory 3% employee contribution to the state retirement system. She stated that it was proposed only for the county commission employees. It is not for all the constitutional officers.
- She stated that she would like to compare this version of the proposed budget with the previous version along with the list of changes that was proposed at the last meeting. She wanted to make the comparison to "See what we have done and see if we want to make some adjustments. That is why I wanted the list."

Commissioner Lamb made several remarks:

- The board has gone through the budget "time and time again and met for many hours."
- He stated that when he proposed the 2% increase to county employees, it was his intention to only include those county commission employees making less than \$40,000 per year.
- The administrator and Mr. Price did a good job with the budget and he was ready to accept the budget as it was presented.

A MOTION WAS MADE BY COMMISSIONER LAMB AND SECONDED BY CHAIR TAYLOR TO ACCEPT THE BUDGET AS IT WAS PRESENTED.

Commissioner Morgan made the following pleas:

- Economic development is the most important need in this county. Now is not the time to back off from supporting the economic development arm of the Chamber.
- Supported the funding for Lobbying Services to help defend the largest employer in the county (Florida State Hospital)
- Could not support the 2% increase to county employees to offset the state mandated employee participation in the retirement system. It is unfair to other county employees.
- Will not the vote for the budget if it does not support economic development. We are ignoring needs in order to afford a want.

He asked for: \$75,000 for the Economic Development arm of the Chamber of Commerce; \$25,000 to Small Business Development Center; \$25,000 for lobbying services to defend Florida State Hospital.

Commissioner Croley made several comments:

- County Employees all work for constitutional offices including those who work for the county commission.
- This budget is divisive.
- Did not agree with the approach to the “across the board 2% cut.”
- 2% increase to county employees only. That is not right -employees that work for the constitutional officers did not receive the same increase.
- Cannot support the budget as it is now.
- **Look at Judicial Services - \$17,000** goes to pay travel costs to the judges and their assistants. Would rather keep \$15,000 of it to put toward Economic Development. It started in 2008 when there was a \$2 million increase in revenue. It should be ended.
- Emergency Housing Program – what was budgeted in current year has not been spent. Can’t support it again this year.
- Things in the budget need to change. Start with the 2% increase in salaries unless it is afforded to all county employees.

Commissioner Holt responded to remarks about the judicial budget – She recalled that agreement was made with Judge Francis to pay those cost in order to get another judge to come over here to help with overcrowding at the jail. She pointed out the following:

- EMS – needs \$160,000 for transport equipment needs
- \$190,000 due to Preble Rish - not in this budget
- Gadsden County cannot bill Medicare for transports from the Emergency Room to Tallahassee because Capital Regional is already billing.
- She suggested that that the board waits until January to fund any of the items that were added to the budget as a result of the last workshop. Take care of the above bills first. Come back in January 2012 to look at those items again.

Commissioner Taylor made the following points:

- The 2% increase that an employee received is to offset the 3% reduction they experienced as a result of the legislation action to have all employees in the retirement system to contribute 3%.
- County Commissioners will not receive the 2% increase.
- To the board and those in attendance she said, "Your needs are not unheard. I am willing to come back and work again, but it is not available right now."
- The BOCC stayed within the budget during current fiscal year.

CHAIR TAYLOR ANNOUNCED THAT THERE IS A MOTION AND SECOND ON THE FLOOR TO ADOPT THE BUDGET AS PRESENTED. SHE CALLED FOR A VOTE.

Commissioner Morgan rebutted, "If you don't fund economic development at the level they have requested, you are putting wants ahead of needs... The budget doesn't reflect priorities." He also said he will go to the public and give them the facts about this budget. He pleaded with them to remove the 2% increase to the employees and to fund the Lobbying Services and to fund the Chamber at \$100,000.

THE BOARD VOTED – 3 – 2 IN FAVOR OF THE MOTION. COMMISSIONERS CROLEY & MORGAN OPPOSED.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO DIRECT STAFF TO ADVERTISE ON SEPTEMBER 15, 2011 IN ACCORDANCE WITH THE FLORIDA STATUTES, THE TENTATIVE MILLAGE RATE AND BUDGET FOR FY 2011/2012 AND THE DATE, TIME AND PLACE OF THE PUBLIC HEARING TO ADOPT THE FINAL MILLAGE RATE AND BUDGET FOR FY 2011/2012 (SEPTEMBER 19, 2011 AT 6:00 P.M. IN THE BOCC CHAMBER VOTE 5 – 0

There being no further business before the board, the chair declared the meeting adjourned at 7:05 p.m.

2. Other Items as Necessary

Nothing else came before the board.

ADJOURNMENT

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR DECLARED THE MEETING
ADJOURNED AT 7:05 P.M.**

Sherrie Taylor, Chair, District 5

ATTEST:

Muriel Straughn, Deputy Clerk

**AT A BUDGET HEARING/SPECIAL MEETING OF
THE BOARD OF COUNTY COMMISSIONERS
HELD IN AND FOR GADSDEN COUNTY, FLORIDA
ON SEPTEMBER 19, 2011 AT 6:00 PM., THE
FOLLOWING PROCEEDINGS WERE HAD, VIZ.**

Present: Sherrie Taylor, Chairperson, District 5
Eugene Lamb, District 1
Doug Croley, District 2
Gene Morgan, District 3
Brenda Holt, District 4 (arrived late)
Nicholas Thomas, Clerk
Debra Minnis, County Attorney
Arthur Lawson, Interim County Administrator

CALL TO ORDER

Chair Taylor called the meeting to order at 6:00 p.m. She announced the meeting was for the purpose of adopting the final budget and millage rate for FY 2011/2012. She then turned the meeting over to Mr. Lawson, Interim County Administrator, who promptly turned the meeting over to Mr. Jeff Price, the Sr. Budget Analyst.

1. Public Hearing – Second Public Hearing for Adoption of Final Millage Rate and Final Budget for Fiscal Year 2011/2012

Mr. Price announced that the tentative millage rate and the tentative budget were adopted on September 7, 2011 and this second public hearing was subsequently advertised in the three local newspapers. He stated for the record that the final operating millage rate is 8.9064 mills which is 1.93% less than the roll back rate of 9.0820 and the final budget for FY 2011/2012 was \$41,894,926.00. He recommended approval of Resolution 2011-031 and 2011-032 by separate motions.

Chair Taylor called for public comments on the budget.

Point of Order

Commissioner Morgan called for a point of order. He questioned whether there was a need to vote on the agenda.

Upon questioning the parliamentarian (County Attorney Debra Minnis), it was determined that the agenda should be approved.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO VOTE SEPARATELY ON THE MILLAGE RATE AND THE BUDGET FY 2011/2012, AND TO APPROVE THE REMAINDER OF THE AGENDA AS PRESENTED.

Resolution 2011-031 Setting Millage Rate at 8.9064

Lee Garner, City of Chattahoochee City Manager, was administered as oath by Deputy Clerk Muriel Straughn.

Mr. Garner then strongly recommended that they look very diligently to fund the following:

- Riparian counties effort to continue the “water war” to protect Florida’s interest in the water coming down the River. (They asked for \$5,000 from each of the six counties represented.)
- Economic Development – Fund the Chamber at the level they requested as the economic development arm of the county.
- Additional funding for lobbyist to lobby for the cause of Florida State Hospital – to keep it from being privatized or closed. They are the largest employer in Gadsden County.

Jack Peacock, 206 Jack Drive, Quincy, FL – spoke in support of funding for a lobbyist to assist in stopping the privatization of Florida State Hospital.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE RESOLUTION ABOVE TO APPROVE THE MILLAGE RATE OF 8.9064 MILLS. (Commissioner Holt was not present for this vote.)

Resolution 2011-032 Adopting Annual Budget FY 2011/2012

Commissioner Morgan requested once again to consider the following additions:

- \$25,000 be placed in the budget for a lobbyist to represent Gadsden County against the closing or privatization of Florida State Hospital
- Additional funding for Chamber of Commerce to support economic development (Full \$75,000) and for the Small Business Development Center (\$25,000)
- \$5,000 for the Riparian Counties to protect Florida’s share of the water coming down the Rivers to the bay.

A MOTION WAS MADE BY COMMISSIONER MORGAN AND SECONDED BY COMMISSIONER CROLEY TO AMEND THE PROPOSED BUDGET TO INCLUDE \$25,000 FOR THE LOBBYING SERVICES, \$75,000 TO THE CHAMBER OF COMMERCE FOR ECONOMIC DEVELOPMENT, SMALL BUSINESS DEVELOPMENT PROGRAM AT \$25,000, AND \$5000 FOR RIPARIAN COUNTIES.

Chair Taylor stated it was at a point where the budget needs to be approved, and then come back later in the year to entertain the additional expenses that Commissioner Morgan requested. She would not support the motion going forward.

SHE CALLED FOR A VOTE ON THE ABOVE MOTION. THE VOTE WAS 2 – 2 WITH COMMISSIONERS CROLEY AND MORGAN VOTING IN FAVOR OF THE MOTION AND

COMMISSIONERS LAMB AND TAYLOR OPPOSING. THE MOTION DIED FOR LACK OF A MAJORITY. (Commissioner Holt was not present for this vote.)

COMMISSIONER MORGAN MADE A MOTION TO RESCIND THE 2% OFFSET TO THE MANDATORY 3% EMPLOYEE RETIREMENT PARTICIPATION FOR COUNTY COMMISSION EMPLOYEE'S WHO MAKE BELOW \$40,000. COMMISSIONER CROLEY SECONDED THE MOTION. THE BOARD VOTED 2 – 2. THE MOTION FAILED FOR LACK OF A MAJORITY. (Commissioner Holt was not present for this vote.)

Commissioner Lamb asked Attorney Minnis "Can a person who voted against a motion vote to rescind the motion?"

Attorney Minnis replied, "A member can move to rescind. It is just a matter of timing as to whether you have to have a majority vote or a supermajority vote. There is a distinction between rescind and reconsideration. In reconsideration, the person who votes for the winning side, one of those votes has to bring the issue back. When there is a rescission, any member can make a motion to rescind. But, if there hasn't been notice to the public regarding the intention to rescind, it would require a super majority vote in order to rescind."

Because of the absence of Commissioner Holt, it appeared that the board was at an impasse as far as being able to pass the budget. She asked for advice from Attorney Minnis.

Ms. Minnis reminded the board that there had not been a motion to approve the budget. There was a motion to amend the budget, but not to adopt it. She recommended holding another public hearing if a majority vote could be reached.

There was a consensus to recess until Mr. Lawson could attempt to reach Commissioner Holt. The time was 6:20 p.m.

The meeting reconvened at 6:37 p.m. with Commissioner Holt being present. Chair Taylor reviewed the earlier proceedings for Commissioner Holt.

The chair opened the floor for discussion on the budget. The public comments were already a matter of record.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 3 – 2 IN FAVOR OF THE MOTION TO APPROVE THE BUDGET RESOLUTION SETTING THE BUDGET FOR FY 2011/12 AT \$41,894,926.00 AS STATED IN RESOLUTION 2011-032. COMMISSIONERS CROLEY AND MORGAN OPPOSED THE MOTION.

There was a consensus that the board would entertain the 2% employee retirement offset at a future meeting for discussion. The staff was asked to bring back some statistical data to consider at the same time.

2. Public Hearing – Amendment of Section 74-1 of the Gadsden County Code of Ordinances Ordinance 2011-009 Deborah Minnis, County Attorney

Minnis:

Good evening. The first item on the agenda as a public hearing is an amendment to Section 74-1 of the Gadsden County Code of Ordinances. This particular ordinance dealt with the discretionary sales surtax. As the ordinance was previously written, it allowed for the use of that sales tax for certain items. Within that group was “infrastructure for public works projects.” Based on discussions that have occurred at the board meetings with regard to providing money for the City of Gretna and then allowing money to be replaced in the Sheriff’s discretionary budget, there was discussion about looking at amending that particular ordinance to give the board more flexibility in spending those dollars on infrastructure projects. So, the proposed language that was changed pertaining to that particular section of the ordinance would allow the board to have discretion in using those funds for infrastructure projects in addition to infrastructure projects for public works, but other infrastructure projects as it is defined in the proposed amendment change. It is not a whole sale change as if you could use it for any and everything. There is a definition of what infrastructure is going to be considered in using those particular funds.

Taylor:

With that being said, Commissioners, does this particular item require a super majority vote?

Minnis:

Yes, based on the ordinance that was passed, it requires a super majority vote to change it.

Taylor:

Again, this particular ordinance will have an impact on infrastructure with regard to public works as well as infrastructure with regard to the county jail.

Minnis:

Correct. Actually, the recommended amendment where the definition is, it is any fixed capital expenditure or fixed capital outlay associated with the construction, reconstruction or improvement of public facilities that have a life expectancy of 5 years or more or any related land acquisition, land improvement, design and engineering costs. That would be the definition of infrastructure that would be used to determine if it was a proper expenditure if this amendment is approved.

Taylor:

Commissioners, again, we are familiar with this, but let me say this before we move any further.

This is a public hearing. As we discussed a minute ago with the attorney, this particular item is one that the board is looking at so that we can give more funding toward infrastructure, which is highly needed here in this county- using some of those restricted funds. So, again,

this is a public hearing. Is there anyone who wishes to speak on this particular time? You may do so at this time.

(There was no response.)

Thank you, there being none, Commissioners, we will have discussion around this board or we will have a motion for approval.

Morgan:
Madam Chair, I have a question for the attorney.

Taylor:
Yes, sir.

Morgan:
Regarding this issue, if the ordinance is changed, then in the future when we are discussing particular infrastructure projects, as long as a 3 -2 majority of this commission approve these expenditures for a project, such as a park or whatever, then that would move forward, correct?

Minnis:
Yes. It only requires a super majority to amend the ordinance.

Taylor:
As it stands, the ordinance will only be applied as it stands presently, is that correct?

Minnis:
Without the amendment?

Taylor:
Yes.

Minnis:
Without the amendment, the way the language reads is the infrastructure of public works projects such as road improvements and water and sewer systems and fire protection and suppression...then it says other public purposes as provided by amendment to this section. And that is where the amendment comes in.

Taylor:
O. K. Now. Yes, Commissioner.

Holt:
But, we did use it before for the extension on the Supervisor of Elections office. So, that would have been under other projects?

Croley:

Well, the history is that the previous county attorney -

Holt:

Well, I know that. I know that.

Croley:

He had his own interpretation of the ordinance. But the historical review of the ordinance shows that (and no one challenged it and this is why you got away with it, not you, but the county commission did at the time) is that the historical issue of this was that the one cent was passed to pay off a bond to build the new jail. Then you got into extending it and they restricted the extension after apparently a lot of discussion. It ended up that you had fire, water/sewer and public works, meaning roads and bridge operation. That is how it was conservatively interpreted for all those years until Mr. Williams made his own interpretation and that is where you got into using it for something other than what was originally approved.

Taylor:

I am going to hear again from Mr. Lawson, then Commissioner, you can follow up.

Lawson:

That is kind of what I was going to say. Those funds were allocated based upon the interpretation the attorney gave the board and the board acted based upon that interpretation, or the legal interpretation we had.

Holt:

Yeah, I know that.

Lawson:

So, that is how we did the Supervisor of Election's building and several other projects.

Holt:

My question was – when you said “other projects” –

Lawson:

As amended.

Minnis:

As amended

Holt:

In this amendment?

Minnis:

When it says “Other projects as amended” – that says to me that you have to amend your ordinance to include other projects that you want to use it for.

Holt:

O.K. I already knew the history of that and I like the interpretation that Mr. Williams had. The reason for that is that we had to add onto the Supervisor of Elections Office and we needed a way to do it. So, that way, some of the same folks that we are talking to could use the facility in order to get elected. But, what I am saying is that I want to make sure that it is defined. If it was already defined, we didn't need to do this ordinance. But, when we do it, we need to do that.

Minnis:

That is why my suggested definition for infrastructure and we created a new "Subsection C" to the ordinance that would include a definition of infrastructure, to give guidance to the Board and staff as they move forward with implementing the amended ordinance.

Holt:

Now, under "c" you have "elated." Did you mean "related?"

Minnis:

Related.

Holt:

O.K. I was getting worried. I have been out of the school system a whole year now, I was getting a little worried.

Minnis:

It may be a happy event, but related was my intent. (Laughter)

Holt:

I don't have any problem with anything else.

Taylor:

Again, these funds can be used for county buildings that we own and operate, so we need to be mindful of those buildings and make sure that they are up to code. That is important. Otherwise, we are in violation.

Croley:

Madam Chair, I am going to take a different approach from what Commissioner Holt has taken. I don't believe that Mr. Thornton Williams interpretation was correct. I think that the historical reading of this ordinance was quite clear as to the intent and to the history as why it was passed and the tax extended. This business of making a broader interpretation and I might have introduced the camel's nose under the tent when we had to replace the fuel tanks at the Sheriff's Garage which were under Public Works. Those fuel tanks were part of Public Works operation. Once that was done, it got into using the money for bathrooms and parks. It got into using the money for adding onto the buildings and other things that went beyond what that ordinance called for. I remind you, because this comes up in here that a lot of the parties that were involved in this are no longer here. That might tell you something about how some of the public felt about it.

The point is that the jail maintenance is one thing, but as far as a broad definition of infrastructure and this is no criticism of Ms. Minnis because I certainly understand and respect where she got this from, but that is going to create an opportunity, as Commissioner Morgan said, for a lot of new puppies.

Taylor:

I never heard it put that way – as puppies, but I agree with you. I am not willing to use it for bathrooms or any other facility. I think we have monies already in the “Buildings and facilities” to cover those, but as far as that jail or as far as public works, if we can move this thing forward, I would be willing to say just those two particular items. Those are the most costly.

Minnis:

If that is the consensus of the board, I will be more than happy to revise the language to say that it will be for maintenance of the infrastructure at the jail, public works projects, - I will be more than happy if that will be the consensus of the board, to go back and rework the language in this ordinance and bring it back for a public hearing at the first meeting in October.

Taylor:

Now, let me say this, Commissioner, the only other thing that comes to mind real quick is the fact that we are entertaining so many roofs that are about to collapse on us, around our many businesses. That is the only other thing.

Mr. Administrator, I need for you to pull to the mic for a moment. What I am looking for now, and you may direct your building facilities director to come up, but where are we in trying to get those roofs updated and what cost is out there? If I am correct, these dollars can very well be used to take care of projects such as those roofs as well.

Minnis:

As long as they fit under the definition of - s

Taylor:

We are trying to limit it to – I am saying – anything under \$75,000 shouldn't be expenditure out of this budget. That is what I am trying to do, but I hear Commissioner Croley and I agree with him.

Lawson:

I don't have a figure tonight on all of the roofs that need repair or replacement. It is pretty much every roof that we have. That is something that we would have to bring back to the Board in terms of what the actual estimates on those roofs that are in need of repair would cost.

Taylor:

Alright.

Holt:

Madam attorney, do you have a copy of that ordinance amending Section 74-1.

Minnis:

Yes.

Holt:

I need to see a copy. When we are looking at these repairs, I don't have a problem focusing in on what you want to do with it. That, I don't have a problem with. I would be very apt to say that if I wanted Gretna to have their roof fixed – because you have those municipalities in there – what would stop them from coming and asking, "We need our roof fixed, can we use part of that – you have the municipalities in here – do you see what I am saying? I want it targeted toward something that benefits the countywide if we use that tax. What will we do. The only reason that I brought up the situation and the City of Gretna came in with that on the horse track and the poker room and considered looking at some other things out there is because that tax benefits countywide. Do you understand what I am saying? If the county wasn't going to get their share and the School Board and the Water District, then I may say you know, even though it is in my district, I would not be in favor of it. But I am in favor of what benefits us countywide. So, I understand what you are saying. That kind of gives you a little something to think about.

Croley:

May I respond to Commissioner Holt?

Taylor:

Yes.

Croley:

Commissioner Holt, I remind you that the municipalities already get a share of this tax money.

Holt:

I understand that.

Croley:

And, this was one of the reasons, you know, not to go backward, but I do not personally care for the way that we did the allocation to Gretna about the sewer line. That is why I opposed that way. But, the municipalities already get a share of this tax. How they choose to use it is their business. If they want to put a roof on the Gretna Town Hall or buy a new water tank or whatever it is that they want to do or put in more sewer lines, that is their business. What I am saying to you is that the county's portion of it being restricted as it is – having sat here saying some of the projects that this money was used for, not that the Supervisor of Elections Office was wrong or that the fuel storage tanks or maybe even bathrooms in a park, but that was not the intent of the continuation of the one-cent tax was about. And,

obviously, some of the citizens felt the same way or there would not have been changes made up here.

Now, the question is, - you just said specific items. Now, we understand that it was passed to build a new jail. We all know about that. We know that maintenance improvements for the jail serves the whole county. That might be an appropriate use to spell out in here in addition to what is already spelled out. But, the way it is worded now, and again, no criticism, Ms. Minnis, but it is too broad. It is not something that I would think we should support.

Holt:

Commissioner Croley, I understood that the cities already get their portion. That was my point. I was discussing our portion at the county level. Since it is coming to the county, if you use it for projects that benefit the countywide. That is all that I am saying. I don't mind narrowing it down. I don't have any problems with that. But, I do have a problem with us saying that we don't do any improvements.

I think if you feel strongly about the intent – bring it back before the board and see if you want to take it back through a referendum. I think the citizens voted and some of the people are missing from up here simply because of the ways that the commissioners campaigned. It had nothing to do with whether those people were good at what they were doing or not. They had a good track record from where they came from before they got here. Some of them have great jobs after they left here. In fact, I looked at some of the salaries and I wondered why they didn't take me with them.

What I am saying is that maybe we need to take that to a referendum and maybe that is what the commission needs to consider. Other than that, do we not fix the roof out there at the livestock pavilion? That is a paying tenant out there. As I said before, none of us should be in this building. We should have all gotten together as was planned, build a building out at the jail for the Sheriff. That was the plan. Then all of should have moved down there where the Sheriff is. This building should be rented out and making money. We shouldn't be sitting back and holding onto properties that don't generate funds. That was my only concern. Thank you.

Taylor:

Let's see if we can move this along. You all were here before me so you know the history. What I have gathered from both you and Commissioner Lamb is that the original intent of this fund was to fund the jail. That is the original intent. It has since been divided up with public works. Based on both these interpretations of a need, I think we are at the point, we just move together on these two particular items. Both of you have said that you would rather these dollars impact on what could affect us countywide. That is public works and that is the jail. If you would take a look at our budget with the facilities, we put a decent amount of funds in that particular item that should take care of some of the other repairs that fall under \$100,000. There is considerable amount of money in that budget for facilities. So, if we can get a super-majority right now on making sure that the jail is repaired and that infrastructure is taken care of through public works, then I am willing to move and

have the attorney change the language to direct those two and see if we can move through. Pretty much, these items have been taken care of through public works. For those that fall under major repair costs. So, let's see if we can move it and get the attorney to amend it and concentrate on the jail and on public works.

Lamb:

I echo your sentiment. I think we should vote for those two also, public works and the jail.

Holt:

One question right quick. What about fire? Is fire already in there?

Minnis:

Yes, at this point in time, it has maintenance of infrastructure, public works projects such as road improvements, water/sewer systems, fire protection and suppression.

Taylor:

It is already in there.

Minnis:

Alright, I am to maintain fire suppression and public works and add the jail.

Taylor:

Alright. Yes, sir?

Morgan:

I would just ask for clarification, Madam Chair, is this coming back to us to discuss later on? We are not voting on anything this evening are we?

Taylor:

Well, we need to go ahead on, Commissioner, and vote for the amended items.

Minnis:

You can't really vote to pass the ordinance because I have to re-notice the change and it has to come back at a public hearing.

Croley:

Madam Chairman, may I ask Ms. Minnis something?

Taylor:

Go ahead.

Croley:

This last sheet – that is the current ordinance?

Minnis:

That would be the one with some change – with "D" not "C"

Croley:

Is "D" the current one? I can pull it up on this I-Pad, but

Minnis:

This would be with the change. This is the way it would be amended. This is what has been noticed.

Croley:

Well, I can only tell you what I am willing to support. I am willing to support maintenance of the existing jail; an additional pod to the existing jail as the clerk has repeatedly called for; but, I am not going to go much beyond that. As far as public works, public works has been defined as road and I would expect the word "bridge" to be in there as well because that was the intent, the road and bridge, based upon the historical aspects of this.

This one-cent money, Mr. Lawson, doesn't, don't you use some of this money for heavy equipment as well?

Lawson:

Yes.

Croley:

Because those meet the legal definition of capital items having a life expectancy of five years or more. I don't want to get into the position where either this commission or a commission a few years down the road is back to wildly interpreting these ordinances and creating something that wasn't intended.

Morgan:

Madam Chair.

Taylor:

Yes.

Morgan:

I did not hear fire protection.

Taylor:

It is already in it.

Morgan:

So, that is included in the ordinance.

Taylor:

Yes.

Croley:

If we didn't have that, we wouldn't be able to pay the City of Quincy.

Morgan:

I just wanted to clarify.

Taylor:

That's not true. You can always pay it from General Fund.

(Laughter) Ya'll need to lighten up some. We are all friends around this board.

Holt:

I need to make this note to the attorney. Whenever we make changes, we need to see the old next to the new because we are comparing something and we don't see it. That is why I asked for a copy.

Minnis:

There is a redline version that was forwarded, but for some reason –

Taylor:

Someone didn't copy it for us in color.

Holt:

What I am looking at – every time I look at something from now on – I keep thinking about that ambulance running from the emergency room here to Tallahassee with no money for those runs under Medicare. It was something in the contract that should never have happened. It should not have happened. I am still looking to rectify that. That has to be changed some kind of way.

Taylor:

Commissioner, we are talking about this ordinance. Get off, listen. Alright. Alright.

Your comment is well taken and we do need to have it highlighted and make sure that it is colored so that we can see the difference.

To sum up – and help me out Commissioners around the Board. With regard to this particular item, we want it more restrictive with regard to the items that we would like to see these funds go toward. One, obviously, is fire protection. We will stay with infrastructure through public works. Commissioner Croley eased in there, "bridges". We know that he is a bridges guy. So, we are not going to argue about bridges as well as public works with regard to infrastructure. We also want to make sure that the jail is in there. He has indicated two. One is maintenance of the existing jail. We have heard about the locks and the shower heads and the chiller. So, that is part of maintenance. AS well, in the future, building a pod out there. I have to agree with him on all three. I am right there with you.

Can I just get someone to say, "So moved." But, you have indicated that you don't need it. You are going to come back with clear language and then have another public hearing on this one.

Minnis:

Correct. The only moves you could make with this is to table and have us to make the changes and bring it back.

Croley:

So moved.

Holt:

Second.

Taylor:

There is a motion and a second to table this particular item and allow the attorney to bring back the revised words for this particular ordinance.

Are there any other questions?

There being none, all in favor of this motion, please let it be known by saying, "Aye."

All:

Aye.

Taylor:

Opposed, the same sign.

(No response.)

Motion carries 5 – 0 to have the attorney bring this back in the very near future.

3. Public Hearing – Ordinance 2011-007 Repeal of Sec. 55-31 of the Gadsden County Code of Ordinances Discharge of a Firearm across a county road.

Attorney Minnis stated that this matter has been preempted by State Statute that makes it a criminal offense to discharge a firearm across a right of way. In keeping with the Legislature preemption in that area, she advised that the ordinance should be repealed in the Gadsden County Code of Ordinances.

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

Commissioner Holt commented, "We have always had problems with hunting clubs shooting across people's property where there are homes. So, there is something that addresses all of this stuff in the State Statutes, right?"

Ms. Minnis replied, "Yes, in different sections of Chapter 790 handles all those types issues."

Holt:

And it also addresses large weapons?

Minnis:

Yes, Ma'am. In fact, Mr. Glazer did indicate that was a question. The definition of firearm does include what they consider destructive devices, which would include grenades, bombs, rockets, missiles, pipe bombs and similar devices. It also includes machine guns, which is defined to be any automatic or semi-automatic type of weapon.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO REPEAL SECTION 55-31 OF THE CODE OF GADSDEN COUNTY ORDINANCES.

4. Public Hearing –Ordinance 2011-005 Amendment of Sec.55-2 of the Gadsden County Code of Ordinances

Ms. Minnis recommended amending Section 55-2, which contains the definitions to be used in implementing the provisions of Chapter 55. As a result of the repeal of Sec. 55-31 earlier, there is no longer a need to have the definition of “firearm” in this ordinance. Sec. 55-31 was repealed due to the preemption as a result of the preemption by the State of any regulation of firearms by local governments. This is merely a housekeeping item since there is no longer a need for it.

Chair Taylor called for public comments from the audience. There was no response.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO AMEND SEC. 55-2, AS DESCRIBED ABOVE.

5. Public Hearing –Ordinance 2011-005 - Amendment of Sec. 58-31 of the Gadsden County Code of Ordinances

This ordinance will amend section 58—31 of the Code of Ordinances for Gadsden County. Certain provisions of Section 58-31 prohibit hunting or shooting upon the right of way of any county or state road or any county or state maintained road. During the 2011 Legislative Session, the State amended FL 790.33 to strengthen it's preemption in this area and authorized penalties for any local government enacting any ordinances regulating the ownership and possession of firearms. As a result of the preemption by the State of any regulation of firearms by local governments, an amendment to this ordinance is required.

There was some discussion as to whether archery should be included in the repeal. However, to err on the side of caution, Commissioner Croley recommended that the board should pass the ordinance as it is, then instruct Ms. Minnis to research further to see if a complete repeal of the ordinance would be more appropriate rather than an amendment.

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

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0 TO AMEND THE ORDINANCE DESCRIBED ABOVE AND TO AUTHORIZE THE ATTORNEY TO BRING BACK ANOTHER ORDINANCE IN THE EVENT SHE SHOULD DISCERN THAT IT WOULD BE NECESSARY TO ALSO REPEAL ARCHERY AS A PART OF THIS REPEAL.

6. Public Hearing –Ordinance 2011-004 - Amendment of Sec. 59-6 of the Gadsden County Code of Ordinances

Once again, Ms. Minnis explained that due to the preemption changes made by the Legislature in 2011, Section 59-6 should be amended. This ordinance prohibits, among other types of activities, the discharge of a firearm, or air gun in any County Park. Section 790.15, FS already prohibits this behavior.

Ms. Minnis recommended an amendment to the ordinance with recommended changes.

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

Board discussion followed.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO ADOPT ORDINANCE 2011-004 AMENDING DELETING REFERENCES TO FIREARMS, RIFLES, AIR GUNS, SPEAR GUN, AND ANY OTHER DEVICE COVERED BY CHAPTER 790 FS, EPEALING SEC 59-6 OF THE GADSDEN COUNTY CODE OF ORDINANCES.

For the record, Chair Taylor emphasized that even though the county ordinances have been repealed and amended, the measures were taken so that the county would be in compliance with a state mandate to do so. There are certain Florida Statutes, which preempt any regulation of firearms by local governments. The Florida Statutes will govern the use of firearms and the law enforcement agencies will continue to enforce the use of firearms by the authority of Florida Statutes.

7. Other Items as Necessary –

No other items were brought forward.

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, CHAIR TAYLOR DECLARED THE MEETING ADJOURNED AT 7:25 PM.

Sherrie Taylor, Chairperson

ATTEST:

Muriel Straughn, Deputy Clerk

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN COUNTY,
FLORIDA ON SEPTEMBER 20, 2011 AT 9:00 A.M., THE
FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

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

Invocation, Pledge of Allegiance and Roll Call

Chair Taylor called the meeting to order at 9:00 a.m. She opened with a prayer then led in pledging allegiance to the U.S. flag.

The roll was called by Deputy Clerk Muriel Straughn and recorded as noted above.

Amendments to and Approval of the Agenda

Mr. Lawson acknowledged the revision to Item 16 and the additional material added to Item 13. As well additional material was added for Item 8 on the consent agenda.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE AGENDA WITH THE NOTED CHANGES ABOVE.

Awards, Presentations and Appearances

Clerk of Courts

1. Cash in Bank Summary Report – Clerk Thomas called attention to the Cash Report stating that it is simply a snapshot of the daily cash position. He noted that there \$4.5 million in the General Fund and \$10.7 million combined in all the funds.
2. Presentation of County Finance and County Clerk Issues

Unfinished projects

Because the fiscal year was coming to a close, the Clerk cautioned the board to be especially mindful about carrying forward into the new budget all projects that remain unfinished at the end of the fiscal year. For example, the \$250,000 Gretna Sewer Infrastructure Project which the board funded late in the current budget year – The finance department has still not received any requests for payment of invoices related to that project. He said it may be necessary to carry that project amount forward into the next fiscal year's budget if it is not submitted before the

end of the year. He encouraged them to take a second look at the new budget to insure nothing was left out unintentionally.

County Administrator Arthur Lawson was instructed to contact Gretna about the status of the anticipated invoices and take appropriate measures to insure that the project is carried forward in the new budget year if they are not processed timely. He was asked to inform the commissioners via email about his findings.

Consent Agenda

Items 8 and 10 were pulled from the consent agenda and placed for discussion.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, TO APPROVE THE AMENDED CONSENT AGENDA (ITEMS 3-7, 9, 11.)

3. Ratification of Approval to Pay County Bills
(There were no warrant voucher dates submitted for approval.)
4. Approval for the Supervisor of Elections to Apply for the Help America Vote Act (HAVA) Grant for Gadsden County – Supervisor of Elections Shirley Knight
5. Approval of Workforce Services Plan 2011-2012
6. Approval of Surplus Property Disposal - Kimbrel Brown, Facility Manager, Gadsden County Health Department
7. Approval of Annual Contract Between the Gadsden County Board of County Commissioners and the Commission and the Florida Department of Health for the operations of the Gadsden County Health Department
8. ~~Approval of Applications for the E911 Rural Grant Program~~– Pulled for discussion.
9. Approval and execution of State Aid Grant Agreements – Dr. Carolyn Poole
10. ~~Approval of Inter-Local Agreement with Local Municipalities and the Gadsden County School Board~~– This was pulled from the consent agenda for discussion. See below.
11. Approval of Mosquito Control Agreement with the Department of Agriculture and Consumer Services (DACS) and Annul Certified budget.

Consent Items Pulled for Discussion

8. Approval of Applications for the E911 Rural Grant Program

Commissioner Croley stated that he does not have a problem with applying for the grant, but that there needs to be an inter-local agreement with the Sheriff for them to administer this program just as was done for the operation of the emergency management program. He noted that the Board of County Commissioners is responsible for the performance and administration. Therefore, it would seem appropriate to know exactly what their business process would be relative to the program.

Commissioner Holt asked Attorney Minnis how many hours it took her firm to prepare the Interlocal agreement with the Sheriff for the emergency management operations and what the total costs was to the county for that agreement.

Ms. Minnis could not readily recall the exact cost or the number of man hours required to complete the work, however, she did recall that the cost was not extraordinary because it did not go outside the contract between the county and Ausley Law Firm. She said that she would provide her with the information later. She added that they would likely use that agreement as a basis to go by for this agreement.

Commissioner Morgan commented that he just received the information regarding this application. He said he would not vote in favor of it because he had not had adequate time to review it.

Chair Taylor concluded that conversation must occur between the staff and the Sheriff regarding an Interlocal agreement as well as conversation with the attorney.

This matter was left for further discussion on a future agenda.

Commissioner Croley concurred with Commissioner Morgan about not having adequate time to have read the information placed before them at this meeting. He said, "This item was submitted on September 7th and you said that additional information would be provided. Is that correct?"

Lawson:

Commissioner, we got that information yesterday.

Croley:

I mean, that is bad business. Is there a deadline on here? I haven't had a chance to read it. Have you had a chance to look at it yourself?

Lawson:

No, I haven't. The agenda deadline is always set. We notify the Sheriff's office when the agenda deadline is. They sent the item and said they would have the attachments to us within the next day. Obviously, that didn't happen.

Croley:

My other question is, and I know that Mr. Mason, who has been overseeing this, has recently passed away, regrettably. Do you know anything about a deadline in here that we are in jeopardy of missing?

Lawson:

Unfortunately, there is no one here from the Sheriff's office. I instructed them that when they have something on the agenda, they need to have a representative here. I am not certain as to whether or not there is a particular deadline, but this needs to go. Whether it needs to be passed at this particular time – I can't answer that question for you, Commissioner.

Croley:

Well, on that basis, I am going to move that this item be tabled until the next meeting pending an opportunity for your staff to research it.

Morgan:
Second.

Holt:
Madam Chair?

Lawson:
You've got a motion on the floor and now, there is a second. Now we are opening it up for questions. I recognize Commissioner Holt first and then Commissioner Lamb, in that order.

Holt:
I don't mind tabling it to the end of the meeting and allow the Sheriff to get someone down here. He is just down the street. It's not like we need to go somewhere to get him.

Chair:
I don't think that – hold on, let me ask the parliamentarian if it is best to table for just the end of the meeting or if we are following the proper procedure on that matter.

Commissioner Lamb?

Lamb:
I was going to ask about the time table. Mr. Lawson, they haven't told you when they have to have this or anything about time?

Lawson:
No, sir. They didn't tell me anything about the time table or anything. They just sent the item up.

Lamb:
I don't want them to miss the opportunity to get this grant. On the other hand, we do need someone here if there are any questions from the commissioners.

Lawson:
If you all would like to table this until later in the meeting, I can have one of our staff call the Sheriff's office to see if we can get somebody here.

Chair Taylor:
We have a motion and second on the floor. Excuse me, excuse me.

Yes, sir, I will entertain your question, but, you do understand the motion and the second on the floor does not have a time frame limit in which it was asked to have it tabled. So, we need to vote this one up or down.

Croley:
Wait a minute. I want to amend it.

Morgan:

We are considering voting on an item that nobody on this board has read.

Taylor:
Yes, sir.

Croley:
Procedurally, I was incorrect when I made the motion to table it to the next meeting. I can defer action; make a motion to defer action to the next motion. If I make a motion to table it, it would have to be tabled for this meeting. Now, I incorrectly stated that, but I do not understand how we are supposed to be digesting this information in this short amount of time. I will amend the motion to table it during this meeting for the administrator to have someone contact the Sheriff's office only to find out what the deadline is. Once we know the deadline, then we can go back and reconsider whether we hold it over to the next meeting or whether we will take action on it at this meeting. I want to know the deadline.

Taylor:
Fair enough. Fair enough, I think. You've amended your motion. Commissioner Morgan, will you amend your second?

Morgan:
No ma'am, I don't want to vote on anything that I haven't read.

Croley:
I just want to know the deadline. When we know the deadline, we can make a decision about what to do.

Lamb:
That is what I want to know, too.

Holt:
I second it.

Taylor:
There is a second to the amendment. Thank you very much for getting us through this. There is a motion and a second to have this item tabled until the administrator has a chance to contact the Sheriff's department and get a representative here. There is a motion and a second. Are there any other questions? (No response.) There being none, all in favor of this motion to table, please let it be known by saying "Aye."

Lamb: Aye.
Taylor: Aye.
Holt: Aye.
Croley: Aye.

Taylor:
All opposed same sign.

Morgan:
No.

Taylor:
Make that 4 – 1, Ms. Muriel to table.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 - 1, BY VOICE VOTE, TO TABLE ACTION ON THIS MATTER UNTIL LATER IN THIS MEETING ONLY TO DISCERN WHETHER THERE IS A DEADLINE ON THIS APPLICATION. ADMINISTRATOR LAWSON WAS ASKED TO CONTACT THE SHERIFF DURING THIS MEETING. VOTE 4 – 1 (MORGAN)

Approval of Inter-Local Agreement with Local Municipalities and the Gadsden County School Board –

Commissioner Croley took issue with the rates being charged for the services provided. He pointed out that the rates have remained the same for years, yet the cost of gasoline, etc. has certainly increased in that span of time.

Public Works Director Charles Chapman responded by saying that the board approved the rates that are presently being used. He added that he would be happy to do an analysis and make some recommendations based on the data he can collect.

Commissioner Croley turned to Clerk Thomas and asked if he or his staff had any comments regarding the charges.

Clerk Thomas offered no comments except that he traditionally left those decisions up to the board and the public works director.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE AGREEMENTS WITH THE RATES AS STATED WITH THE UNDERSTANDING THAT THE CLERK, PUBLIC WORKS AND COUNTY STAFF WILL PERFORM AN ANALYSIS OF THE RATES BEGINNING OCTOBER 1ST THROUGH THE END OF THE YEAR AND COME BACK TO THE BOARD TO DETERMINE A RATE WHICH WILL BE ADEQUATE TO FULLY REIMBURSE THE COST TO THE COUNTY FOR THE SERVICES PROVIDED.

Citizens requesting to be heard on Non-Agenda Items

Bob Lauther – 805 NE 15th St. Havana, FL - TDC representing Havana Merchant's Association-

He stated that he came before the Tourist Development Council at their last meeting, but it could not convene because a legal quorum was not present. (The new appointee did not meet statute requirements and one other appointee resigned because the council appointments were not in compliance with State Statutes.)

He presented an invoice from Clear Channel Advertising for services for which the Merchants Association had engaged them with the assurance from TDC that the funds would be granted to them for that purpose. However, upon submittal of the bill, he learned that the Finance Department could not process the invoice for some administrative reason. In the interim, Clear Channel was threatening a law suit since the invoice is now four months old. He stated that his business integrity has come into question by Clear Channel. He appealed to the county commissioner s to get the invoice on the right course and direct the bill to be paid.

Mr. Lauther was directed to speak with Mr. Lawson and if he does not get the matter resolved quickly, he will bring it back to the board.

Public Hearings

There were no public hearings scheduled for this date.

General Business

12. Consideration of Talquin Electric's Proposal to Extend Water Service 600 Feet North along Highway 27 near the Intersection of Highway 27 and County Road 159

Growth Management Director Anthony Matheny addressed the board saying that he has been working with the citizens on this project for some time after Commissioner Lamb brought it to his attention. There are a number of residents who are without water. They have been buying water from a private well and from time to time, the owner will shut off their water supply. He stated he has visited the site and found some real health concerns in addition to the mere inconvenience. He added that he does not know whether the Health Department is even aware of the circumstances that exist.

He reported that he contacted Talquin Water to see if it would be possible for them to extend their lines to these residents. Talquin made a proposal to pay half the cost of extending the water lines down US 27 if the county would agree to pay the remaining half in an effort to deliver central water to the six residents. He reemphasized the health issues which are paramount.

Shirley Parker 3839 FL GA Highway, Havana, FL – Ms. Parker stated that they have been getting water from a renter on the property. Because the renter could change at any time, they are continually in jeopardy of losing their water supply since it would be at the will of the new tenant. Aside from that, she said that there is no water pressure with the current supplier and they question whether the water is even safe. She pleaded with the commission to help them get the Talquin line extended.

Henry Parker 3839 FL GA Highway, Havana, FL, reiterated what his wife had already said.

Johnnie Mae Bookery, 3845 FL GA Highway; Havana, FL –Reported that they paid \$1100 for meter from Talquin Electric a couple of years ago and it is just sitting there being of no use to anyone because they can't get the water line down there.

Commissioner Morgan had several questions: 1) Have they been using a community well and paying for water? Yes. The tenant is providing water, but the water pressure is not adequate. 2) Will the line from Talquin be a two-inch line and will it give them adequate water pressure? Yes, the engineers at Talquin figure that it would be adequate. 3) Funding sources - We are looking at Talquin providing 50% and the County 50%, which will be \$8,300? That is what Talquin has proposed. 4) What funding sources do we have for this? To be determined by the BOCC.

Commissioner Lamb asked, "What kind of health problems can come from a situation like this? Answer: Not having adequate pressure to flush the toilets could cause a sewage problem. If water pressure is not high enough at all time, there is all kinds of risks associated with bacterial contamination and infections. The stronger point would be that they don't have reliable water service. Someone with a well is holding them hostage – he could cut off their water at a whim. That person also has a small engine shop on the premises which could pose a danger to the water supply.

Commissioner Lamb clarified that the residents would be responsible for tapping into the Talquin Line. What has been proposed would only extend the line far enough so that they could tap into the well water supply itself.

Commissioner Holt stated that a similar situation existed in the St. Johns community and it was remedied. She asked if the residents had considered drilling a well for themselves to which Mr. Matheny answered, "No." She suggested that this matter be brought back with some alternatives and a recommendation as to which fund to budget for this unbudgeted item.

Commissioner Croley stated that the appropriate fund from which to take this money could be the one-cent discretionary sales tax fund. Water is one of the things identified in the ordinance for which the money can be used. His greater concern was being fair and consistent with all the requests that could likely follow this one. "Doing something for one that you don't do for everybody else. By that, I mean this. There are other property owners between the intersection of 159 and US 27 on the south side of 27. If we extend this waterline, is the line adequate for other property owners to tap on as well, including the man that has the well and the motorcycle shop? If he wants to tap on, there will be adequate amounts of volume for all of them?

Mr. Matheny replied, "As far as I know, Commissioner, it is only going to be what I have identified in the agenda item – about six families. As far as excess capacity, we would have to get Mr. Waddle from Talquin to give us that information. "

Croley:

Without complicating this, it is a situation that needs to be addressed. We are all in agreement on that.

Lamb:

Madam Chairman?

Talquin - they are not looking to extend the water line further north. They are looking at stopping it right there. Now, the gentleman who has the well – if he wants to hook onto Talquin,

he is welcomed to. They will help satisfy his water issues if he wants to do that. But, they are going to stop it right there where those families are at.

Croley:

All I am saying and I agree with that – what you are saying. But, what I am saying is – from where I am sitting at the intersection up to your house, so to speak, if the other folks want to tap onto the line and you are using public money to do that, they can. That is what I am hearing you say.

Lamb:

Right. But, there is nobody else close to that water line except the gentleman who has the well.

Croley:

That is what I thought. O.K. And the store on the corner, they already can tap in on CR 159. So, on that basis, that makes good business sense and I can see that it would be fair to everybody involved. If you can identify the matching money from some of the one-cent money, it seems like that ought to make it move forward.

Taylor:

O.K.

Holt:

Madam Chairman?

One comment. As I said before, the reason that I brought up that other situation is because if we did not remedy it in the same manner, they are coming back. So, I want to make sure that what we are doing is what we need to do. That is all. I don't have a problem with them coming back.

Taylor:

I concur. Here is where we are and this is what we should do. I am sure all of us can agree that we have to look at each request case by case. Unfortunately, we can't group these all together. Commissioner Croley has identified a funding source. Obviously, there is a need. Planning and Zoning has gone out and identified how to remedy it. There is still money left in the contingency fund for this year to the tune of around \$35,000. As well, the one cent sales tax.

What happened at St. John? We might need to look at it again to make sure that we are doing the best we can. If it is only \$8,300, certainly we can offer some relief to those who put us in these chairs. So, I am going to yield to you.

Lamb:

Madam Chairman, you stated what I was going to say. We have always looked at things case by case. If there is another area, bring your case here and we will look at it and consider your situation. **With that, I would like to offer a motion to approve Item 12 to pay 50% along with Talquin Electric and move this forward.**

Holt & Croley:

Second.

Morgan:
Question.

Taylor:
Amazing. I like it when we all come together on a point. I just like that. It gives me chill bumps. There is a motion and a second. Muriel, you decide which one is second. There is a motion and a second. There is a question from Commissioner Morgan.

Morgan:
Commissioner Lamb, I fully support this, but would you be willing to be more specific about the funding source coming from the one-cent sales tax in your motion.

Lamb:
I think Commissioner Croley is the one -

Morgan:
I am talking about your motion. To not take it from fund balance, but take it from there. My concern is that if we start pulling from fund balance for this project, then you are - I am sorry, Madam Chair, did you have a comment?

Taylor:
It won't be fund balance. We have already clearly identified the source.

Morgan:
Not in his motion. That is why I am asking.

Taylor:
He didn't identify fund balance either. He did not identify fund balance as a funding source.

Morgan:
Right. I am asking that he specifically identify where the funding is coming from. If you don't, you are potentially opening it up for it to come from fund balance in the future if you are not very specific on how we are funding it. I do support what we are trying to do here. I hope you will -

Taylor:
Just a second.

Just a second.

Mr. Lawson, are there funds to take care of this within the identified funding source?

Lawson:
I know that there are funds in the sales tax as Commissioner Croley has said, **but, if you will just make the motion to allow staff to find a fund, with the exception of fund balance, and we will find the money.**

Taylor:
Will you amend your motion?

Lamb:
I amend my motion to allow staff to identify the funding source, with the exception of the fund balance.

Taylor:
Will you all amend your second?

Croley:
I will amend the second.

Holt:
I amend the second.

Taylor:
There is a motion and a second which has been amended to identify a funding source other than fund balance. Are there any other questions?

Hearing none, all in favor of this motion, let it be known by saying, "Aye."

All: Aye.

**Taylor;
Opposed, like sign.**

(No response.)

Let's see if we can get this done expeditiously so that we can give some relief out there. Let Talquin know, Mr. Administrator before the end of the day that the Board has approved the funding for that.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY & HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE MATCHING FUNDS OF \$8,300 WITH TALQUIN WATER TO EXTEND THE CENTRAL WATER LINE AS DESCRIBED ABOVE AND IN THE AGENDA REPORT. THE MOTION ALSO INCLUDED ALLOWING STAFF TO DETERMINE THE FUNDING SOURCE FROM A FUND OTHER THAN FUND BALANCE.

8. **Approval of Applications for the E911 Rural Grant Program –**

Major Shawn Wood addressed the board.

Point of order was called by Commissioner Croley:
I've got to make a motion to move this item off the table and you've got other citizens that are here and I am not prepared to make that motion yet.

Taylor:

Mr. Woods, since that was made, I don't know if that is proper procedure or if that can be lifted by anyone around this board, but we will follow that until we get better understanding.

Woods:

That is fine.

13. Approval and Authorization to Pursue TIGER Discretionary Grant Economic Recovery Funding For Several Road Projects:

Surfacing of Horse Shoe Road

Resurfacing of McCall Bridge Road

Resurfacing of Lakeview Point Road & realignment of the intersection

Resurfacing of Mt. Pleasant Road

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE STAFF APPLYING FOR THE TIGER GRANT LISTED ABOVE.

14. Approval of Change Order Number 1 for Cairo-Concord Road (CR 157-A) County Incentive Program (COGP) to Close the Project

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB THE BOARD VOTED 4 –1, BY VOICE VOTE, TO APPROVE THE CHANGE ORDER DESCRIBED ABOVE.

Chair Taylor noted that her “no” vote is consistent with her commitment to never approve change orders.

15. Approval of Task Order 2011-120 for Preble Rish Engineering to Design the Resurfacing of Dodger Ball Park Road

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE TASK ORDER DESCRIBED ABOVE.

16. Approval of Appointment to Tourism Development Council

Mr. Lawson reported that this item was heard at the last meeting when Mr. Clarence Jackson was appointed to the Tourist Development Council (TDC.) Subsequent to that meeting, staff learned that the appointment does not meet the requirements of State Statutes, making the TDC not in compliance. Because the TDC was not in compliance, Commissioner Morgan resigned from the TDC.

Mr. Lawson asked the board to rescind the appointment of Mr. Jackson and reappoint someone else who is a bed tax collector as well as consider reappointing Commissioner Morgan since the new appointment would bring the TDC into compliance with Florida Statutes.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO RESCIND THE APPOINTMENT OF CLARENCE JACKSON TO THE TDC.

Commissioner Lamb had questions for Jeff DeBree, TDC Chair.

Lamb:

Mr. DuBree, when you all allocate to different municipalities or whatever, do you all keep a check and balance on how this is being spent. When you get the invoices back – like when you give somebody \$1,000 or \$2,000 – How do you all know that they are really spending that money for the purpose that you all gave it to them?

DuBree:

There are some compliance issues. Generally, the funds are given based on some criteria when the money is used for a certain type of marketing, for example. So, documentation would have to be given back to our administrative staff, which would be Anthony and Sonya Burns and show it to TDC to prove that it met the criteria.

Morgan:

Point of order, Madam Chair. I am sorry, Jeff. I apologize.

Taylor:

I understand. I understand. She just told me and I am going to correct it.

Finish your statement and then I will share what the attorney has told me. Finish your statement.

Morgan:

Point of order, Madam Chair. Point of order, Madam Chair.

Taylor:

No, no, no.

Morgan:

Yes, ma'am. This is not the item that is on the agenda and we cannot discuss that. Point of order.

Taylor:

Excuse me a second. I appreciate you pointing that out. (To Commissioner Morgan)

Continue your sentence. (To Jeff DuBree) Just finish your sentence.

DuBree:

I believe I had completed it.

Taylor:

That was the end of your sentence?

DuBree:

Yes, Ma'am.

Taylor:

We show respect. We just show respect, and then I was going to clear the matter up and indicate that we cannot carry or move any motion around this board on it because it is not an agendaed item. But, we don't disrespect people when they are talking. I was not going to entertain any motions or directions from this board. But, we tend to discuss things that are not agendaed. So, I was just give you respect and then I was going to address the matter with the attorney.

Morgan:

Madam Chair, I was not showing any disrespect at all, it is just simply the right way to do business. We didn't have the item for any discussion other than appointment of members to the TDC. Thank you.

Taylor:

Again, on several occasions –

Morgan:

That doesn't make it right.

Taylor:

It doesn't, but it is something that we have done on several occasions, that we have often gone off from the item that has been agendaed. We have always respected one another.

Morgan:

There is never a right time to do the wrong thing.

Taylor:

That is still, Commissioner Morgan, you are out of order now.

Morgan:

No, I am in order.

Taylor:

No, sir.

Morgan:

Yes, Ma'am.

Taylor:

No, sir.

Morgan:

Yes, Ma'am.

Taylor:

No, sir.

Morgan:

Yes, Ma'am.

Lamb:

Come on, here.

Holt:

Come on, let's go.

Taylor:

Let me say this. Obviously, this type of behavior is not the norm. We do show better respect. We will move this on. I appreciate you, Mr. DuBree, for your comments. Again, we normally have conversation around this board, but, sometimes we get a little offensive on certain subjects and that is probably what is happening. We will move forward.

Now, Mr. Lawson, of your three, we have entertained one item in regards to having the vote rescinded. Again, there is someone out there that wishes to speak and I will now have Mr. Jim Kellum to please come up and let's speak to this particular item.

Kellum:

Thank you, Madam Chairman. I appreciate the fact that the first part of what I was going to address has already been dealt with – The fact that we were out of compliance. The thing that I would like to talk about now is that I would like to say that I think Mr. Morgan has done a wonderful job in helping to move forward, the TDC. I would hate to have him removed or not put back on board. I understand why he wanted to resigned because we were out of

compliance. But I do recommend him highly. We have had several in the past in they have all done a good job, but, Mr. Morgan has done an exceedingly good job.

Also, I would like to address one other issue of membership. We – several times I have mentioned to the board that we - and several times at the TDC meetings, we have offered up names that were to be presented to the County Commission because that is the way it was before we had our joint meeting. That is the way it used to be – we would recommend someone that we thought would enhance and help the board. Then the county could decide whether they wanted that person or not.

Three or four months ago, we offered up the name Matt Thro in our board meeting and we passed that so that it could be presented to the county commission. It was not presented, but Mr. Matheny can vouch for the fact that we did vote on it, but it was not presented to the county commission. Why? I don't know. Then two months later is when another name came up, which was fine. A county commissioner put it into place, but I wanted you to understand that we had also put a name in place, which had nothing to do with the person that the county commissioner recommended. There is a third spot. We only have one businessperson on that three section - you can use business people. We have always had two people from Midway. We have always had two or three people from the Chattahoochee district and we have always had two people or more from Quincy. So, I don't know why it would be such a big issue to have two people representing Havana and that is why Matt Thro's name was put into place. I would like to put that name into place again today.

Taylor:

Thank you. Will that conclude your discussion? Is that all you have to say for the moment?

Kellum:

Yes, Ma'am.

Taylor:

Alright. Let's get back to the business at hand. Again, the next item now – Well, Commissioner Holt, I am going to hear from you as to the person you wish to appoint at this time. It is my understanding that the position is still vacant, Mr. Lawson.

Lawson:

Yes.

Taylor:

O.K.

Holt:

O.K. The person that I nominate for District 4 for the TDC is Mr. Curt Bradwell. He is a tax collector. He owns a business under Bradwell, Inc. and he is a tax collector and that is my nominee for district 4.

Taylor:

Do I hear you over there, Commissioner?

Croley:

Commissioner Holt, I have already made it clear that I support a representative from District 4 and certainly you will have my support for a qualified person from District 4 to serve on Tourism and Development. I do want to understand, though, a tax collector – Ms. Minnis, you may need to clarify this for me, but, I believe the tax collector that is referenced here has to be someone who is in the hospitality business that is collecting this particular tax. I am afraid that if this is the Mr. Bradwell that I am familiar with, I don't believe – ah, is he in the hospitality business?

Holt:

It will not matter because I have a second nominee. I came with two. I have a second nominee if he does not qualify.

Croley:

Well, if she could clarify that, I think that will help. The tax collector must be a hospitality -

Minnis:

That is my understanding also.

Holt:

I withdraw the name of Mr. Bradwell and I nominate the name of Mr. Peter Patel for District 4.

Croley:

Now, is Mr. Patel?

Holt:

He owns the Hampton Inn.

Croley:

O.K. But, that is in District 5.

Holt:

Yeah, but he lives in District 4 and he is a representative and he is looking at things to help throughout the county including District 4.

Croley:

I don't have a problem with that.

Now, I don't want you to take offense to this, but I want to ask a question.

Holt:

Sure.

Croley:

Does he have any business connection with you personally?

Holt:

I bought a license from him, but that doesn't have anything to do with this. I don't stay at the Hampton.

Croley:

Then I will second it. Just trying to make sure that we both don't get in trouble.

Holt:

I am just trying to appoint someone from the hotel part of it.

Taylor:

Just a second. Just a second.

Are we ---Did we officially withdraw Mr. Curt Bradwell? Did you put him out?

Holt:

I never got a second.

Taylor:

Never got a second. O.K. Just want to be sure we are following correct parliamentary procedure. I have a question both from Commissioner Morgan and from Mr. Kellum. I am going to recognize you first. Come on up, sir.

Kellum:

I would like to say, Ms. Holt, you have made a very good recommendation in Mr. Patel. He has served on the TDC in the past and did an excellent job. He was very cooperative and actually went to a couple of conventions to try to learn more about TDC. He will be a very good representative.

Morgan:

This is very simple. This is to fill a vacant seat, correct?

Holt:

Right.

Morgan:

Just wanted that on the record.

Taylor:

Is that your motion to appoint Mr. Peter Patel?

Holt:

Yes.

Taylor:

There is a motion on the floor and a second by Commissioner Croley.

There is a motion on the floor and a second to appoint Mr. Peter Patel to the TDC board.

Are there any more questions?

Being none, all in favor of that motion, please let it be known by saying, "Aye."

All: Aye.

Taylor:

Opposed - by the same sign.

(No response.)

Motion carries, sir.

Croley:

May I ask this question?

Taylor:

Yes, sir.

Croley:

I was not aware and maybe Commissioner Morgan said this in one of our discussions and I didn't pick up on it, but you officially resigned from the TDC.

Morgan:

Madam Chair, may I?

Taylor:

Yes.

Morgan:

Yes, Commissioner Croley and I appreciate you bringing that up for clarification. At the prior meeting, I was urging this board not to approve the nomination that was brought forward. Certainly with no disrespect to the nominee because Rev. Jackson would have done an excellent job. However, it was clear that action brought us out of compliance and I tried to relay that. It passed 4 – 1. That next morning, I sent an email to the administrator and copied the attorney with receipt saying that I would love to serve on the TDC, but I am not willing to do that when we've got a board out of compliance with State Statutes.

Croley:

Now that it appears that the board is back in compliance with State Statutes, would you not be willing to continue to serve?

Morgan:

I certainly would be and I indicated that in my email to the administrator as well.

Croley:

Then, that being the case, I am going to make a motion to reappoint you.

Taylor:

Excuse me, excuse me, excuse me. Just a second before we go to that point, let's have some discussion. Just a second. Just a second if you don't mind.

I want to make this statement before we move on that. Item No. 2.

The night of the appointment, it was made clear that staff was to go back and verify that this individual was qualified. That was part of the motion. To verify that this individual was qualified to serve and if not, we would come back and entertain it. We certainly did not want to be out of compliance and we certainly did not disrespect what was being said by our representative, Mr. Morgan. But, we just wanted to make sure that the commissioner had the opportunity to make her appointment, which was clearly agreed to around this board that there needed to be representation out of district 4. But, there was also concern as to whether or not this particular appointee qualified. So, that was part of the motion. When we all received an email, I spoke to the administrator and did not know if that motion was clear to Commissioner Morgan that we were not trying to be out of compliance, that we were going to make sure that the appointee was within compliance. If not, then it would not move forward. Subsequently, to get him to

quit or submit his resignation, I thought was a little aggressive, given the fact of what was on the floor and what was being put out there so that we could make sure that we were in compliance.

We can't have this behavior when things don't go quite the way we want. To quit and come back, then we quit and come back.

Morgan:
Point of order.

Taylor:
Yes.

Morgan:
Madam Chair, it had nothing to do with being aggressive. I simply will not serve on a board that is out of compliance. I was very clear with the motion. I was also very clear in letting the board know that it would be out of compliance. Being on the TDC, I am a party to that information. When you guys voted to do that and put him on there, I simply in a very appropriate email to the administrator and copy to the attorney, I said I was not going to do that and would be glad to serve once the committee got back into compliance with State Statutes. So, I understand your opinion, but I didn't quit anything. It is just as simple as I am not going to vote on something that I haven't read. It is just the right way to do business. I understand that is not in agreement with some folks that sit on this board.

Taylor:
I heard your point of order. But, I am going to state this again.

Morgan:
Go ahead.

Taylor:
We are going to learn or we are going to need to be able to handle situations professionally around the board.

Morgan:
Which I did.

Taylor:
And be able to be respectful to this board. Again, it was clear that there may have been some concerns with the appointee, which is why there was a tag onto that motion and approval. Again, I am not going to be held hostage and I am not going to be disrespected because I don't show that around this board.

Morgan:

I just wanted to point out where I am coming from.

Taylor:

Excuse me, Mr. Morgan. You are out of order.

Morgan:

No, ma'am.

Taylor:

Yes, you are, sir.

Morgan:

No, ma'am, I am not.

Taylor:

Excuse me.

Minnis:

Mr. Morgan, she has the floor. Until she recognizes you from the floor, you are out of order.

Morgan:

I understand.

Taylor:

You are out of order and if this continues, I will ask that you be removed from the meeting.

Now, this has never happened before and I will not be disrespected this way. I don't show that kind of disrespect when anyone around this board is speaking. I don't allow others to show that kind of disrespect. It is important that we remain professional no matter what is going on around this board. All of us have had heartburns, but we must remain professional.

Croley:

May I, Madam Chair?

Taylor:

Just a second, sir.

I am concerned with this and I just wanted to make sure going forward that we try and work together as a board and respect one another as a board. That is important. What we present to the public is important. That we show collaboration between us. There are going to be

differences, but we are going to have to be able to move past those in a professional manner and still conduct business for this county because that is the only reason that we are here. I have a problem with us being in the mindset that if it is a certain way, then we shouldn't be a part of it. Let's just work together. That is all I have ever wanted. That the five of us work together as often as we can. I am still going to maintain a professional decorum no matter what is being said or done around this board. If I agree with it, we will still carry it and move through with it.

Now, we are at the point of re-appointing Mr. Morgan or not reappointing Mr. Morgan. Yes, Ma'am.

Holt:

It happened since you have been chairman that we had a big dispute, but as General Patton said, "Blood and guts rule government also." A good fight is sometimes good for government. It changes what you have sometimes for the better. It happens in county commission meetings, too.

I appointed Mr. Jackson on the advice that you needed a person on there. A citizen. If you remember the conversation, it was for a citizen and the administrator would go and look at it and see if would comply. It said "a citizen." I said, "Mr. Jackson is a citizen." I love being discussed and act like I am not in the room. That is exactly what was said. Now, I chose Mr. Jackson because he is a citizen. District 4 needs a lot of representation right now because of the development out in District 4. Then they said a "Tax Collector." O.K. There is nothing in the literature that I had earlier that said it had to be a person that was in the hospitality industry. It said a "Tax Collector." Mr. Bradwell is a tax collector. The problem is with the information getting to us. That is the problem. O.K?

I don't have any problems with the TDC giving nominees. It is this board's last say-so to say who is on that TDC and who is not. I have not been in favor of having all the money going to one city or the other city. I said in the beginning with the TDC, "Spread that money equally and get out there and advertise." That way people would know if they were having events or that there is something going on and come to the TDC. That has been the problem with TDC all along, it is a closed organization. That is exactly what it has been.

I am not going to stop talking. I am going to say what I have to say. People sat here and talked about some of my nominees, so I am going to talk and that is the way it is going to be. Now, as I said before, Mr. Patel was a good nominee. If Commissioner Morgan decided he wanted to resign for whatever reason, he was at the same meeting we were at. He wanted to resign and I am just as happy with putting someone else on there. I'll serve on there. I don't have a problem with serving on there. I think that it needs to be divided up equally anyway. Whatever his reason was, that is his reason. I don't have any problem with him resigning and I have no

argument with him. Let's do this and keep moving because right now, we are not going after any money. We need money.

Thank you.

Taylor:

Thank you very much. Again, are there any other comments? We are now at a point of either re-appointing or appointing a representative from this board to serve on the TDC.

Lamb:

I think he has a question for you.

Croley:

Well, I hope that the passions will subside here a little bit and rationale will be restored.

Obviously, Commissioner Morgan was under the impression that whatever was done was done improperly and he didn't want to be a part of it. We understand that. It has now been corrected and I know that Commissioner Holt at no time in the process meant her harm from her standpoint. I recognize, Madam Chair, that you mean no harm. I think that the thing to do is to try – We've got a good nominee that we have all come together on and I think we need to put Commissioner Morgan back in place and let things calm down and let's move forward. Then his term expires on 12/31/2012 and we can revisit then a new appointee if someone else on the commissioner wished to serve in his place. **That is why I will state my motion again that Commissioner Morgan be reappointed to the TDC now that things have been straightened out.**

Taylor:

Now, again –

Croley:

I've got a motion.

Taylor:

There is a motion, is there a second?

(no response)

Motion dies for lack of a second.

Now, let me say this to you. You said what I just said. We had gotten it calm and I am thankful to Commissioner Morgan and I will never have any disrespect for him. He and I, I consider as a

tag team because we came on at the same time and I feel a kindred spirit with him. I do understand his passion and I am not taking anything from him. But, what you just said –“things are calm” and I understand passions. Some days I want to pull out what little hair I had. I am not taking any offense to what has happened this morning. I understand human nature. We get excited. I appreciate his respect in that we came back to a normal behavior around the board.

Commissioner Holt, we’re not going to have “blood and guts” up here.

Holt:

Why not?

Taylor:

We are not going to have it and we are just not going to do it. It is not necessary. We are professionals. But again, I respect and I appreciate Commissioner Morgan. I always have. So, I am not taking any offense. We are moving forward as recommended by Commissioner Holt and Commissioner Croley.

Your motion to re-appoint Commissioner Morgan has died.

Lamb:

Madam Chairman?

Taylor:

Yes.

Lamb:

I was disappointed with the statement that I got from the administrator that Mr. Morgan had resigned. I was concerned about that because I am the one who nominated him to go on the TDC. Now, it was made clear that we were going to let the administrator check into the qualification of Mr. Jackson and see if that was what we needed. But, now, I am also willing to show grace. **With that, we need to let him serve out his term if he is willing to do that and with that, I will nominate Mr. Morgan to go back to his seat on the TDC to fulfill his current term.**

Croley:

I will second it.

Holt:

You had better hurry up. (laughter)

Croley:

Whatever.

Taylor:

Are we having fun this morning?

Holt:

Yes.

Croley:

We need to move on up here.

Taylor:

Commissioner Morgan?

Morgan:

My name has been used quite frequently around this board for the last 10 minutes. I appreciate your comments. Is there passion involved in what I do as I represent these folks? Yes. On this particular issue, I need to be very clear. I appreciate the nomination from Commissioner Lamb to be on this committee because I have enjoyed serving and I have learned a lot. I appreciate the comments I received earlier from Mr. Kellum. However, to be clear, once the appointment of Mr. Jackson to the TDC, whether that was going to be looked into or not, at that moment when he was appointed, that board was out of compliance. It had nothing to do with my willingness to serve or with me getting mad and not going to serve, being disrespectful to the seat, it is simply a fact that I sent a very professional email and the administrator has that. I will be more than happy to read it for the public if we need to. I stated clearly that I would be willing to serve once we got back into compliance. Nothing entered into my decision other than simply that we were not in compliance with State Statutes. I would not serve on this board if it was out of compliance with State Statutes or anything that is going on improperly. It is not a matter of difference of opinion. It is not a matter of passion. It is what is right versus what is wrong. I appreciate being nominated and I will be glad to serve.

Thank you.

Taylor:

There is a motion and a second to re-appoint Commissioner Morgan to the TDC. All in favor of this motion let it be known by saying, "Aye."

All: Aye.

Taylor:

Opposed – the same sign?

(no response)

Motion carries. (Applause)

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO RE-APPOINT COMMISSIONER MORGAN TO THE TDC TO FULLFILL HIS TERM UNTIL DECEMBER 31, 2012.

17. **Approval to Appoint Sonya Burns as the Tourism Development Council Administrator**

Lawson:

The Tourism Development Council by Statute can utilize 10% of its budget for administration. Since Ms. Burns has been working with them for several years, we are recommending approval of Ms. Burns as the TDC Administrator and allow the county administrator to determine the additional pay, if any.

Holt:

I move approval.

Lamb:

Second.

Croley:

I have a question on that.

Taylor:

There is a motion and a second and now there is a question.

Croley:

I heard earlier about the distribution of funds. I think this tracks with Mr. Lamb was inquiring about. I think that does come under here. The distribution of funds – is that done by Mr. Matheny's office?

Lawson:

Do you mean in terms of paying the bills?

Croley:

Yeah, or does that go through the Clerk?

Lawson:

The invoices are submitted through Mr. Matheny's office and then they are processed to the Clerk.

Croley:

So, the Clerk's office is actually paying the bills and all that?

Lawson:
Right.

Croley:
O.K. That is very important to me. I think that it is good to have a check and balance about that. You may process the invoice, but, I want to know that the checks are coming from the Clerk. Therefore, when we have a vendor who is not being paid, the proper place to make an inquiry is to the Clerk's office. If the Clerk's office hasn't gotten the correct documentation, then it comes back to our administrator.

I think that is what Mr. Lamb was referencing or at least something about that process so that we better understood it.

As far as Ms. Burns being appointed to be the administrator, I don't have any problem with that, but, is this an extra duty for the Clerk's office in handling this? They are not getting any compensation for this extra duty as well. How that is handled, Mr. Clerk?

Clerk Thomas:
We were not seeking any extra from the Tourist Development Fund.

Croley:
So 10% of the budget – is this something that was recommended by the TDC or is this something that came up internally? I would like to know.

Taylor:
Let me hear from the President of TDC and then I will hear from Mr. Kellum.

DuBree:
We had presented a budget to this board a couple of meetings ago that had a coordinator's position in it. Our current budget is \$90,000, which makes the part that can be used for administration \$9,000 to go toward what we called a coordinator's position. In the agenda, you have it listed as the administrative coordinator.

In our strategic plan, there is an addendum that you could reference, and I know you don't have it in front of you, but it has the responsibilities that we are looking to the coordinator's position to fulfill. Some of them are above and beyond what the administrator has done up until now.

As the TDC, what we voted on as a recommendation, was to move forward in our budget and have a coordinator's position that would free someone up (We think that Sonya will do a great job) to go out into the field and work on some of our strategies. When you look at \$9,000, realistically, you are only looking at 10 – 15 hours a week on average. It might not be that every week, but on average. But that time would be spent to get out with our strategic partners and coordinate an event, coordinate us together, let people know what kind of marketing really works for the event and play that role – not just paper work in the administrative role, but play a pivotal part in putting together a marketing plan. The duties are all spelled out in that

addendum; too, so if you approve this item, I would like to see that you reference those duties as part of the approval of Sonya's role with the fact that realistically, it is probably only going to be 10 – 12 hours per week.

Holt:
Madam Chair?

Taylor:
Hold on.

Croley:
Wait a minute. I haven't relinquished the floor yet and I want to get through this. We got into a big mess on this thing earlier and I don't intend to have that happen if I have to rare myself.

Now, is this position going to answer to you, Mr. Administrator or does this position answer to the TDC?

Lawson:
She is still a county employee, so she would answer to her current supervisor. In terms of her responsibilities here, as he said, the coordinator , she is doing a number of these functions already and she answers to Mr. Matheny as well as she would coordinate these functions with the TDC. She will still be supervised by our staff.

Croley:
O.K. I just don't want to, you know, if you divide this chain of command, you are going to get into a bunch of confusion. I just want to be certain that the administrative accountability begins and ends with you. You are the county administrator and if she is going to continue to be a coordinator under your supervision, that is who I will be looking to supervise her. That is just good business.

I don't have a problem in doing this if this is your recommendation as long as it is clear that she answers to Mr. Lawson as the interim county administrator and whoever or whatever may happen up here. So, if you are looking for a motion, I will motion to approve it if there is no other discussion.

Holt:
Yes, I have no problems with Sonya or Ms. Burns doing that. The reason that the County went to someone to work with the TDC was to make sure that we had accountability throughout the county. That is the reason we had that administrator working with the TDC in the beginning. But, that person was over housing and whatever. But, my concern is twofold. One is that is going to be too much work for \$9,000.

DuBree:
We realize that. We would like to see it be more because we realize for \$9,000 we are not going to get more than 10 – 15 hours a week.

Holt:

\$9,000 and she is going to take away from what she is doing for the county, she cannot, you cannot add 15 more hours to an 8-hour day and 40 hours a week. Also, even if it was a separate \$15,000, I mean \$9,000. You are not going to be able to get the production.

Do we not have marketing company that is supposed to be doing that?

DuBree:

We do have a marketing company now, but, the plan, the overall plan is not to continue to pay someone from the outside to do that. We feel like we can do it more economically ourselves. We may have a marketing company to do a specific project, but not to do the day to day things that a coordinator could do.

Holt:

Well, like I said, I don't think that is enough funding for that because you are talking about a lot work. But, my second thing is that I am looking for that person to report to us, letting us know if the funds are distributed equally throughout the county as I said. If there are dead zones in the county that are not getting the advertisement or whatever we need for tourist development. The tax was advertised as a job maker. That is how it was advertised and that is what people voted on. Now, the accountability in the job sector is not there. So, we have an administrator or coordinator, I am going to look to that coordinator to say, "Look, there is no activity going on or there is a lot of activity going on in Havana. Why is there not any going on in Greensboro? Why is there not something going on in Chattahoochee or Midway? These are things that have never been addressed by the TDC. Not just come and do your paperwork that is not what I am looking for.

DuBree:

That is we are hoping for also. We are hoping to get a little more also. One of the responsibilities of the coordinator in the strategic plan is to prepare an annual tourism and advertising and promotion budget. So certainly, that person can be given the direction by your board that you want it equally distributed. That is one of the duties that is listed on the strategic plan as to what we would like the coordinator to do.

Holt:

Madam Chairman, I would like to amend my motion that the coordinator report to this board also.

Croley:

Wait a minute. I had a motion out there that she never entertained a second on. I don't know whether I was going to get a second.

Holt:

But, I moved approval when we first started and I got a second.

Taylor:

Yes, she got a second. Am I right, Ms. Muriel?

Straughn:

Yes. We have a motion by Holt and second by Lamb.

Croley:
O.K.

Holt:
So, you see, there was already a motion. But, what I wanted to say was that I want to amend my motion because I would like for that person to report to this board. We need some data. We need some information.

Croley:
Well, Ms. Holt, if she reports to the county administrator.

Holt:
Well, he can bring it forward; I don't have a problem with it. That is what I am saying.

Croley:
They are reporting to this board. That is why I was trying to help get that clarified. So, I think we are saying the same thing.

Holt:
Right. There is no problem with it. As I said, Mr. Manager, I don't think the funding is enough, but if you look into it and see whether you think it is or is not, I would like to know and I can just check with you personally.

Thank you, Madam Chair.

Taylor:
Let me have Mr. Kellum make a statement and then I will hear from Commissioner Lamb and then we are going to move this.

Lamb:
This goes to Mr. DuBree. In our package here, it says \$13,120.00.

DuBree:
That is our entire budget. 20% of that comes from previous years that was to be utilized for marketing funds. \$90,000 is what we will be pulling in this year from the bed tax funds.

Lamb:
So, that is where the \$9,000 comes from.

DuBree:
My thoughts were that it would be up to you all as to how that is written. The By-Laws were approved by the County Commission for the TDC and they say that only 10% of the funds can be used for a coordinator or administrative position. The remaining funds, if you chose to have more responsibilities, would have to be paid some other way or the By-Laws would have to be

changed to allow more. We kind of wrote the By-Laws that way so that the emphasis could be on the marketing aspect and not get it too heavily weighted on a paid position.

Lamb:

O.K. Thank you.

Taylor:

Mr. Kellum?

Kellum:

Madam Chairman, I have nothing but good things to say today. I have no complaints. I am the one who put Sonya's name forward. She has been serving with TDC under other people for the last six or seven years. She has always been very cooperative. This is a baby step way of trying to get out into the community, Ms. Holt. I agree with you that and I have always thought that all the county, every area of the county, should have the opportunity to receive the money. I took the Vice-Chairmanship this year after being offered the Chairman. I didn't want that. Jeff has a big enough job. But to help him and Sonya, if she is on board, where we will have those – we will go to Gretna and have those meetings. We will go to Chattahoochee and try to coordinate the county and try to get them to do a paper that we can swap. Quincy doesn't even have a paper that tells people where the merchants are and where the activities are and where the attractions are. These are things, I think, that with a little help and I talked to Sonya, and I know it is not a lot of money, but it is a baby step and if can coordinate that by going out into the community, then down the road we can build a better deal and we will have more money so we can use that as a promotion on the TDC. To have Sonya on board is the first step. Sonya is the best coordinator that I have ever seen. I think that the county will know exactly what is going on every month. I am glad to work with her. Jeff is too, and the whole TDC board. She is a great person to start that position.

Taylor:

I appreciate you confirming this.

Now. Before we move forward with the motion that is on the floor, Commissioner Lamb brought up something that we need to entertain. According to the write-up, The amount is \$13,120. So if we make a motion to approve the agendaed item, we are moving to approve \$13,000. But, according to what the president just indicated, we are actually moving on only \$9,000. So, that needs to be cleared up before we carry this particular item as to the actual amount that we are going to move on this particular agendaed item.

Mr. DuBree, can you give me the actual amount.

DeBree:

We are projecting our income to be \$90,000 from the bed tax. Our budget is based on that.

Taylor:

We have to have an exact amount if at all possible.

DuBree:

That would be the exact amount.

Taylor:

So, it will be a \$9,000 request for her salary.

DuBree:

That is the amount that we had as a line item in the budget that the TDC presented to you.

Taylor:

Alright. That is all I needed to know, sir. So, based on that information, we need to clear that up. If this item is approved, it is approved at \$9,000 exactly as opposed to what is indicated in the agenda package.

Holt:

Madam Chairman that cannot be done on the percentage on the 10% just does it on the 10%. If it is \$13,000, she will receive \$13.

Taylor:

I am just trying to clarify the numbers. That is all I am trying to do. I see what you are saying, but give me an actual number that we need to vote on.

Holt:

10% is the number to vote on. They are projecting \$90,000.

Taylor:

So, you want us to vote on a percentage rather than an actual amount?

Holt:

Right.

Taylor:

I follow you. Makes sense.

Holt:

I will adjust my motion to approve the position at 10% of the bed tax collection.

Morgan:

Thank you. I understand the discussion here. But there was a budget that was submitted by TDC and approved at \$90,000. We were basing it off 10% of the approved budget. My question is are we able to approve 10% of whatever the actuals are or do we have to budget that?

Holt:

Madam Chairman?

Taylor:

O.K. You may answer.

DuBree:

'We would have to know and have to have some direction about how to manipulate our budget that we presented to you, because we had the \$4,000 going somewhere else.

Holt:

You are saying that – What will the 10% be again? What will the 10% be by law?

DuBree

Our base budget was presented at \$90,000. The way that the Strategic Plan is - we did not spend a lot of marketing money over the years so the TDC had built up a fund with a substantial balance from previous years. The Strategic Plan has written in there, that we would take 20% of the reserves and put it into the current fiscal budget and use it toward marketing. It specifically says marketing. That will be an addition to try and kick start the TDC and put us on the map for the years that we did not do marketing until that fund is eventually depleted. Maybe it will never deplete down because we will be successful. That is also a goal.

Holt:

So, what is your 10%?

DuBree:

In my opinion, it would be \$9,000. Our budget is \$131,000, but \$41,000 or 20% of that came from previous years that accumulated into a reserve fund. That money is to be used specifically for marketing. Perhaps, that is something the attorney might be able to give us an opinion on. If the 10% applies to the entire budget, then it would be \$13,000. But, if you base it on the income for this year based on the income that the bed tax will bring in this year, it would be \$9,000. In my opinion, it would apply to the current year revenue collections. That is the figure that we have all the line items based upon – the \$90,000.

Lawson:

Can we just say 10% of the budget that was submitted for this fiscal year?

Taylor:

Yes, which is?

Lawson:

\$90,000.

Lamb:

Let's go with that.

Holt:

We will go with it, but ----

Taylor:

Thank you. Thank you very much.

No more comments.

We are going to move on \$9,000 which is 10% of the budgeted new revenue. Can I get a motion?

Holt:

Madam Chair, you would need to rescind the previous motion first.

Taylor:

Can I get a motion to rescind?

Holt:

Madam Chairman, I made the motion and one interesting thing about it and one reason why I am interested in not rescinding it is because of this: If they budgeted \$90,000, which I think is not enough because she still is not going to get the \$9,000, one thing – does she even know that it is going to be \$9,000 instead of the \$13,000, Mr. Administrator?

I want to make sure that she approves of this while we are putting her into something.

Lawson:

Yes, she is aware and even though there is 10% in there, you know, it does not necessarily mean that she will get the entire \$9,000. Her salary is actually set by me. The money is budgeted, but ---

Holt:

Well I hope you feel a lot better about this because \$9,000 – if she is going to do all that and still

Lawson:

In addition to her current salary. So, that is ---you are basically approving her as an administrator with the 10% of the budgeted amount and we will decide how her salary is adjusted.

Holt:

I hope it is adjusted up. I will rescind my previous motion.

Lamb:

I rescind my second.

Croley:

Commissioner Holt, are you going to amend it or what?

Taylor:

Let's do this. Let's do this. It has been rescinded and he second it.

All in favor of having that motion rescinded let it be known by saying, "Aye."

All: Aye.

Taylor:

Now, let's move forward on the 10% of the \$90,000. Can I get a motion?

Croley:

I move 10% of the present budgeted revenue amount of (\$90,000) to be under the county administrator.

Morgan:

Second.

Taylor:

There is a motion and a second to go with 10% of the current revenue budgeted (\$90,000) under the administrator.

Are there any other questions?

There being none, all in favor of the motion, please let it be known by saying, "Aye."

All: Aye.

Taylor:

Opposed by the same sign.

(no response)

5 – 0 in favor of the motion.

Jeff Dubree, TDC Chair

Item 8 – revisited. Major Wood – Seven (7) E-911 Grant Applications

Commissioner Croley spoke briefly to Major Woods explaining that he decline to rescind his motion to table earlier in the meeting. He stated that the other people on the agenda had been waiting a long time to have their issue heard and he didn't want to delay them from getting back to their businesses any longer.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, O TAKE ITEM 8 OFF THE TABLE AND BE PLACED IN THE ORDER OF BUSINESS.

Major Wood expressed condolences in the death of DeVane Mason, former E-911 Director for many years. He went on to explain that the item deals with a multitude of different grants.

The money is derived from the communications taxes on cellular telephones statewide. The money goes into a pool of money. As a county, the board of county commissioners must request the funds by way of a grant application. A statewide board decides how the money is allocated to the counties. The basic grants are based on the different priorities set by the state board. There are additional grants that can be sought in addition to the basic or general E911 grant. By way of applying for the multiple grants, the state review board would become aware of the needs for particular programs for Gadsden County and be abreast of the direction the county is attempting to go. The reality is that not all seven grants will be funded, but it will allow the State to know that Gadsden is looking to do those programs. As the years pass and as the various programs take priority, the funding becomes more likely in the future.

Croley:

My first issue is the same issue I have had. I certainly offer my condolences to the Sheriff's Department for the loss of Mr. Mason. As well all know, he was very zealous in carrying out his duties. So, please accept my condolences about that.

Now, the question was, "What is the deadline for applying for these grants?"

Major Wood:

October 1, 2011.

Croley:

Now, appreciate, as I do, the fact that you have lost Mr. Mason and you have been not totally discombobulated, but, obviously, a little bit delayed by the paperwork side of it. We did not get this until apparently yesterday. Not a person up here including the administrator has had a chance to review these documents. So, our concern, or at least my concern, I can't speak for everyone, but I do believe I heard it around here, - we did not know what the deadline was. It may have stated it in here, but if it is, we have missed seeing that date. So, we wanted to have time to review. But, if we've got an October 1st deadline, and as you know, we have complained before about late agenda items from the Sheriff's Office – last minute items – and we have had numerous occasions where commitments were made that this would not happen again and so on and so forth. I realize that when you have a death, that throws everything off. But, October 1st is the case and this is rather routine grant applications – is it not, Mr. Lawson. Aren't they what we have entertained in the past?

Lawson:

Yes.

Croley:

I do believe that we should move it even if we haven't had a chance to read it as closely as we would like.

Taylor:
Is that your motion?

Croley:
That will be my motion.

Holt:
I will second it.

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

There being no questions, all in favor of this motion, please let it be known by saying, "Aye."

Croley: Aye.

Holt: Aye.

Lamb: Aye.

Taylor: Aye.

All opposed the same sign.

Morgan:
No.

Taylor:
Motion carries 4 – 1.
Morgan opposed because information was submitted untimely.

County Administrator

18. Update on Board Requests

Mr. Lawson had nothing to report.

County Attorney

19. **Update on Various Legal Issues - Status of the Interlocal Agreement with the Sheriff for Emergency Management. –**

Ms. Minnis reported that the county has signed the agreement, but, not the Sheriff.

Mr. Lawson was instructed to check with the Sheriff on this matter.

Discussion Items by Commissioners

20. Commissioner Lamb, District 1

He reported that he had received some phone calls regarding the Gadsden Express – Some of the citizens are standing on the bus. Administrator Lawson has talked with Mr. Waters at Big Bend and was told that the buses are designed for standing patrons. “What I would like to see done is the Chairman and Mr. Lawson have a meeting with Mr. Ted Waters and bring us back a report and recommendations on that, please.”

Commissioner Croley, District 2 – Report and Discussion on Public Issues and Concerns
Pertaining to Commission District Two and Gadsden County

He reported the following concerning the Capital Regional Transportation Agency Meeting:

- Budget for the operation was approved \$751,899.00 of which the majority of it comes from Federal Highway Administration and Florida DOT to try and coordinate for this whole Tallahassee Metropolitan Planning Area. Because the six fulltime employees are administered by the City of Tallahassee, a 1% Increase to employees’ salaries was approved for October 1 and a 1% increase for March 1st to tract with the City of Tallahassee.
- Approximately \$3,000 was provided to Mr. Reed for his travel.
- City of Tallahassee has internal accounting firms set up for next year. Our cost went up due primarily due to the internal funds set up.
- A presentation was made by Port Authority Administrator from Port St. Joe. Gadsden is an impacted county and should entertain a presentation by them as well. (Tommy Pitts is the Port Authority director.)
- Review by FDOT on the interchanges along I-10. How does Gadsden County want to address representation during this review process? They are very vital to Gadsden County and Gadsden needs to be proactive in this process. Leon County is planning another interchange on the east side of Tallahassee.
- Sustainable communities’ calculator work order program. CRTPA will offer free training on online maps system – you can see how it will affect your own district.
- Bicycles – there has been an emphasis on bicycling and bicycle events as part of the ecotourism. There is a big bike trail system in the works and several of the surrounding counties are in the midst of doing bicycling studies. These events generally cause conflicts with local residents. Gadsden must figure out how we are going to handle these events.

Commissioner Croley then filled the report with the Clerk.

Interlocal Agreement with Sheriff to Administer the E-911 Program

Jail – Use of one-cent discretionary tax we have an ordinance making the Sheriff Chief Jailer. However, there still needs to be an Interlocal agreement with the Sheriff about who is responsible for what in relation to operation of the jail.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO HAVE THE ADMINISTRATOR PLACE ON A FUTURE AGENDA WITHIN THE NEXT TWO MONTHS THE ISSUES AS FOLLOWS:

- **DISCUSSION OF INTERLOCAL AGREEMENT WITH SHERIFF ON OPERATION OF THE E-911 PROGRAM**
- **DISCUSSION OF INTERLOCAL AGREEMENT WITH SHERIFF REGARDING THE ADMINISTRATION OF THE JAIL AND MAINTENANCE OF THE JAIL.**

Jobs, Jobs, Jobs – need to be able to count the number of businesses that are located in the county. He asked that the board have a discussion about possibly implementing a Business Licenses –not want to charge for a license; not be oppressive; he just wanted to see some type of registration of business for the unincorporated areas of the county so that “We can count them.” Include economic development input from the Chamber of Commerce during the discussion.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 -0 TO HAVE THE ADMINISTRATOR PUT ON A JANUARY AGENDA DISCUSSION REGARDING PUTTING SOME TYPE OF MECHANISM IN PLACE SO AS TO BE ABLE TO QUANTIFY THE NUMBER OF BUSINESSES THERE ARE IN THE UNINCORPORATED AREAS OF THE COUNTY. STAFF WAS URGED TO PROVIDE DATA AND ANALYSIS IN ORDER FOR BOCC TO MAKE DETERMINATION REGARDING WHETHER THEY MIGHT WANT TO MOVE FORWARD WITH REQUIRING SOME TYPE OF OCCUPATIONAL REGISTRATION. THE STAFF WAS ALSO URGED TO CONTACT THE CHAMBER OF COMMERCE TO BE A PART OF THE DISCUSSION.

Commissioner Holt cautioned that she did not want any measures taken that would discourage people from going into business or impose any hardships on them that would appear to be burdensome.

Commissioner Holt, District 4

Gadsden Express –

She reported that it had come to her attention that the Gadsden Express Shuttle is full when it leaves the Quincy Winn Dixie parking lot every day and that by the time it reaches Midway, people have to stand for the remainder of the drive. After making some inquiries, she said that she learned the buses were designed for standing passengers. She posed the possibility of talking to someone about seeking grant money to add another bus to the route.

Commissioner Croley responded with news that there is a CRTPA study committee has been formed to examine safety issues involved with overcrowded of buses among other things. As to grant possibilities from CRTPA, the funds are quite limited because of revenue shortfalls. He suggested that he would follow up with pertinent information

with the administrator and she could him for that information. He also suggested that the administrator invite the City of Tallahassee Bus Director to come over and respond to her questions and concerns.

Commissioner Holt responded by saying that the most impacted bus route is the early morning route and the late afternoon route returning from Tallahassee. She suggested that perhaps they could run a larger bus for that route or else use two buses. She also stated, "I want you to be prepared to say that we will be willing to pay a little bit more because it is still cheaper that you having to drive to Tallahassee and finding parking and all of that."

She then inquired as to the status of finding a grant writer to which Mr. Lawson replied that money was allocated for a grant writer beginning October 1, but the search will not being until the new budget year.

Commissioner Holt stated that you would support collecting data with which to build an inventory list of the businesses located in the county. She made a point of saying that once the list is compiled, the need for a specific type business could easily be identified within a community – such as the lack of a laundry mat or auto mechanic, etc.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO HAVE THE STAFF LOOK AT AN AVENUE TO REACH OUT TO THE BUSINESS COMMUNITY FOR THE PURPOSE OF BUILDING AND MAINTAINING AN ONGOING INVENTORY OF BUSINESSES IN THE COUNTY AND ALSO DETERMINE WHAT BUSINESSES ARE NEEDED OR WOULD LIKE TO COME INTO A COMMUNITY. SUCH LISTS COULD ULTIMATELY DETERMINE WHAT TYPE BUSINESSES ARE NEEDED WITHIN A GIVEN COMMUNITY DEMONSTRATED BY THE ABSENCE OF SUCH A BUSINESS.

I-10 EXITS

She spoke briefly about the possibility of adding an interchange at the I-10 and SR 65 saying that during the last two hurricanes, State Road 65 was backed up with travelers evacuating from the coastal communities. She pondered about the appropriate way to ask for such consideration from FDOT.

Commissioner Croley responded by saying, "Here is the information on that master study plan. I only have one copy of this and what I was going to try to say is that maybe, Mr. Lawson, you can look through this and see that the Clerk's office gets it afterwards. I think the information you are look for is that there may be an opportunity for you to have input into that process. There is also a letter of the meeting with DOT and on behalf of the four county region, Mr. Reed and I were authorized by a vote of the CRTPA Board for he and I to go and hold a meeting with the new Secretary of the Florida DOT. Of course, I have to look at the whole picture, but, as I told Mr. Lawson, "It's a poor dog that won't wag his own tail." So, I figure if ya'll will let Mr. Lawson know some of the things that this county might be interested in, within proper diplomacy, we can make mention of it. So, Mr. Lawson, will you go through this and see what the commissioners might benefit from?"

CSX Railroad Expansion Project Status and Possibility for Local Jobs

Commissioner Holt recalled that a representative from CSX Railroad came before the board some years ago about the plans for CSX service from Jacksonville to the West coast. She asked if the County Administrator could “Get with them and see about installation of additional rails. They were looking at two rails to go back and forth so that the train would not have a pull off. If there are jobs there and if they are still looking at doing that. See if they are still planning to do this and see if there are jobs associated with that project for Gadsden County.”

Jobs

After spending three hours trying to help a young lady save her house from foreclosure because of unemployment, she was even more committed to trying to bring in jobs for local people. She mentioned the funding budgeted for the Chamber of Commerce. She said, “If we are going to give them money, they should be here every time that door opens. They should be helping us work through this. Every municipality and the School Board should be right there every time we talk about jobs. Every one of them gets money off that sales tax and property taxes. So, as I said before, all of these people work. They have not received food stamps or not gotten any public assistance. We owe just as we owe everyone else. But, we are going to have to do better as far as the job markets go. Forget about the State and Federal government. We are going to have to go for we can for Gadsden County and try to help them.”

Commissioner Morgan, District 3

Jobs

Commissioner Morgan agreed that, “Jobs are extremely important, but, we need to remember, as we talk about jobs, local government, state and federal, while they can play a role in making it easier for the businesses to compete and prosper, it comes from the individual responsibility, as far as promoting yourself for a job. Learning about different skills, getting the education needed to make you more marketable – there is never ever going to be enough money from the government in order to insure that. So, I think that is something that our citizens are going to have to completely understand and embrace in order for us to be successful individually as private organizations, co-operations, small businesses here in the county. I just think we are sending mixed messages when we do not fund small business development center which exists right now and has been successful. We heard testimony here in our budget hearings, yet we do not fund it. These are individuals who have taken the initiative to go and make themselves more marketable. That is what you call, in my opinion, wise investment in the community.

So, as I have said from Day One, economic development is of the utmost importance and we should focus on that and we should fund it as our county goals that we put into place in 2010. Talking about doesn’t get it done. We need to fund it consistently.

Lights at the Interchanges

I have tried to express this and we have talked about it through Commissioner Croley detailed report with CRTPA. I always appreciate him bringing that to us. He does a great job of keeping of us informed.

Interlocal Transportation

Interlocal Transportation is something that is moving forward even in these economic times and will present itself in the future as the economy gets better. Our area is positioning itself to where we can benefit from that if we are ready. We have railroads, water, ports, interstate systems and things of that nature that we can effectively use in order to benefit our local economy. In those discussions we need to have productive relationships with the economic development arm of the Chamber of Commerce as well as local businesses. State government, CRTPA, local government has been at the table to discuss these issues.

Gadsden Express

Gadsden Express was also mentioned. I think that I agree with the comments. It has been a very successful program for the area that it has covered. We need to, as we promised the citizens when we first entertained this, to reach that program over to Gretna, Greensboro, Chattahoochee areas of the County. That is something that we need to practically inquire about in order to make sure that happens.

The last thing I would ask is that the agenda that we are discussing at each of our meetings and each of the individual topics during our discussions be displayed on our flat screens so the citizens can be more informed as we go through the discussions and better understand what it is that we are talking about. I think that we made these investments and I really appreciate our administrator, Mr. Lawson, and our IT team getting those installed and I think you all have seen the benefit of that as we have discussions where we have someone present a PowerPoint Presentation. I think that each meeting we should consider the citizens that are here, that make the effort to come to meetings as well as the staff for that matter, and the visitors so they will know how we are progressing on the item under discussion.

I appreciate it and thank you.

Commissioner Taylor, District 5

Commissioner Taylor stated, "Real quick and I assure you that in two or two and one half minutes, we are out of here.

Gadsden Express

Number 1 - Gadsden Express – I assume that we have all been contacted by the same person, but I did have a meeting with Apalachee Regional Transportation Department on Thursday. The same issues came up with regard to the over crowdedness. The ridership has been awesome. So, Coleen will be applying for a grant for Transportation. Then, this board is probably going to have to come back sometime near midyear. I have already spoken to the administrator and look at putting in our part. I think our part was \$36,000. Extending it beyond – obviously, we will have to have discussions on that, but that will bring a price tag with it. The Planning Council along with Ted Waters who was there is looking at refunding it, keeping it going and re-applying. They are going to approach the City of Quincy as well as the county with regard to support ting it

and to continue the Express throughout the county. It has worked and it makes good business sense. So Gadsden Express is being entertained as we speak.

Tonight, there will be a public meeting with Waste Pro at 6:00 p.m. and those who are being impacted by eliminating the waste sites. That meeting is at 6:00 p.m. tonight. I am hoping, Commissioners, if you may, that you are in attendance because we have each had citizens to come to us with concerns about the closing of the sites. So many different versions as to why and what they are going to have to do next has been widely put out there incorrectly. So, this is an opportunity to get that information going forward correctly. It is my understanding that Waste pro will be here along with county staff to answer questions. I am hoping that the media will be here, too, as another means to get out into the community what is going to happen with those waste sites.

Mr. Lawson, please make sure that some form of media is here so that we can have another way of getting information and the issues straight.

Use of ITS Staff at BCC Meetings

Commissioner Morgan brought up about the televisions. I was going to ask Mr. Lawson if he could stag the hours of IT on Tuesdays, if that is amenable. I don't want to violate our personnel policy, but if we can get to where one of them is here for 2 ½ hours. After that, they could leave, but if we could stagger their hours so that we don't go into overtime, but, then someone is here to operate that and we can make use of it. That would be a good idea that they help us.

Commodity Building

We have a building that is being used by Gadsden Men of Action that is being used to distribute goods into the community. There are some other functions that we are looking at to go in there. They are amenable. Their lease has expired and what I would like to do is just put it on the floor that Mr. Lawson get with the different entities – one is a cold weather shelter – that has looked at the same building. The Gadsden Men of Action is amenable to co-habiting that building. But, what I would like for Mr. Lawson to do, and again as Commissioner Holt has just said, we are loading you down, but then again, you've got almost 300 people working for you so, spit it out and give other people some of these responsibilities. But, we would like for you to bring back some kind of lease agreement between the entities that might be interested in going into that particular building and see if we can make it a multi-purpose facility so that we could have as much out there as far as services to the community.

That is a motion. Can I get a second?

Holt:
What building?

Taylor:
The old commodity house. The old commodity warehouse.

Croley:
I will second it.

Holt:
What kind of shape is it in?

Taylor:
It is good. If you get a chance, run by there and take a look at it. Clyde has been doing different things to it. There are restroom facilities; there is heat and air in there. There is ample space.

Holt:
Liability waiver?

Taylor:
That would definitely be a part of the lease agreement.

Morgan:
There is one in place. Definitely.

Taylor:
All we are doing is just having him look at the different entities that are interested in going in there – the VFW. There are just a few people who want to co-habitat in there. So, I want him to look at it, come back for further discussions. That is my motion.

Croley:
I second you motion.

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

All:
Aye.

Taylor:
We are almost there. Only one minute and a half to go.

Passing of Notes among Commissioners

This is something that was highlighted by the attorney, so going forward we won't be passing notes or give any indication of any wrong doing up here.

Use of Certain Terms in Meetings

Using the term "mess", you know, that is not a good term to use when we are trying to conduct business. Obviously, there are going to be differences of opinions. Sometimes it might get one way of another, but, the term "mess", I have always disapproved of it in a professional forum.

Thank you to Staff

Last, but certainly not least – Thank you to the staff and to this board for doing a phenomenal job on our budget. I want to thank the staff for preparing the documents that we needed and in a professional manner so that we understood it and was able to follow it. There was a lot of

historical data as well as current information. I want to thank staff. Thank you, Mr. Lawson, for getting us and guiding us through our budgeting process. It was a very difficult one and I am sure what went thru was nothing different than what the other 66 counties in the State of Florida went through as well as counties throughout the United States. From me personally, you have done a yeoman's job. To the different department heads that tightened their belts and was able to absorb and move forward, I want to personally thank you all for a job well done with regards to our budget for 2011/2012.

To this board – yes, sir, yes, ma'am, there were some issues that gave us heartburn, on issues that we got and issues that we didn't get. But, we were able to persevere and get through the process. Now we have a 2011/2012 budget. One thing that we can all agree on is that it is a living budget. That budget is still alive and there will be opportunities to go back and amend it if needed. We are only projecting what is going to happen over the next 365 days. We are not Houdini's up here. So, there will be opportunities to come back and revisit if need be, but again, that discretion will be among the majority of this board. Thank you so much for all that you have done.

Holt:

I have a question for the attorney right quick.

Is it not true that we can pass notes, but they are open to the public and anyone can ask for them?

Minnis:

Basically, if you pass notes that relate to the business that is being done or the business of the board, then yes, those notes do become public record.

Holt:

That is what I was saying, but it is not illegal to pass notes. But, anyone can come up and ask for it and say "Let me see that note." I am not saying that it is right or wrong, but, I am saying that legally, we can do that.

Taylor:

I didn't indicate that it was illegal. It is just a perception that was given and we just want to be mindful and stay within accordance and try to keep harmony among us.

I went over three minutes, didn't I?

Motion to adjourn.

Receipt and File

October Meetings

October 4, 2011 Regular Meeting – 6:00 p.m.

October 18, 2011, Regular Meeting, 9:00 a.m.

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD AND UPON MOTION BY CHAIR TAYLOR, SHE
DECLARED THE MEETING ADJOURNED AT 11:30 A.M...**

Sherrie Taylor, 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 4, 2011 AT 6:00 P.M., THE FOLLOWING PROCEEDING WAS HAD, VIZ.

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

INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

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

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

Chair Taylor called for all cell phones to be silenced and requested all speakers to file a "Speaker Request Form" with the clerk.

AMENDMENTS AND APPROVAL OF THE AGENDA

The following changes were made to the agenda:

- Move Item 22c (Agreement for Actuarial Services with Stanley, Hunt, Dupree and Rhine) to General Business as 18a.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE ABOVE STATED AMENDMENT TO THE AGENDA.

- County Administrator Arthur Lawson asked that the Award of RFP 11-13 for financing of the renovations to the Tax Collector and Property Appraiser's Building be added to the agenda as Item 18b.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE ABOVE DESCRIBED AMENDMENT TO THE AGENDA.

- Add: Alternate Appointment to Value Adjustment Board as Item 18c.

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

- Amend the Public Hearing agenda by moving item 12 to A-9 as there were several elderly citizens present for that hearing that might need to leave early.

ADOPTION OF THE AGENDA AS AMENDED

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

AWARDS, PRESENTATIONS AND APPEARANCES

1. Presentation of Leon County School Board's Compressed Natural Gas (C Fueling Initiative

As the county's Public Works Department is facing having to soon replace five dump trucks and other heavy equipment, Mr. Chapman proposed looking into replacing them with equipment that uses compressed natural gas (CNG) to operate. The alternative option is available at this time, but significant research would be required by the county staff.

Mr. Manny Joanos (with the Leon County School Board (LCSB)) addressed the board telling them that Leon County School Board purchased 14 buses, which are operated by CNG. He said that CNG is a much cleaner and less expensive alternative fuel to gasoline or diesel. LCSB expects to add 30 more CNG buses to the fleet in the upcoming year.

LCSB began their CNG Fleet by applying to the US Environmental Protection Agency for a grant for \$350,000 to buy the first eight buses. They also installed a fast-fill CNG fueling station at their bus maintenance facility located on the east side of Tallahassee. The School District is now partnering with Nopetro, a Tallahassee company, to build and operate a natural gas fueling station.

Jorge A. Herrera, Co-founder and Executive Director of Nopetro, addressed the board and made a PowerPoint presentation giving an overview of how their company had developed in this particular market.

Jack Locke, Co-founder and President and CEO of Nopetro, was also present.

Commissioner Croley made several remarks to the presenters and to the board. He first heard the presentation at a Chamber of Commerce meeting in Destin, FL and invited them to Gadsden County to demonstrate how their program was working.

Chair Taylor called for comments from the board.

Commissioner Morgan asked questions regarding where the breakeven point would be to offset the additional cost for the vehicle.

Mr. Joanos replied, "This is what we know. We know that fuel cost alone will save us \$5,-000 - \$6,000 per vehicle annually – less expensive fuel bill. So, if you just look at it from a perspective of fuel cost, we will drive that bus 15 years and we will get our money back in five years. After that, it is a continual savings. We also have a suspicion because the industry tells us that we will have a longer life cycle with that bus. So, where we might spend \$27,000 more per bus, for instance we might spend \$160,000 per bus rather than \$135,000, the life cycle for that diesel bus is 12 years. So, we are anticipating a life cycle of 15 – 16 years for the C & G bus. If you do the amortization schedule on 12 years versus 15 years, we are actually paying a little bit less annually for that C & G bus. So, coupled with the fact that it is less expensive fuel, it is a kind of a no brainer, particularly when you've got the private sector stepping in that will supply the fuel for us so that I don't have to build that second fueling station. We just spent about \$1.2 million on that."

When asked about converting vehicles to CNG, he responded, "It is not practical to convert a school bus. However the vehicle that I drove over here was converted at Lively for \$8,000. It runs on both CNG and gasoline. It will take the life cycle of that vehicle to be able to recover what we put into the conversion. However, we are seeing that in just 2 -3 years, the price of conversions will reach an economy of scale. Number 1, the EPA will become less intrusive into that process and be more practical about how things get approved for certification. So, right now, it is quite enormous to go through the certification to be able to do just one class of vehicles. So, the EPA has stated that they will streamline that process. Likewise, as more people move toward doing conversions that will bring an economy of scale to the picture, too. "

It was determined that Nopetro is engaged in conversation with Leon County and the City of Tallahassee, but no contracts are in place at the time.

Commissioner Holt inquired as to some substantial evidence that indicated that the life cycle of a vehicle would be 15 years.

Mr. Joanos replied, "The only evidence that I have is what the industry suggests to us. The third thing that I wanted to mention is that we have already noticed that the maintenance requirements for a CNG bus are way less than the diesel buses. So, we have noticed that oil changes, for instance, are far less frequent. So, we have seen already the industry saying that this engine is going to last you longer because it is a cleaner fuel. We are already noticing that difference in our maintenance costs.

While the cost of conversion of a school bus would run \$60,000, the industry is now manufacturing the CNG buses right on the assembly line at a cost far less. The right course of action would be to purchase vehicle as they comes up for replacement in the fleet. It was also noted that some infrastructure for fueling would have to accompany the fleet conversion in

order for it work practically.”

Public Works Director Charles Chapman requested direction to have the staff flush out whether or not the investment in CNG infrastructure and equipment would be a cost effective option at this time for the county.

There was a consensus that there was sufficient interest by the board to direct the staff to make some exploration into the feasibility of such a program.

2. Brownfields Grant Activity Update

Cardno TDE Project Manager Roger Register addressed the board giving an update on the Brownfields grant.

- Advisory committee was set up for the grant.
- Good progress has been made in that they have completed five “Phase I” Due Diligence Reports on public and private properties throughout the county. Two additional properties are in the process of Phase I.
- Phase II site assessments have begun on four properties.
- There is anticipation to conduct two other Phase I properties and two or three Phase II properties.
- The Brownsfield brochure has been completed and delivered to the county office on this date.
- The Havana sites which were explored are the former Butler Dry Cleaners on U.S. 27, an abandoned motel north of Havana and the Old Havana Northside High School. They are potentially considering assessing the Middle school as well.
- No sites have been identified in Gretna
- Due Diligence and record research is performed in Phase I.
- Phase II includes testing of ground water and soil samples to determine if there is contamination present.
- The purpose of the grant is only for assessment of the properties identified. It does not include clean-up. However, completion of the assessment phase would position the county for another clean up grant. It is a competitive process and they are site specific up to \$200,000 for removal of the contaminants.
- Cattle dipping sites would be eligible for clean up through the program.

At the conclusion of the report, Chair Taylor requested that Mr. Register provide each board member with a copy of the list of properties that have already been identified for the assessment process. As well, each commissioner was asked to inform Mr. Register of any properties in their district which might qualify for the grant.

3. CLERK OF COURTS

Clerk Thomas had no report.

CONSENT AGENDA

Items 5 and 8 were pulled for discussion at the request of Commissioner Croley and Commissioner Taylor respectively.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT , THE BOARD VOTED 5 – 0 TO APPROVE ITEMS 4, 6, AND 7 BELOW TO WIT:

4. Ratification of Approval to Pay County Bills

5. Approval of the 2012 Holiday Schedule

This item was pulled for discussion.

6. Renewal of Services Contract with Lab First, Inc. to Provide Drug Screening for the County

Lab First, Inc. is a local lab service that provides pre-employment, random, post accident, and reasonable suspicion drug screenings on a five, eight, or ten level drug panel. Lab First, Inc. is licensed, insured and accredited by the National Drug and Alcohol Testing Industry Association.

The Board entered into a service contract with Lab First on November 2, 2010 with a provision to renew it at the end of the year if all parties agree. They are conveniently located in downtown Quincy with convenient hours of operations.

Each drug test is a cost of \$30 and is included in the budget for 2011/2012.

7. LSTA Library Grant - 11 LSTA-E-02 Grant Agreement to Engage Tweens, Teens and Their Community Through Science Exploration

This grant seeks to engage middle school-age youth, teenagers and the community in using library resources to explore science. The Public Library System will host a variety of science themed programs in schools, outreach locations, and public libraries to generate science awareness in the Community. The grant is for **\$47,256.00**.

8. Approval and Signatures for Satisfaction of Special Assessment Liens for

~~Maurice E. and Felecia C. Evans~~

This item was pulled for discussion.

CONSENT ITEMS PULLED FOR DISCUSSION

5. Approval of the 2012 Holiday Schedule

Commissioner Croley stated that he has consistently voted against 12 paid holidays. He said that most places have only 10 or 11 holidays and have replaced Good Friday with a floating holiday.

However, Gadsden County has given 12 paid holidays to its employees for many years. He was opposed to the 12th holiday.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 – 1 TO APPROVE THE HOLIDAY CALENDAR. COMMISSIONER CROLEY VOTED NO.

8. Approval and Signatures for Satisfaction of Special Assessment Liens for

Maurice E. and Felecia C. Evans

SHIP Administrator Phyllis Moore explained that Maurice and Felecia Evans qualified for a SHIP grant in 1995 as a first time home buyer. The satisfaction of the special assessment lien was approved on September 4, 2002 and was signed by the late Commissioner Bill McGill. However, the satisfaction was never recorded and the original satisfaction of lien was lost by the homeowner. While there is a copy of the satisfaction in the board records, by law, the Clerk of Court can only record “originals” for the Official Records. In order to remove the Lien from the property, it was necessary to prepare a new original. Ms. Moore requested that the board execute the new original satisfaction prepared by staff.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO APPROVE THE EXECUTION OF THE SPECIAL ASSESSMENT LIEN DESCRIBED ABOVE.

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

Ms. Nell Cunningham, 310 Bostick Road, Havana, FL 32333 appeared before the board to thank them for the efforts made toward construction of the park in Havana named for Eugene Lamb Park at Rich Bay.

Chair Taylor commended the residents of Havana in being aggressive in their fund raising participation to get the park built.

PUBLIC HEARINGS

12. Public Hearing: Transmittal of Bostick Road Future Land Use Map Amendment (CPA-2011-02)

(This item was moved to this juncture by board approval as an amendment to the agenda at the beginning of the meeting.)

The BOCC was requested to consider approving the transmittal of an administrative amendment to the Future Land Use Map (FLUM) for seven parcels totaling 34.75 acres from Commercial to Rural Residential to reflect the actual use of the property. Once the FLUM is reviewed by Florida Department of Economic Opportunity (DEO), Division of Community Planning (DCP), the amendment would come back to the board to be adopted by ordinance.

Growth Management Director Anthony Matheny opened the public hearing and gave a brief overview of the proposed FLUM. He stated that the parcels are located on Bostick Road north and adjacent to the Havana Golf and Country Club, west of the CSX Railroad tracks and U.S. 27 (FL-GA Highway). Access is primarily from Bostick road, a private residential roadway and Red Fox Lane. Neither was constructed for commercial development. Access from S.R. 27 (FL-GA Highway) is via Country Club Drive.

He explained that the residents on the road approached the Department collectively to have the land use designation changed when they came to realize that it was designated commercial. He explained that this measure would allow the owners more flexibility in marketing or improving their property.

Upon reviewing their request, the staff determined that the county had likely made an error when these parcels were originally designated as commercial property. As such, he said that he did not charge the petitioners for the public hearings, etc. and handled the amendment as an internal administrative change.

The Planning Commission met on September 15, 2011 and voted to recommend approval of the transmittal of this amendment based on the findings as listed on the agenda report and they determined that it was consistent with the Comprehensive Plan.

Chair Taylor called for public input. There was no response.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO APPROVE THE TRANSMITTAL OF THE BOSTICK ROAD ADMINISTRATIVE FUTURE LAND USE MAP AMENDMENT (CPA-2011-02) TO AMEND THE FUTURE LAND USE MAP BY CHANGING THE LAND USE CATEGORY ON SEVEN PARCELS TOTALING 34.75 ACRES FROM COMMERCIAL TO RURAL RESIDENTIAL BASED ON THE FINDINGS 1 – 11 OF PAGE 4 OF THE AGENDA REPORT AND THEY DETERMINED THAT IT WAS CONSISTENT WITH THE COMPREHENSIVE PLAN.

9. Public Hearing: – Escambia County Housing Finance Authority = Single Family Mortgage Revenue Bond Program for First Time Home Buyers Interlocal Agreement and Resolution 2011-033

This agenda item was to conduct a public hearing to consider the approval of a finance plan to provide capital, which will include the issuance of the Single Family Mortgage Revenue Bond Program on behalf of Gadsden County.

The program provides 30 fixed rate mortgages at interest rates that are below normal market rate. The 2010 bond issue offered mortgages at 3.95% and assistance with closing cost and down payment of up to \$8,000 per homebuyer at zero percent interest amortized over the first 20 years.

There is no cost or liability for Gadsden County to participate.

Chair Taylor explained what the Interlocal Agreement and Resolution would provide to the county residents. She then called for questions or comments from the public. There was no response.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE INTERLOCAL AGREEMENT AND THE RESOLUTION DESCRIBED ABOVE. (Commissioner Lamb was not present for this vote.)

10. Public Hearing: First of Two Public Hearings Required for Gadsden County to Apply for Florida Department of Community Affairs 2011 CDBG Economic Development Grant

The BOCC previously instructed staff to prepare this agenda item and to proceed with the first Public Hearing.

Mr. Auburn Ford, on behalf of Mr. Charlie Harris, conducted the first public hearing in 2010 that was required for Gadsden County to submit a grant application to the Florida Department of Community Affairs (FDCA) under the CDBG Program for Gussie's Garden Inn Assisted Living Care Facility. The grant would fund infrastructure improvements at the site. That 2010 application was denied due to the submittal of an incomplete application.

This is Gadsden County's second application for this project in a new funding cycle. A conceptual plan for Gussie's Garden Inn ACLF was approved by the BOCC on March 1, 2005. The property is located on US 90, west of Quincy city limits. Mr. Harris intends to convert his mini storage business into the assisted living facility, which will house forty-eight clients and provide eleven (11) low to moderate incomes. The site is now serviced by septic and will be required to hook to the City of Quincy sewage. The sewage connection requirement will cause an undue financial hardship on Mr. Harris and he is requesting the county to pursue a CDBG Economic Development grant to provide the infrastructure to his business, which will also benefit future development in the area. The project will install sewer lines, lighting and paving of access roads.

The agenda report stated that there will be staff time devoted to the grant application process and it may involve the County securing a consultant to apply or administer the grant and that the consultant would be paid for out of the grant if it becomes necessary. However, the matter would be brought back to the board for that determination.

Mr. Ford explained that the county will have the option to hire a consultant to administer the grant. He then announced the opening of the public hearing. The Chair further explained the purpose of the hearing.

Commissioner Holt clarified that the grant is for the purpose of putting the sewer line into place that will serve the facility – it will not be used for constructing the facility itself.

Commissioner Croley asked, "Are your efforts keeping anyone else from applying for a grant? When we addressed that the last time, Mr. Harris came with a letter from the Chamber of

Commerce stating that they were not aware of anyone else who would be applying for an infrastructure grant. Has that situation changed at all?”

Mr. Ford answered, “No, sir, not to my knowledge.”

Commissioner Croley surmised, “Then everything is the same as before?”

Mr. Ford replied, “The only communication that DCA had some concern about – I think they communicated that to your staff – which all the areas around the state can apply and there might be an influx of new grants coming in. They were encouraging us to expedite this as quickly as possible. I was going to discuss that, but we have already jumped into the public hearing. I have a timeline to try and get this in early. Most of this stuff that was noted as deficiencies before have already been completed. I already have the grant ready. But, we still have to go through this process. There are some other things that changed when DCA went to DEO. They require things up front now, which they have never done before. So, that is why I want to explain some things after this public hearing. I will try to explain why we need to move on it more expeditiously on this grant. The reason I am saying that is because after the contract is awarded, they have 60 days to come out and do a site visit. That is the time they would usually come and do a participating party agreement and things of that sort. In this process, they are asking for those things up front. We never did that before. But, they say they want it up front now and that is what I have complied with now. I have already drafted a participating party agreement for the attorney’s review along with the letters of commitment. Also, what was missing from the packet was an Interlocal agreement between Gadsden County and the City of Quincy. I had a meeting last week with the City Manager and he is all for the project and he is just waiting for the draft copy to come to his board so they can approve it. Then it will come back here to be included in the grant application. I know that is a lot.

Croley:

Well, I am generally following what you are talking about here. But, what I am trying to make sure of is that nothing we are doing is interfering with anyone else based upon what you know today, and Mr. Harris assured us of that the last time. You are working with the staff on whatever you need to have done. That is all.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, TO APPROVE THE APPLICATION FOR THE CDBG ECONOMIC DEVELOPMENT GRANT AND THE FIRST PUBLIC HEARING ON THE GRANT.

Ford:

Because of the concerns of DCA and I have discussed this with your staff, I know you have all your public hearings when you meet at night. What we would like to do is request a special meeting on October 25th so we can get this grant submitted to DCA by October 28th to insure that we will have good chance of getting funded. If we go through the normal process, we won’t get this grant in time to get anything. We feel that it will be too late. That is why we usually ask to have a separate special meeting for the second public hearing. I think we can get the grant submitted to DCA in time to have a chance at funding it.

After discussion among the board, it was decided that the second public hearing would be held on the first meeting in November.

11. Public Hearing: Neighborhood Commercial Land Development Code Text Amendments (LDR-2010-01) Proposed Ordinance No. 2011 – 005

At this public hearing, the board was asked to make a decision on the second reading of an ordinance to adopt revisions to the Land Development code (LDC) so that the LDC is consistent with the adopted Comprehensive Plan amendments to the Future Land Use Element Policy 1.1.52(D) Neighborhood Commercial (NC).

At the September 6, 2011 public hearing, the Board voted to approve the ordinance on first reading moving it forward for the second reading.

LDC amendments are to be reviewed as a TYPE IV Legislative procedure pursuant to Subsection 7402 and are subject to public notice requirements as established in Subsection 7501 of the LDC. Public Notice requirements have been met.

The BOCC had amended the policy twice in recent years. The second amendment was adopted on March 1, 2011. As a result of amendments to Policy 1.1.5(D) Neighborhood Commercial (NC) sections of the LDC are no longer consistent with the Comprehensive Plan. The county must now revise sections of the LDC, specifically Chapter 4, Subsections 4104, 4202.C and Chapter 5, Subsections 5204 and 5900 so that they are consistent with the Comprehensive Plan.

At the March 20, 2011 and April 14, 2011 public hearings, the Planning Commission discussed and recommended amendments to the LDC that would bring it into compliance with the amended Neighborhood Commercial policy (Policy 1.1.5(D)).

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE TO APPROVE THE ORDINANCE 2011-005.

12. Public Hearing: Transmittal of Bostick Road Future Land Use Map Amendment (CPA-2011-02)

~~The BOCC was requested to consider approval to transmit an administrative amendment to the Future Land Use Map (FLUM) for seven parcels totaling 34.75 acres from Commercial to Rural Residential to reflect the actual use of the property. Once the FLUM is reviewed by Florida Department of Economic Opportunity (DEO), Division of Community Planning (DCP), the amendment would come back to the board to be adopted by ordinance.~~

~~The parcels are located on Bostick Road north and adjacent to the Havana Golf and Country Club, west of the CSX Railroad tracks and U.S. 27 (FL-GA Highway). Access is primarily from Bostick road, a private residential roadway and Red Fox Lane. Neither was constructed for commercial development. Access from S.R. 27 (FL-GA Highway) is via Country Club Drive.~~

~~The Planning Commission met on September 15, 2011 and voted to recommend approval of the~~

~~transmittal of this amendment based on the findings as listed on the agenda report and determined that it was consistent with the Comprehensive Plan.~~

~~Option 1:~~

~~Approve transmittal of the Bostick Road Administrative Future Land Use Map Amendment (CPA-2011-02) to amend the adopted Future Land Use Map by changing the land use category on seven parcels totaling 34.75 acres, more or less, from Commercial (COMM) to Rural Residential (RR) based on the findings 1-11 (Page 4) of the agenda report and determined that it was consistent with the Comprehensive Plan.~~

This hearing was held earlier in the meeting at the beginning of the public hearing agenda.

13. Public Hearing: Resolution 2011-035; 2011-036; 2011-039 and Budget Amendments OMB BA 110094; 110095 and 110125

Resolution 2011-035 and Budget Amendment OMB BA 110094 – close fund 325 Court Facilities
Resolution 2011-036 and Budget Amendment OMB-BA 110095 – close fund 318 Affordable Housing

close fund 111 Law Library

Resolution 2011-039 and Budget Amendment OMB BA 110125 – close fund 119 Choose Life for FY 2011

This process provides a method for the Board to establish budgetary authority for newly awarded grants and re-establish budgetary authority for grants that overlap multiple fiscal years. The process, via approval of budget amendments allow for funding for specific grants approval in current and previous fiscal years to be appropriated or re-appropriated in the current fiscal year to support the continuation of these respective grants.

Option 1: Approve resolutions and the associated budget amendments for FY 2011 awarded grants and carry forward grants.

Chair Taylor called for public input.

There was no response.

Clerk Thomas responded to questions from Commissioner Croley and Commissioner Morgan.

Commissioner Holt asked that the resolutions make a narrative description of the amendment and explain the basic premise for the amendment.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE RESOLUTIONS AND BUDGET AMENDMENTS DESCRIBED AND NAMED ABOVE.

14. Public Hearing: Approval of Resolution 2011-037 and Budget Amendments 110100, 110123,

and 110124 to transfer funds for Hospital Expenses for FY 2011

Chair Taylor opened the public hearing and called for public input.

Commissioner Croley insisted on something being stated on the record as to the purpose of this amendment.

Clerk Thomas explained, "There are two things happening here. One is \$143,000 that is covering the cost of the heliport at the hospital. The second thing, the \$174,000 is the last of the draw down for the equipment that was purchased. Those are basically closing out those transactions. Accounting for the heliport and drawing down the money from the Trust."

Croley:

And does this track with the business plan that was presented by the hospital board originally?

Thomas:

You remember, you added the heliport. You voted to do the heliport. But, all the budget amendments that was needed to account for that was not done at that time, so that is sort of a clean-up thing. Both of these are items that you voted to take action on and now we have to clean up the actual budget.

Taylor:

Did these items come in under budget or within the budget that was approved? The budgeted amount. That is my question.

Thomas:

Yeah. You approved \$144,000.

Taylor:

I remember that we approved it, but I don't remember the amount. I just wanted to make sure that we came in under or within the amount budgeted.

Thomas:

Yeah.

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

15. Public Hearing: Resolution 2011-034 and Budget Amendment 110107 to the FY 10/11 Budget to set up Funds for Jail Maintenance

This agenda item requested that funds be taken from fund 301 (Capital Projects – General Fund) to provide funding to complete various infrastructure projects at the county jail. All of the designated projects for the jail will not be completed prior to the next fiscal year.

Chair Taylor opened the public hearing.

Clerk Thomas:

You remember a few meetings ago; I came to you and told you that you had some emergency repairs that had to be made to the jail. You had already taken money that was budgeted and set it aside for the Gretna project, right? So, therefore, we had to appropriate some of the money that you had in the fund balance in that fund that was reserved for jail improvements so that they could go ahead and make those emergency repairs. I forwarded each of those a couple of meetings ago and this is the budget amendments to go along with that. It happened in the 2011 fiscal year.

Chair Taylor called for public input. There was no response.

The chair then opened the matter up for board discussion.

Croley:

Before you move, let me ask some questions about this. I want to make sure that this thing is being done correctly in a business manner and legally. That is my real question about it. Let me give you my reasons why I am asking my questions.

First of all, the existing county ordinance to amend the one cent tax that right now restricts, except by super majority vote, the use of the one cent monies to public works, transportation, fire services and water and sewer. It has not been changed yet. We reviewed that at the last meeting, but I think Ms. Minnis took that back to do some further work on it for consideration. So, that hasn't been changed.

The number two reason that I have a concern is that the present county attorney, Ms. Minnis, appears to be at odds over her predecessors' interpretation of that one cent tax in question – could be used for jail maintenance without a super majority vote by the BOCC. I don't know, without having to go back and look whether or not that fund was set up with a super majority vote or whether that was just done because the attorney at the time made that his interpretation.

So, Ms. Minnis, have you checked into that to see if that – because if you feel your reading of the ordinance is more restrictive and I believe at that time, it may have been Mr. Sexton, I can't remember, had a more liberal interpretation. Have you had a chance to look at that?

Minnis:

No. I have not. I will have to look at how that fund was set up.

Croley:

The third thing is that in 2003, the Board of County Commissioners passed under FL Statute 951.061 Ordinance number 2003-008 designating the sheriff as the county's chief correctional officer. Now, I want to make it very clear that I don't have any problem with that. I have repeatedly said that I don't have problems with the sheriff being designated as being designated as the chief correctional officer. But, if you look at that state law, and I believe that Ms. Muriel

looked this up today in the county ordinances and I believe that it is 53 something 08. Anyway, whatever it is in the county ordinances, it specifically references that state statute as being the legal authority to do that. It is very clear when you read this statute. It says that the funds for the maintenance and operations of the county correctional system shall be done as provided in FS Section 30.49. So, how do you – does this action track with that Florida Statute?

The fourth thing is that FS 95.123 County Municipal Detention Facility – Definitions, Administration Standards and requirements raises the question – If the jail is being maintained and operated under the prior State Statute, then it is supposed to come under Paragraph 4 1a and 1b of the subject statute that the BOCC at this point in time doesn't even have any liability for the jail because it is all turned over to the Sheriff.

So, he should be paying for that out of his budget based on the way I read this, not the board and we should not be setting up this special fund without it going through Chapter 30.49.

Then finally, the Florida Statutes make it very clear about general maintenance funding. Whenever the Sheriff is designated under 951.061 as the chief correctional officer, it must be done under the way the budget is required under Florida Chapter 30.49.

I would encourage this board before you take any action on this that Ms. Minnis and our administrator at least look at this and see if what we are doing or being asked to do is really the proper way to handle this. Based upon what she is saying, and I am not putting words in your mouth, Ms. Minnis, you stop me if I say this wrong. But, if you haven't looked at this, How do you know that we are doing this right?

Clerk Thomas:
Madam Chair, may I?

I am not a lawyer and I didn't stay in the Holiday Inn last night, so - (huge laughter)

Croley:
I am asking. Did the light bulb come on? (huge laughter)

Thomas:
There are a few things, though. There are a few things that I would like to say.

One is that you are right. The money that we are dealing with was set aside about four years ago and the source was the one cent sales tax. We have talked about that and there was a different interpretation by the county attorney at that time and the county has every year since then appropriated some of this very same money for jail repairs. Now, they haven't been made like they should have been. But, every year when you approved your budget, you have appropriated some of this same money for the last four years. Now, you have spent some of it already and put into cameras. I think you did that last year. There may be a couple of other little minor things that you did. You haven't done the jail locks and the more major stuff that you intended to do.

Now, this money, by your ordinance, has specific purposes. But, the State Law basically says that the money can be used for any governmental purpose. You are right in that by your ordinance, you designated it. The reason I haven't given you a hard time about it is because of the State Law and you voted every time.

The money (the one cent sales tax) was originally passed by the voters to build a jail and pay for a jail. So, I haven't had a problem from that standpoint. One, the state law allows for it to be used for any governmental purpose. Yes, you have an ordinance, but you had a previous attorney who had a different interpretation of the ordinance. And, you have spent money.

Now, if you want to get into that, back when Davin and Marlon were here, you did other things with the money, too. You added onto the Supervisor of Elections building. You helped build a building out at Gretna for Fire/Police. You have done a whole bunch of other things with it, too, if you want to go down that road and revisit this. So, we have been fine in the Clerk's Office simply because we know that the State Law says that it can be used for any governmental purpose. You had a different attorney who had a broader interpretation.

You have issues at the jail. If ya'll want to revisit them and not pay – I mean you have already encumbered the expense. You can go find money from another source if you like. I don't know where you are going to find it in the old year. So, you can go down that road, but it brings up other issues.

Croley:

Mr. Clerk, I don't disagree with anything you said, but here is another thing, under Home Rule, this county made a decision by ordinance to be more restrictive with those funds. If memory serves me right and I think we could pull it up real quick, the Florida Constitution says that county ordinances will be enforced as if state law. Everybody up here raised their right hand, including you, that we would uphold the Florida Constitution and the laws of the State of Florida. I am not trying to say that the jail repairs don't need to be made or that the jail be maintained. I am simply suggesting and it is up to the majority of the board, obviously, but I am simply suggesting that this item be deferred until the November 1st. meeting and allow the attorney to take a look at this in consultation with your office and the county administrator to determine if we are doing this thing right. If we are, fine. If we aren't - That is all I am suggesting.

Thomas:

I have no problem with that. I think you will find that even though the Sheriff is the chief jailer, you are still responsible for the jail.

Taylor:

Exactly.

Thomas:

I think you will find that every year for four years, you have budgeted this money for this purpose.

Croley:

Well, would it be a mistake to at least to allow this to be reviewed?

Thomas:

No, I told you a couple of years ago that this one cent sales tax is the one source of money that you all were going to end up fighting over because it is the only source of money with which you have options. That is going to be true whether it is with the jail or infrastructure or water/sewer, fire services, public works. Once you start doing infrastructure with water and sewer and you start doing the jail, it is going to take money away from Public Works Department and that budget will have to decline. So, there are all kinds of issues with funding with this one source of money once you start spending it in different directions.

The reason why there was a lot of fund balance in the transportation fund went down a few years ago was because Davin and Marlon set aside this money instead of putting it into Public Works for those years. So, there are all kinds of issues with that, but, in terms of spending it on the jail, I think you have set a precedent with that already. You have already paid for things and you budgeted this money several years in a row. To go back now –

Croley:

Yeah, but, I didn't know that until I read all of this and then I started saying, "Well, wait a minute. Now I know better."

Taylor:

Are you finished, sir?

Thomas:

Yes.

Croley:

Yes.

Taylor:

Commissioner Holt?

Holt:

Madam Chairman, we need to either give the money to the Sheriff or go ahead and appropriate the money to pay these bills that we are going to owe as soon as we go out there and get this done. It needs to be done. We can either give it to him or we can pay for it. If we give it to him, he has a lot more leave way that we may want. The bottom line is that we need to fix the jail and we need to go ahead and vote on it.

I move approval.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 – 1 BY VOICE VOTE TO APPROVE RESOLUTION 2011-034 AND BUDGET AMENDMENT 110107 TO THE FY 10/11 BUDGET IN ORDER TO SET UP FUNDS FOR JAIL MAINTENANCE . COMMISSIONER CROLEY VOTED NO BECAUSE OF THE QUESTIONS HE RAISED, NOT BECAUSE HE

WAS OPPOSED TO MAKING THE NECESSARY REPAIRS.

16. Public Hearing: Resolution 2011-038 and Budget Amendment 110106 to the FY 10/11 Budget to Fund Tourist Development Council (TDC) Expenditures

The fiscal year for TDC runs from July 1 through June 30 and thus overlaps with the BOCC budget causing shortfalls on occasions. This budget amendment actually increases their budget and must be approved via advertised budget change. It will decrease the TDC fund balance, but there is adequate money to cover payment on the outstanding invoices.

Chair Taylor opened a public hearing for the purpose of this budget amendment and she explained that it would move money from the TDC fund balance and budget it for expenditures for FY 2010/2011.

Finance Director Connie McLendon explained the following, “They are not overspent yet, but they have bills that we are holding to pay that we cannot pay because we do not have the necessary budgeted authority to pay them. We have cash, but the funds have not been budgeted, so the finance office could not pay the invoices. So, what we are doing with this amendment is we are increasing the budget in order to pay those bills that we are holding for them. They have plenty of cash in the fund balance, but it is not budgeted or appropriated.”

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

Commissioner Holt stated that she did have questions, but Ms. McLendon had clarified it to her satisfaction. She stated that if Ms. McLendon’s narrative had appeared somewhere on the resolution or amendment, it would have been self-explanatory. She then asked that in the future, budget amendments bear enough explanation so as to avoid having to do extensive questioning at the hearings.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE RESOLUTION AND BUDGET AMENDMENT DESCRIBED AND NAMED ABOVE.

GENERAL BUSINESS

17. Data Analysis of Recommended 2% FRS Offset for the BOCC Employees

During the 2011 Florida Legislative Session, the Legislature revised the Florida Retirement system by having employees contribute 3% of their salary to their retirement. Many local governments throughout Florida helped their employees by offsetting the required deduction by increasing their pay by 1 – 3%.

During the budget season, the BOCC approved a 2% increase in r pay to county commission employees only (no other constitutional offices were included) to offset some of the required contribution. The approved budget for 2011/2012 included \$104,000 for that purpose.

The following data was presented:

122 staff making less than \$40,000 per year – Total 2%	\$66,162
26 staff between \$41,000 - \$60,000 per year - Total 2%	25,131
8 staff making above \$60,000 total 2%	10,460
12 Part time staff with FRS benefits – Total 2%	2,258

Option 1: Allow the raises to stand as previously approved with the 2% for all county commission employees.

Commissioner Lamb supported the reimbursement for only the staff making \$40,000 or less.

Commissioner Holt clarified that the 2% had already been approved for all county commission employees and it was included in the budget.

Commissioner Morgan read the agenda request which appeared to be asking only for acceptance and approval of the data and analysis.

Attorney Minnis stated if they wanted to distribute the increases differently than what was approved previously, it would be necessary to rescind the previous vote, which was not on the agenda for this meeting. However, she informed them that they could vote to approve the data and analysis.

A lengthy discussion following.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 - 0, BY VOICE VOTE, TO ACCEPT THE DATA AND ANALYSIS BUT LET THE PREVIOUS ACTION STAND UNTIL SUCH TIME THERE IS A BOARD DECISION TO CONSIDER RESCINDING THE PREVIOUS ACTION.

18. Award Bid 11-12 for Re-Roofing the County Records Center (North and West Wing)

The county's record center is located at 102 South Adams St. Approximately 5,700 square feet of the roof for the upper area of the building will need to be repaired. The roof has been leaking for seven years causing sever stains on walls and mold damage.

Staff solicited sealed bids until September 7, 2011. Four bids were received, but only two of the bids met all the qualifications of the bid specs. They were Rowe Roofing, Inc. and Commercial Roofing.

Staff recommended the bid be award to Commercial Roofing for a base bid of \$56,065.00.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO AWARD BID 11-12 TO COMMERCIAL ROOFING.

(Commissioner Lamb was not present for this vote.)

18a. Approval of Contract with Stanley, Hunt, Dupree & Rhine in the Amount of \$7,015.00

The BOCC approved the award of bid for actuarial services on September 6, 2011 to Stanley, Hunt, Dupree & Rhine. Subsequent to that meeting a contract has been prepared and is back before the board for approval.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO APPROVE THE CONTRACT WITH STANLEY, HUNT, DUPREE & RHINE.

18b. Award of RFP 11-13 for Financing of the Renovations to the Tax Collector and Property Appraiser's Building

This agenda item sought approval to award the above bid to SunTrust Equipment Finance & Leasing Corp. of Towson, MD.

Two proposals were received: Capital City Bank – 4 year loan @ 3.90% (fixed) and 5 year loan @ 4.25% (fixed); Sun Trust Equipment Finance & Leasing Corp. 4 yr loan @ 1.63% (fixed) and 5-year loan @ 1.68% (fixed). \$2500 closing cost and \$250 to use the Leaser as the escrow agent.

Staff was asked to set up special account for the money that is returned from Tax Collector and Property Appraiser each year.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4 - 0, BY VOICE VOTE, TO AWARD THE RFP 11-13 TO SUN TRUST BANK FOR FIVE YEARS AT 1.68%.

18c. Alternate Appointment to the Value Adjustment Board

Chair Taylor made an effort to appoint another commissioner to the VAB. However, no other commissioner could be present. It was determined that it was not necessary to appoint another person because a quorum could be reached even with his absence.

19. COUNTY ADMINISTRATOR

Directions as How to Proceed with Lobbying Services and Broadcasting/Videoing Services

Mr. Lawson asked for directions as how he should proceed with the lobbying services contract and the broadcasting contract - Should he do a new RFP for each or extend the former contracts?

Following discussion, the board determined that both matters should be brought back to the agenda for discussion and directions.

A MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECONDED BY COMMISSIONER CROLEY TO BRING THE ABOVE MATTERS BACK TO THE BOARD ON AN AGENDA FOR DISCUSSION.

Commissioner Morgan requested that the motion be amended to include discussion of an increase to the budget for the lobbying services. Chair Taylor declined to amend her motion.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 4 - 0, TO HAVE THE ADMINISTRATOR PLACE THE LOBBYING SERVICES AND THE BROADCASTING SERVICES ISSUES ON THE AGENDA FOR DISCUSSION AND TO GIVE STAFF DIRECTIONS.

Commissioner Lamb returned to the meeting at this juncture - 8:40 p.m.

Status of Out-sourcing of Services (Mowing and Probation)

Mr. Lawson stated that RFPs have been prepared and information has been gathered regarding outsourcing of county service and it will be brought forward on an agenda very soon.

Status on the Surplus County Property

Mr. Lawson reported that staff has had no success in getting rid of any county owned surplus properties.

The pilot project low income house built on Brumby Street remains for sale despite the active efforts to sell it. The house sustained some vandalism damage to the air-conditioner. Subsequent to that theft, Building Official Clyde Collins moved the appliances out of the house for safekeeping until a sale can be arranged.

20. COUNTY ATTORNEY

Interlocal Agreement for Emergency Management -

Ms. Minnis reported that the Interlocal agreement for Emergency Management has been executed by Sheriff Young contingent upon the present emergency manager remaining in place.

21. DISCUSSION ITEMS BY THE COMMISSIONERS

Commissioner Lamb, District 1

- Septic Tank issue will be coming up again during Legislature. It will affect Gadsden County tremendously. FAC recommended that they grandfather in those with tanks already in the ground. Contact legislators on the issue.
- Commended Commissioner Taylor on completing Advanced County Commissioners training.
- Concurred with Commissioner Holt regarding limiting length of time each commissioner holds the floor.

Commissioner Croley, District 2

Commissioner Croley extended congratulations to Chamber of Commerce Executive Director David Gardner for his work on the National Solar project.

On Friday, Mr. Reed and he will meet with the Secretary of Florida Department of Transportation. He asked for their input as to matters that they would like to have discussed. He cited the following topics that is already on the agenda:

- Regional overview will be given.
- Public transportation will be an issue.
- Quincy By-pass. In the planning stages staff may want to consider extending the loop right on around further.
- Economic Transportation related to economic development – Port of St. Joe – Regional impact
- What may be needed in transportation support relative to the Solar Farm?
- SR 12 between Quincy & Havana will be resurfaced. Public hearings will be held. It is being called a Safety Project by CRTPA.

While he voiced respect and appreciation for the position the clerk took regarding jail financing, he asked that the clerk have it looked at by the county auditors. He stated that he sent Clerk Thomas an email registering his concerns for the record and copied Ms. Straughn and Ms. Minnis for the record. He stated that he was not challenging the decision, but he interpreted the situation differently and he would like to stand corrected if he was wrong.

Commissioner Holt, District 4

Commissioner Holt raised the following points:

- County needs a grant writer to go after the larger grants and be proactive in seeking funds.
- She asked that the board be more consistent in actions taken. Treat people with like issues in the same consistent manner.
- Commissioner's speaking time during meetings - She would like to see all commissioners given equal time to speak to issues so that one commissioner does not get more time than another.
- Parking Lot behind the Edward Butler building – She asked staff to look at loitering because of the liabilities. Post signs that say “No loitering”
- She opposed outsourcing of what is now county jobs – such as mowing rights of ways.
- Housing Repairs – She asked, “Are we supposed to come to staff with housing repair requests? She was told to bring emergency assistance needs to the County Administrator and he will direct staff to take appropriate action.
- Medicare Ambulance trips –She cited issues with the contract with CRMC. Contract may need to be amended to allow EMS to get paid for Medicaid transports.
-

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5 - 0, BRING THE CONTRACT WITH CAPITAL REGIONAL BACK FOR DISCUSSION RELATIVE TO THE MEDICARE AMBULANCE TRANSPORTS AND THE BILLING.

- Gretna Project – encourage them to hire locally.

Commissioner Morgan, Vice-Chair, District 3

Parking Lot Loitering - He took the position that the staff has the authority and responsibility to address such issues without intervention from BOCC.

Solar Farms – congratulated the Chamber of Commerce Director and board of directors for successful efforts in getting National Solar to Gadsden County.

Chamber of Commerce Funding

A MOTION WAS MADE BY COMMISSIONER MORGAN AND SECONDED BY COMMISSIONER CROLEY TO AGENDA AT THE NEXT MEETING A DISCUSSION TO INCREASE THE CHAMBER OF COMMERCE BUDGET BY AN ADDITIONAL \$37,000.

Commissioner Holt opposed increasing the budget unless the Chamber comes back with a plan for economic development plans. She also stated that when the BOCC is considering zoning changes, the Chamber needs to be present and have input.

Commissioner Lamb would like to see Chamber present at the BOCC meetings and address the board routinely.

Chair Taylor was not opposed to discussion, but was guarded about the timing. Perhaps later in the year would be a better time to amend their budget.

THE BOARD VOTED 5 - 0 TO AGENDA THE MATTER FOR DISCUSSION.

Motion: Morgan - Would like to have Item agendaed to increase the Lobbying contract by \$15,000, which would bring that funding to be \$25,000. Motion died for lack of a second.

Tax Abatements

Gadsden County does not have the ability to offer tax abatement incentives to businesses looking to relocate to the county. It can be accomplished with a referendum. He asked to conduct discussions at the next meeting.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 - 0, TO AGENDA DISCUSSION REGARDING A REFERENDUM TO ALLOW THE COUNTY THE ABILITY TO OFFER TAX ABATEMENTS FOR ECONOMIC DEVELOPMENT.

Staff Appreciation

He commended the staff for the quick response they give to the Board's directions. He asked the other commissioners to be mindful about giving clear directions.

Commissioner Taylor, Chair, District 5

- Solar Farms – need to have a local celebration. Need more information – where are they going to be? Where can people go to get a job? Should invite a representative from National Solar and the Chamber to be present at the next meeting to give a presentation.
- Mobile Health Unit – will be on the next agenda.
- DOT Public Hearing next week. Commissioner Croley will attend.
- November 16 – 18 Legislative Conference in San Destin Beach Resort

22. Receipt and File for the Record

- a.** Letter to the Florida Department of Economic Opportunity Regarding Support for the City of Gretna Grant Application for Construction Funding for State Road 12/Interstate 10 Corridor Wastewater Collection Line
- b.** Letter to U.S. Senator Bill Nelson Regarding Fair Share of Funding for Capital Area community Action Program

October Meeting

October 18, 2011, Regular Meeting, 9:00 a.m.

ADJOURNMENT

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR DECLARED THE MEETING
ADJOURNED AT 9:30 p.m.**

Sherrie Taylor, Chair

ATTEST:

Muriel Straughn, Deputy Clerk

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FL ON OCTOBER 18, 2011 AT 9:00 A.M., THE
FOLLOWING PROCEEDING WAS HAD, VIZ.**

Present: Sherrie Taylor, Chair, District 5
Gene Morgan, Vice-Chair, District 3
Eugene Lamb, District 1
Doug Croley, District 2
Brenda Holt, District 4
Debra Minnis, County Attorney
Arthur Lawson, Interim County Administrator
Muriel Straughn, Deputy Clerk

Invocation, Pledge of Allegiance and Roll Call

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

Deputy Clerk Muriel Straughn called the roll and recorded the attendance as noted above.

Amendments and Approval of Agenda

DELETE: ITEM 3 Bike/Pedestrian Plan Update

ADD: as Item 3 - Discussion of Economic Development Agreement with National Solar.
Attorney advised that no action can be taken, added only for discussion.

Attorney Minnis advised that the matter could be discussed, but no action should be taken because it was not noticed as an action item.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB TO APPROVE THE
AGENDA AS NOTED ABOVE.**

AWARDS, PRESENTATIONS AND APPEARANCES

1. United States Special Operations Command

Jeff Mason addressed the board.

Mason:

The reason I am here this morning is to request written approval from the commission to conduct military training in Gadsden County as part of the Emerald Warrior-12. This is called Realistic Urban Training. This is training that we conduct outside of DOD on managed or controlled

property. So, we are actually going onto private properties using licensing agreements and leasing agreements with private land owners. If you want, I can go through the briefing that really addresses out number 1 concern when we do this type of training and that is the safety for our soldiers and the citizens of Gadsden County.

Taylor:

It sounds like a mock training that you all stage in the event of some kind of terrorism or –

Mason:

Ma'am, this is actually training to prepare our forces to go into Iraq and Afghanistan.

Taylor:

Thank you very much.

With that being said, are there any questions for Mr. Mason?

Holt:

What are the locations where you are going to do this?

Mason:

Overall, we are using eight counties, Leon, Gadsden, Jackson, Calhoun, Liberty, Bay and Gulf counties. For you county in particular, we will be basing out of the Florida Public Safety Institute as we did last year. The only area right now that we have identified that we will be using for the exercise is the Wallwood Boy Scout Camp.

Holt:

The reason for that question is that there are residents out there that might be hampered by the noise and that type of thing. They would need to know in advance.

Mason:

As part of our public affairs effort for this thing, we will actually put out an announcement prior to the exercise kicking off and then when we actually do any type of operation in an area, we go door to door and if the resident is not at home, we will leave a brochure there saying that we are conducting this training for this time and this time and if they have questions, who they can contact.

Holt:

If possible, just let us know because this is on television. So, that way, they will know. If they happen to miss getting the information, they will understand what is happening. Thank you.

Lamb:

Madam Chairman?

Taylor:

Yes.

Lamb:
Besides the Public Safety Institute, did you say the Boy Scouts?

Mason:
The Wallwood Boy Scout Camp, sir.

Lamb:
I am trying to think where that is.

Holt:
It is down at Lake Talquin.

Mason:
It is

Lamb:
Oh yeah. Thank you.

Taylor:
Be sure to let them know down in District 5.

Croley:
Madam Chair, if there is no discussion, I move approval of whatever we need to do.

Holt:
I will second it.

Taylor:
There is a motion and a second on the floor. Are there any other questions?

Morgan:
What are we approving?

Taylor:
You are approving the authorization to allow this military training to move forward.

Mason:
A letter of invitation, sir.

Taylor:
A letter of invitation

Croley:
To be signed by the Chair.

Taylor:

That is approval of a letter of invitation for this training to go forward in Gadsden County. Is that the content of this matter?

Mason:
Yes, Ma'am.

Taylor:
Thank you. There is a motion and a second on the floor. Are there any others?

Holt:
One other question right quick. What about artillery?

Mason:
No live ammunition will be used. Anything that you hear go "bang" will be all pyrotechnics and it is set up and executed by licensed pyrotechnics.

Holt:
No problem. I am good.

Taylor:
Are you sure?

Mason:
Yes, positive.

Holt:
I don't want anybody getting shot.

Mason:
Any time we do these, ma'am, if we are going to simulate a raid, that target will be cordoned by a Sheriff. We coordinate with all LEA and there will be a car right on the spot to prevent anybody from coming in.

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

All:
Aye.

Taylor:
5 – 0. Thank you very much.

Mason:
If you wouldn't mind, I would like to read this to the audience.

This is presented to Gadsden County, Florida in appreciation to the hospitality you have provided to the men and women of the United States Special Operations Command and in support of the joint training exercises Emerald Warrior 2011. The training you allowed to be conducted in your county was instrumental in the preparedness of our nation's special operation warriors and it reflects great credit upon all the citizens of Gadsden County, Florida.

(Applause)

Mr. Mason presented a Plaque of Appreciation to the chair.

2. National Solar Power's Plans for Gadsden County

Williams:

Good Morning, my name is Eric Williams, Vice-President of National Solar Power Partners. I will be doing the presentation. The company was founded in early 2010 in Melbourne Florida by John Broughton and James Scrivener. We are a utility scale integrator providing alternative solutions to utilities across the southeast. Our co-founders have a combined 30 years' experience in the solar industry. Our business model is a paradigm shift away from traditional solar models due to our ability to integrate solar power at market prices.

Our goal is to be a low cost renewable energy provider to utility providers throughout the southeastern U.S. selling at or near what utilities (inaudible.) This is made possible by making strategic alliances and innovative finance techniques and recent decline in the prices of land solar panels and construction cost.

National Solar has contracts in place with Progress Energy of Florida to sell energy produced by our solar farms. Our EPC Partner is Hensel Phelps Construction and they will operate and maintain the farms for the life of our contracts. The panels that we will be using are called polycrystalline solar panels. They are on a fixed tilt ground mounted structure. The racking products will be made and assembled here in America. We are working on some deals to get that done locally as well.

The County Proposal: We are seeking to purchase 4,000 acres here in Gadsden County and have some contracts already in place. NSP will construct 20 20 megawatt solar farms representing a \$1.4 billion total capital estimate generating property tax revenue estimated at \$300,000 per year per 20 megawatt farm over a 30 year life. We will create about 140 jobs during the construction with local subcontract opportunities in a ten year build out in total. This would have a net of 120 maximum permanent full time jobs. We will break it down into each single 20 megawatt solar farm. Basically 5 – 6 full time jobs on average with salary of about \$40,000 per year. That will be an engineering position, maintenance and grounds keeping positions to cut the grass and clean the panels, etc., and security. Each one will be its own special purpose entity. Each solar farm produces enough power to supply power to about 2,000 homes.

We will also have some educational benefits through internships with local colleges, mainly TCC. The panels are already mounted on a fixed Axis rack composed of aluminum steel. The height is estimated right now, depending on the specific racking, but we estimate that the maximum

height of the racking will be about seven feet. The panels will stand about seven feet off the ground with basically Byhalia grass underneath the entire rack. The permanent fencing will be about eight feet high chain link fence with pre-trimmed barbed wire on top. There will be warning signage posted throughout the surrounding facility. It will be set back from the property boundaries to allow for access roads, drainage easements or storm water runoff. All natural buffers will be left in place wherever possible for as long as they won't affect the performance. In some cases, if there is something outside the property, we will shift the farm further in to make sure that it doesn't get shaded by the tree line or building obstruction.

Solar farms are built on low index rural land within two miles of transmission lines or substations.

All lighting will be self-contained solar powered and pole mounted. Again, trying to be as friendly to the environment, the lighting will be interior and I think the max height on the lighting is about 20 feet. They are not really high, it is just enough to light up the facility a little bit.

The wetlands, wildlife habitats are reviewed as part of the site due diligence so we go through DEP and studies are done on each site to make sure there are no endangered species or anything on there that we need to deal with.

All contracts with Progress Energy are 30 year contracts with options for 30 additional years. NSP will update technology to extend the life of the farms definitely should that technology become available and is economically viable.

The security consists of cameras that are monitored 24 hrs. a day from a central location within the county.

The required economic incentives that we are looking for in order to help this move along are an 83% county property tax refund/rebate for 20 years. This is commiserate with the competitive markets in the U.S. We are also seeking expedited permitting and inspections and expedited zoning and land use changes that it will required. Additional request would be refund or rebates of the permitting fees.

The timeline: Basically once the agreement that we are going to discuss next –once we get that signed, it begins the process for us. Due diligence might actually start a little bit before that, but ideally, we want to have the agreement in place, but that would be 120 days of site due diligence that is engineering design and the interconnection phase. Finance due diligence is about 90 days and that does run concurrent with the site due diligence. The construction per farm – right now, we will start out and the first one is going to be probably close to seven months per 20 megawatt farm. As we get rolled out and get a little more efficient that should come down to as little as five months per 20 megawatt farm. The construction of all twenty farms – we estimate about eight to ten years. The O & M – there is a thirty year contract with them with an option for an additional thirty years. That is operation and maintenance which will be performed by Hensel Phelps Construction. Again, they will be hiring local people to help with that.

I am going to invite John up here and let him do the Hensel Phelps part of the presentation.

Fisher:

My name is John Fisher and I am the project manager for Hensel Phelps Construction company. Just to go ahead and address some of the questions that come up about us as being National Solar's partner. I will run through this and give you some background on this.

Hensel Phelps was established in 1937 in Colorado by a man named Hensel Phelps. He was one person who started out building some one room basic cabins as housing. Since then, we have now spread from coast to coast with seven district offices. Our annual volume is about \$3 billion per year. We are a large governmental and private industry contractor. We do a little bit of work overseas, but primarily, we are a domestic company here in the U.S. We are U.S. based.

A couple of our rankings as to where we fall for green contractors. We are a very sustainable contractor with a lot of green accredited professionals. We ranked number four out of the top 100. In terms of government offices and greening of the U.S. government, we are the number one contractor and a couple of others in there and with general contractors, we are number ten. In building and design work, we are ranked number nine in the nation.

A couple of projects that we have done previously, to share our experience, – we have done some numerous photos (inaudible) building facility. We did the Quam at the nuclear laboratories at Los Alamos as well as well as the William J. Clinton Presidential Library. These are just a couple of photos just to let you see a little bit of what we have done. At the Pentagon we did our first green project which was a remote delivery facility that you see there in the foreground. We also did Renovation 2 – 5 of the Pentagon post 911. Also, the integration of the (inaudible) Technologies, which is another project at Los Alamos where we did the ground work for the nuclear laboratories there.

High Tech: We do a good bit of work at the Space Center in Florida for the next generation manned space flight projects as well as the ELVs with the Atlas V rockets. We have done work on both coasts.

The first project that you see up there is actually the William J. Clinton Library. That is when we did a photo (inaudible) on the roof of the building which supplies about 15% of its power as a LEED rated facility. The city hall is also a LEED gold facility and we have some photo (inaudible) and then the Air and Space Museum was one of our projects.

We also do a little bit of theme park as well as resort tiles. Sampro was initially a building that wasn't supposed to be a LEED rated facility, but by the time we were done, it was a LEED Gold facility.

That is it for us.

Taylor:

Are there any questions of Mr. Williams with regard to the presentation?

I will say this. Since the announcement, this county has been on fire; a lot of positive, a lot of

upbeat citizens have embraced this concept and we are feeling pretty good about you all. This feeling is throughout the Big Bend Area. We are going to embrace you and bring you forward as expeditiously as we can.

Again, thank you for selecting our county and let's see if we can move forward. One of the most important processes of all is that first shovel of dirt that is being turned. Our job is to try and get you there as soon as possible while staying within our guidelines. So, again, just let me say thank you for selecting us. Someone said and I don't know who, but they said, "Let's go to work."

Williams:

Yes, ma'am. I am looking forward to it.

Morgan:

Thank you, Madam Chair. We really appreciate the presentation and you all coming to share it with our community. I would just ask a couple of things.

Is there any way that we can get a copy of you PowerPoint that you just shared with us?

Williams:

Absolutely.

Morgan:

I was wondering if perhaps you all were planning to go to each of our different municipality meetings and sharing it with those local boards so that it can get into the cities throughout the county. I think that was very informative.

Williams:

Yes, sir, we can certainly do that.

Morgan:

That would be great. And I don't know if you all would do it or maybe Mr. Gardner as the Director of the Economic Development arm of the Chamber of Commerce. But it would be well received.

Williams:

We can work it either way. We have someone that can do it. He has already visited Havana. One of staff can do it. I could do it myself.

Morgan:

That would be very well received.

Then, also, I see that Mr. Scrivener is here and we appreciate you all coming. Thank you for that. Can you touch on how you all will be a part of our community not so much as an employer, but as a new member to our community and how that might benefit the folks you are going to employ, but also our current business owners, our future leaders in the community, our school system and things of that nature?

Williams:

Yeah, I mean, our plans are to set up an office here in the area within Gadsden County. We will have a joint office with Hensel Phelps. So, we will set up an office here. We plan to become a member of the Chamber of Commerce and we intend to be good stewards to the community of Gadsden and participate. Obviously, we want a relationship with Tallahassee Community College and develop a small project there. We can be a training facility for the school and that is going to be at the Public Safety Institute. WE will develop a small project on that campus. Again, that will be training aspects to that. So, we are going to do everything we can do to integrate into the community.

Morgan:

I really appreciate you touching on that. I know our school superintendent is here and we are moving in the right direction in our public school and I know that he has embraced this. We also have private schools here in our community and I am sure they will benefit with your presence in the county also.

Williams:

Absolutely. Each one of the farms or at least one of the major farms will have a learning center on site which will be assessable to the schools. We will have a classroom there and we will be able to do presentations for the schools. That would be public or private. So, there are plans in place for that in order to add to the community. We are trying to come up with creative ways to insure that we impact the community positively.

As part of our incentive request, the school board taxes are not touched by this request. The full amount of the school board tax burden is paid. So, I think that will have a huge impact to the Gadsden County School System, which will help to give benefit to the students.

Morgan:

I know Superintendent James and we also have a school board member here, and I know they will all be embracing that as well. Thank you very much and I appreciate your presence here tonight.

Taylor :

Commissioner Holt?

Holt:

Thank you. Thank you very much coming and giving this presentation. These incentives – are those your request from your company?

Williams:

Yes.

Holt:

Thank you.

Taylor:

I have two questions and then I think we will be finished unless I hear something our colleagues.
We will now hear from Mr. Croley

Croley:

Thank you, Mr. Williams, for your presentation. We do sincerely welcome you to Gadsden County and the contributions that you are in a position to make. I don't know if this is the appropriate time to ask some questions about your presentation, but one question I do want to ask. This is on behalf of a lot of citizens who have some general questions, no specifics. I think they want to know about your project. Will you be offering other public meetings so that citizens can come and make their inquiries about your program or is this the extent of what you plan to do right now?

Williams:

You know, I don't know that we have discussed that. Are we having another public hearing to answer questions?

(Unidentified person from National Solar)

We had not planned to conduct another hearing. We have planned to go into the communities.

Taylor:

Excuse me, sir. Would you mind coming to the microphone?

Scrivener:

I am James Scrivener, CEO of National Solar. What we have intended, Doug, was, depending the approval of our developer agreement, so that we have an agreement in place, we were planning on coming back to Gadsden County and having an event that the public could attend. We will have representatives from our company there available to deal on a one on one basis with the community and discuss the questions or concerns that they had; have some hot dogs and sodas to celebrate our, hopefully warming up to our first shovel turn.

Croley:

Well, that is good and I think that is something that needs to be done. But to seize the moment, there are a couple of questions that I just want to ask regarding the presentation. You mentioned a special purpose entities – the formation of those. Explain to me how you intend to use special purpose entities as a mechanism in your project.

Scrivener:

Special purpose entities are utilized in solar project financing and other renewal project financing. The reason that we utilize these is the tax credits that it generated when you invest in renewable energy – we don't have a large enough tax appetite or the project doesn't have a large enough tax appetite to be able to monetize those federal tax credits. So, what we do is create a project company and we engage investment partners; large U.S. commercial banks that have a large tax appetite. They invest in the project and they become a part owner of the project and they are entitled to take tax losses out of that project and monetized that U.S. tax equity. That is the reason that we use special purpose entities so that we can raise capital on a project level; bring in

an investment partner such as a large U.S. commercial bank. There are about 18 buyers right now in the U.S. market for effective tax equity. This is a common methodology employed in project finance. This is the methodology that was employed for many years to leverage low income housing investment tax credits. So, it is a similar methodology of tax advantage investing. Each farm, while we will own them, we will ultimately be the owner of these assets, for the first five years of each project, we do have investment partners who participate in project finance for the sake of monetizing that U.S. tax equity. That is the extent of the use of the special purpose entities. We anticipate aggregating the projects from a tax and financing perspective. Once we have a number of them up and operating, it is a lot easier to do that. But, for the sake of focusing on each individual project, the fastest way to completion is to finance them individually. That is why we have taken that modular approach.

Croley:

The second question: You mentioned lighting in these facilities. What type lighting are you contemplating? Are you referring to lighting around your inverter or are you referring to lighting across your whole farm?

Scrivener:

That is a good question and we just addressed that yesterday in a design meeting. We plan on lighting the main entrance to each farm and then lighting the inverter locations. We do not plan on having a lot of perimeter lighting. We didn't think it added anything to the farms and being that we are building in rural areas, we didn't think that additional lighting was necessary or wanted by our neighbors. So, we were going to try to keep the facility lighting to a minimum and just light those areas that are really needed. The security cameras can see at night so we don't need lighting for the sake of security. We had a concern about safety to make sure that the fence was adequately illuminated from a safety perspective, so we didn't have kids wanting to climb inside the facility. They are power generation facilities and obviously at night, the sun is not shining and we are not generating a lot of power, but we still consider them to be utility scale facilities. For safety reasons we would try to keep people out. So, the lighting is to accommodate operation and maintenance, which is beneficial to be done at night. When you don't have power running through the system, it is easier to swap out components. But right now we are in the process of evaluating the design from a perspective when it comes to lighting, less is better. We are trying to minimize the lighting on the facility.

Croley:

That is good because to people in rural areas often times view that too much lighting as light pollution and it interferes with their ability to watch the stars.

The last question I have for you: You mentioned the 300,000 per farm per over a 30 year period, which works out to be about \$10,000 per year. Is that \$10,000 per year you are contemplating for Gadsden County?

Scrivener:

That is \$300,000 per year. That is the average generated by each farm.

Croley:

Maybe I misunderstood it. What I am trying to ask you though if this, the way it was presented, it made it appear as though you were talking about \$300,000 over thirty year period. Maybe I misread it.

Scrivener:

It is an average of \$300,000 per year per 20 megawatt farm.

Croley:

Now, is that based upon the tax credits that you are proposing under your development agreement?

Scrivener:

Yes, it is.

Croley:

O.K. How much would that translate though from the school board?

Scrivener:

The majority of that would go to the school. I think our analysis should over thirty years, we generated approximately over \$200 million in taxes in Gadsden County.

Croley:

Assuming that all of them are built?

Scrivener:

Correct. My assumption was maybe \$120 Of \$130 million of that would go to the school board. The majority of that would.

Croley:

When do you need this economic development agreement acted on?

Scrivener:

Today would be great.

Croley:

Well, as soon as possible? I don't think that is going to happen.

Scrivener:

Well, we have contracts in place right now in Gadsden County on enough land to build 12 farms right now. So, we are waiting on you. When we have the green light and we can start spending money in development, we are going to do so. We are ready to march.

Croley:

O.K. That helps to give us a time frame.

Scrivener:

We hope to be turning dirt by the second quarter of next year if everything goes well.

Croley:

Now, one thing that you mention in this agreement and I think that it is important since this is the first time that you, as you said, that you imply here that this needs to be a real fast track and I certainly agree with moving things forward.

Taylor:

Mr. Croley,

Croley:

Wait a minute; I want to finish asking this one question.

Morgan:

Point of order. Madam Chair, point of order.

Taylor:

Excuse me. Just a second. Just a second.

Commissioner Croley, here is what we are saying and then we will allow you to proceed after you hear this statement. The very next item on the agenda will be discussion of the agreement, which I believe you have gone into at this particular point. That is the agreement. So, the very next item is where we want to take up your agreement issues or contents. So, this is what we are asking - Accept the presentation at this time, then we will get to the point where your questions will be entertained.

Croley:

Well, let me withdraw the question about the agreement by asking this: You have referenced a need to move forward and this would imply a fast track type arrangement. This is of course the agreement that we will be talking about as the point or order was stated as being the next order of business. But, the fast track that you are trying to encourage us to take, is it going to, in any way, in your opinion, deny the public the right to ask their questions?

Scrivener:

No.

Croley:

O.K. That is all I needed to hear you say. Thank you.

Taylor:

Alright, let's move forward. Again, this was for presentation only and before I close this section, I think Commissioner Lamb has a comments. Then, there are two citizens that wish to speak on this particular item then we will move forward.

Did you have a comment?

Scrivener:

I did. Just thanks for inviting us.

Taylor:

You just continue to stand right there.

Commissioner Lamb?

Lamb:

Welcome to Gadsden County, sir. That is it.

Scrivener:

Thank you.

Taylor:

Michael Dorian? Mr. Dorian is it at this point that you wish to speak or is it during the agreement process?

Dorian:

To tell you the truth, Ma'am, I am a little bit vague about what you are talking about.

Taylor:

O.K. There are two items on the agenda for the National Solar Power Plants. One is the presentation that we have just seen. Another is about the agreement that they are presenting to the board. That is Item 3. So, your request to speak did not tell which item you wished to address. Is it both or is it just one?

Dorian:

Probably both.

Taylor:

Well, we will give you the opportunity to speak at this time, sir. State your full name and your current address.

Dorian:

O.K. Are we going to go through a planning and zoning hearing?

Taylor:

Excuse me, sir. I need your full name and your current address.

Dorian:

Oh, excuse me. Michael Dorian, 145 Alligator Lane, Quincy.

I guess my first question is – is this going to go before Planning and Zoning?

Taylor:

We want to entertain this on the very next item that is up for discussion.

Dorian:

Then I will save my question for later. I just wanted to say real quickly that I am very much for this project. I do have questions and I want to thank you, Ms. Taylor, and my commissioner, Doug Croley, from District 2 and Ms. Holt, Commissioners Lamb and Morgan for being so cooperative in bringing this to our county. I want to thank Mr. Gardner and the liaison committee and the Chamber of Commerce. I would like to thank National Solar Energy and I also want to thank folks like James Malloy and some others for asking the hard questions. I think that once that all these questions are answered; everybody is going to be happy with this project.

Taylor:

Thank you, sir.

There is a Ms. Marion Laslie that wishes to speak.

Laslie:

Yes, Ma'am, if I could do so at Citizens Requesting to be Heard after your discussions about the agreement.

Taylor:

We will be sure to call you both back.

Mr. Lawson?

2A. Discussion of Proposed Economic Development Agreement with National Solar Power

Lawson:

The next item is discussion of the Economic Development Agreement that was added to the agenda.

Taylor:

Is there someone representing National Solar that would wish to come up and speak on behalf of this agreement?

Scrivener:

James Scrivener, CEO of National Solar Power, at your service.

Taylor:

Do you have a copy of it?

Scrivener:

I don't, but I am pretty familiar with it. If you have questions, I can answer them.

Taylor:

Let me say this. As you heard from the attorney, obviously and I have had a chance to read over this agreement and there are some contents that we are going to have a look at seriously this evening. If this the board has the authority to move forward. Otherwise, we can certainly give directions on what is within our ability and what is not. We did get this, but not through the traditional process. Obviously, it first would originate with our administrator and then it would be disseminated to the attorney and then the board members. In that way, we are able to get staff on the item. When I say "staff", I mean in (inaudible). "We," meaning the board. At this particular time, we have not had that, but this board realizes and appreciates the fact that this needs to be processed and moved forward as presented by Commissioner Morgan. We will entertain it being put into the proper process and then move forward and brought back so this board can entertain its contents expeditiously. So, I guess what we are doing now is just setting it straight to move forward so that we don't create a precedent in just doing it the way we want. Let's do it the right way then the next business that comes in after you, we can say that we have a process and the process will be adhered to.

So, what I am going to do now is defer to the attorney because I think she must have a preliminary review of it. Did she give you her synopsis of number 1? How long it will take to get it back to you. Number 2; maybe from taking a look at this, some issues or areas will lead to discussions around the board. But, before we have discussion from the commissioners, let us go ahead and entertain the public input first then we will have discussion from the commissioners. But, I am going to defer to the attorney to give us some facts based on a preview of this agreement.

Minnis:

Thank you, Madam Chair.

Taylor:

I hate to put you on the spot, but, I hope you are prepared.

Minnis:

I did have the opportunity to do a very broad preview of the agreement and what I understand the procedure to be is that the board would have to follow in order to get to the point of executing an agreement or negotiating an agreement and there is a process that the Statutes have put into place and I have had conversations with Mr. Gardner and he is doing some additional background checking to see what other counties have done, but the process that I believe has to be in place (and I am open to review other statutes of laws if someone has theirs that they want me to look at) is a referendum process, and application process, an ordinance process and an agreement process.

Normally, there is a referendum to authorize this type of tax abatement, basically. Then after the referendum, there is the ordinance that the board creates for the particular entity. The entity then submits an application for the tax exemption, which is reviewed by the property appraiser and the board. Then if the application is approved, there is the agreement that is executed at that point in time. That is the process that the FL Statutes have laid out for this.

Other counties have done projects of this type. We are investigating and contacting those other

counties to see if there is something different that they were able to do. But, those are the processes as I understand them today. There are some other issues in the agreement that would come in during the negotiation phase as to whether certain things were going to be debatable or not such as Comp Plan issues and zoning issues. I think some of that will depend on whether, you know, as National Solar gets into the land purchases, they may not need as many Comp Plan Changes or land use changes as they initially thought. So, there are a lot of areas that are still yet to be vetted so to speak. But, I am planning to move as expeditiously as possible in coordinating with Mr. Gardner to look at what other counties are doing to bring you back a process to put forth. The board did have a referendum on the books back in the 80s I believe. It was passed in 1981, but that referendum expired in 1991 and it was not renewed. Unfortunately, that is where we are at this point in time.

Taylor:

As I said earlier, we will hear from the attorney. Then if any of us has questions, we will address those questions as well based on the synopsis given to us by the attorney.

Mr. Dorian?

Michael Dorian?

Madam Commissioner, I am assuming

Taylor:

Excuse me, sir. Excuse me, sir. I don't mean to cut across you, but will you please remove your shades.

Dorian:

I have macular degeneration and I have doctors orders to wear them under florescent lights.

Croley:

He always wears those glasses, Madam Chair.

Taylor:

You can put them back on since you have doctor's orders.

Dorian:

I can take them off.

Are we going to have or is the public going to have a chance to ask questions and have the representatives from National Solar. When we had the Citizens Rights committee and all due respect to Mr. Matheny, all we got was a lot of "I don't know."

Taylor:

Your question is well received. As the attorney said at the top of the meeting, before entering into this agreement, we will have a public hearing so that we can get input from the public. Then you will also have an opportunity to review this document. As you well know, we have 7 – 10 days to advertise anything that this board will entertain at some point during our meetings. So,

yes, sir, you will have an opportunity to have input.

Dorian:

Then I am going to save my questions for that occasion. But, I will take just one minute to say that I am really impressed by the innovative and well intentioned progress that ya'll have made in bringing this project to Gadsden County. Solar energy is just an amazing thing. You are taking protons out of the air and capturing them in a little tiny square box. When the proton hits the little box, it creates a little spark of electricity. The electricity runs down wires to another chip. All these chips are in a panel and they run through another panel then a bunch of panels and all of sudden you've got electricity. You don't have that much side effects. It is nothing like a biomass plant or a coal powered plant or a nuclear powered plant. There are very few side effects and I feel sure that if some of the folks from National Solar will be present with their input on the codes, this project is going to go forward and it is going to be a good thing for Gadsden County. I will say once again, I appreciate the citizens that have the hard questions and I appreciate ya'll allowing us to ask those questions. Thank you.

Taylor:

Thank you so much, sir.

Ms. Laslie?

Laslie:

Again, I would like to reserve my comments until the three minutes for Citizens to Be Heard.

Taylor:

We will entertain you at that time.

Commissioners, I apologize. I am going to recognize the school superintendent and ask him to come forward. Mr. Reginald James.

James:

Good morning. To the honorable chairwoman, Ms. Taylor and esteemed commissioners, Ms. Holt, Lamb, Croley and Morgan. I am certainly pleased to be with you this morning. Did I say you, Mr. Croley?

Croley:

Yes.

James:

I certainly want to take this opportunity this morning to certainly welcome the Solar Farm officials on behalf of our board members and our 6,000 public school students. We are certainly excited and pleased to have them with us. As Commissioner Morgan stated and many others, we are rapidly improving the school district. This will be just the boost we need to get us over the top. We just recently posted five "A" rated schools and probably everybody knows in north Florida and we have one school in our district that I want you all to know that one of our magnet schools is ranked number 5 in the state in mathematics. We are certainly pleased with the

direction and we think that this is just the thing to take us over the top. Just wanted to express my appreciation to this Board for what you are doing for the young people of our community. Thank you so much.

Taylor:

Mr. Superintendent, just let me share with you real quick. I can appreciate you being here and want to say to National Solar that this is the first time that he has ever sat in on a meeting.

James:

You know I have enough meetings. I have a board and I don't come to these meetings often, but I felt it necessary to come this morning just to thank you. We have a couple of people here that are educators. We actually have three people. The persons here and all the board members realize the importance of it. When it comes to education, you know, we have been here through the dark times and it certainly have had a big push upwards and we certainly think that this couldn't come more timely in terms of helping us push up. I am just so appreciative that I couldn't resist the temptation to come and be a part of this discussion.

We plan to be good partners and do whatever we can do. We have already been contacted by the Department of Education in their effort. To show you how widespread this interest is, they want to come in and help us form a solar energy program at the high school level to allow us to articulate with TCC and have a connection to what they are doing. Everybody has a part. TCC and Dr. Murdaugh and I have talked and everybody is excited about this. I think it will have a tremendous benefit for the students and the county in general.

Thank you so much for having me.

Taylor:

Of course, as the superintendent has said, the funding that will be coming forward will certainly be well received and well needed to take our education to the next level.

Mr. Board Member Eric Hinson, I will yield to you for just a moment if you have a word.

Hinson:

Thank you, Madam Chairman. First, I just want to thank you for doing the things that you guys are doing. I was the first to sit at your public meeting in Havana Middle School. I think you have the next one at Shanks Middle School and another at West Gadsden High School. We want to assist you guys as much as we can.

Taylor:

Thank you very much now that you have set our agenda. (laughter)

We will move on with this particular item.

Now we will entertain the board. This item is for discussion. Board members, I know that you have had an opportunity to take a look at this. If you wish to give some direction to the attorney on issues that you have seen on an item or one that you can appreciate in the agreement, now is

the time for about six minutes of discussion at the most about some components that you may want to share with us or National Solar as well.

We will start with the commissioner on the right, Commissioner Croley.

Croley:

Again, do misinterpret any questions as being anything less than a very strong positive support for you, but, I am going to make it clear that anytime somebody gives me an agreement, I want to give you what you need. It might not always be what you want, but I want to give you what you need to be able to carry forward positively and successfully and do all the things you have set out to accomplish as we said at the Capitol.

The citizens do have concerns. Obviously, you've got to be able to work with your neighbors. So, these are some of the questions that are immediately coming to mind when I look at Section 4 about County obligations and representations. Obviously, again, we want to do what is necessary to help you to move this forward.

At the same time, some of this wording is almost like a blank check. I don't mean that in an improper way, I am saying that you have called for the County to "administratively initiate expeditiously the processes that require changes in the Comprehensive Plan." Well, some of these changes may not be appropriate in certain parts of the county. When we look at our map, with all its deficiencies, we do note that when this was originally discussed, that there was a lot about the silvaculture lands, especially (inaudible) silvaculture land that would be near the transmission lines. These farms could go there with a minimum interference in the more residential areas or the more settled areas. I think that is my primary concern – making sure that we don't circumvent any processes. I want to identify the type land that you need to be on and as we initially said, I think I brought this up, about some sort of accelerated permitting process when you go on those lands. But, now if we are going to get into other category of properties then maybe we would need to slow down and take a different look at that.

I would like to hear your comments about it and hear your reaction and then let you work with the staff and attorney on how to accomplish this.

Scrivener:

Good question, Commissioner Croley. I would respond by saying that this agreement is our asking list. What we want and what we are hoping to arrive at is a win/win. I don't want to be given an exoneration of your requirements. I just want an expedited consideration of those requirements. That is it. We still want to meet all the criteria and answer any questions that anybody has. This is a win/win project. WE have nothing to hide. We will answer what questions you have. I will show you everything you want to see. I will take you down to see a couple of solar farms if you like. We want to be completely transparent about what we are doing and how we are trying to do it. This is a great thing for Gadsden County. It is a great thing for us as a company. We are excited about it. So, we are not asking for a blank check or a free pass. I just don't want to get caught in a situation where my company and my capital resources are tied up on, forgive my terminology, but on a bureaucrat's desk for 60 days at a time. So, that is what we are basically asking for. Work with us and be our partners and let's work together to achieve

the goal. We want to meet the criteria. I don't want to build next to someone who doesn't want us there. We want to be transparent and positive about how we do this. I am ready to answer any questions that anybody has about what we are trying to do.

Croley:

I want to close and this is really going to conclude my comments about it. I want the public to know that any inquiry I have had about National Solar, and I do sometimes ask a lot of questions, and they have been very forthright. I have had no concern about the type of response being fully open and I feel like the citizens should take some comfort. If we are getting this kind of response from these folks, I think that their concerns will be properly addressed as we go through the process. As long as you will work with our staff and coming back with a good fair agreement, I don't think there should be any problems.

Thank you.

Taylor:

Commissioner Morgan.

Croley:

Thank you Madam Chair.

Mr. Scrivener, thank you again. We really appreciate you investing your time with us to go over this and Mr. Williams and your folks that are here.

First off, I want to echo what Commissioner Croley just stated. We have had very thoughtful questions that have been asked in different meetings that I have been a part of and heard about and we have always gotten nothing but complete answers to our questions and also the willingness to provide additional information if necessary. I think that I something we should lean forward and understand the importance of it and give some appreciation of that. We haven't always had that in the past. Not just in Gadsden County, but a lot of governments and entities when they approached us about how to proceed with an investment in our community. The important thing that I want to stress right here for the public is the value that we place on the importance of abiding by State Statutes, going through due process, understanding that information is accurate and complete is critical and deserving of those who have those questions. I think those are things that we expect personally, as boards, as members of the community, families and we look forward to having those positive productive conversations. I think that will do nothing but help us to become better partners and see this grow in the future in very positive ways.

So, I have ready this agreement. I think what Mr. Scrivener is asking for from this board and from our community is that if there is a way to expedite this process so we can begin moving forward quickly and see some of the benefits that we are going to benefit from that we are going to receive. I think he is just saying, I don't want to quote him, but, I think he said, "I don't want it sitting on a bureaucrat's desk for 60 days. I can understand that. While following proper procedure, we need to prioritize this particular project, in my opinion, ahead of everything else from our legal staff reviewing it, from whoever else needs to be involved as far as a part of

moving this forward. In my opinion, there should be no other project that has a higher priority. I think today, we need to best determine how to move this forward as quickly as possible and to provide time lines as a courtesy to the public, but also Mr. Williams, National Solar and all those involved – Hensel Phelps. I think that is what we can accomplish today.

Madam Attorney, as you move forward in this process, I hope the board will give you the ability without having to come back to us for approval. Go ahead and use some common sense. If there is something that needs to be addressed or reviewed or presented to the board, not only via email or hard copy, but let's go ahead and deal with that. I think that those are things that make sense when you are entertaining any project, particularly something of this size.

I do have a question for whoever can touch on it and help me clarify it, I would be grateful. I am looking in here and Madam Attorney, I will address to you initially and then maybe Mr. Scrivener can comment on it. I want to know about any existing agreements that are similar to this that might already be in place. Is anybody aware of that? I am looking at Section 4.6 of the agreement. It says to me that National Solar will be paid. The taxes will, in fact, they are asking for us to refund a percentage of those taxes. So, my question is, **Is a refund the same as an abatement? And, will it require a referendum?** As you know, I have asked several times **and will ask again that the board move forward in putting a referendum to the public for additional projects that we may offered to us. As we sit right now, is there a difference in a refund versus an abatement? Are we boxed in because of that? Has somebody already jumped this hurdle by not following completely the State Statutes? Have they been successful in accomplishing an agreement of this nature?**

Minnis:

Let me answer the question this way. From a very technical point of view, to answer your specific question, the answer is Yes, there is a difference between a refund and an abatement. However, I will say that under FS 125.045, which is the statute that gives the authority to deal with tax issues, it does not authorize refunds for property taxes. It authorizes abatements or assessments for property taxes. The procedure for abatements and assessment reduction is under FS 196.1995. The only statute that I am aware of that allows for a refund, allows it for the Department of Revenue and the Tax Collector. But, you have to understand that refund is after they have taken the money in and they have based their budget and distribution on that and then they try and give it back. So, FS 125 does not authorize counties to do that, but it does authorize for doing abatements and assessment reduction. So, the Tax Collector knows what he is getting. In when he gets it and then he can move forward with it. So, that is where I am coming from.

As I indicated, I talked to Mr. Gardner. He and I both are contacting other counties to see what they have done in this area. My understanding of the Law, as I have read it, is that the County is authorized for Abatements and Assessment reductions.

Morgan:

O.K. Thank you. And, I would just ask, Madam Chair, under my time, if there is anybody here who would like to provide additional comment that may have some input that would be helpful. Now is the time that might help us as we move forward. That will conclude my comments.

Thank you, Madam Chair.

Taylor:

(To Mr. Scrivener) Stay still.

Lamb:

Madam Chair, I am not going to take that much time. What I have to say and I want to be specific and again, I thank you for coming this morning. I glanced through your agreement. There is a lot of stuff in here. Our attorney has well stated some of the Statutes. I think that she is looking over it and she still needs more time to get back to us on some of this as well as our administrator. I am willing to wait until they get back with us. There are some things that they can just go forward on, but that is a decision that you all are going to have to make. You probably are going to want to bring it back to us. I don't think you will want to take that much responsibility on yourselves to do something of this nature, but you might want to bring it back to us – whatever you have, and let us decide as a board what to do. Don't get in too big a hurry. We are going to expedite this as quick as we can, but don't overdo it. Bring it back. Let us use common sense in doing what we are doing. It is better to do it right the first time than to make a mistake and have to come back. You might not have to come back once you sign a contract.

I am willing to just wait until we review all of this and she brings it back to us and we can make a decision that we need to make to go forward on this.

Holt:

Thank you. Thank you greatly for being here. I have been in favor of solar power. David can tell you that I have talked about it for years. I am interested who generated the contract.

Scrivener:

That was our attorney. (Inaudible)

Holt:

O.K. David, I can't throw a rock at you today. I am usually the one that asks the tough questions, so that is what I am about to do. 83% abatement for 20 years to be very excessive. The 20 years is too long and the 83% abatement for the county is excessive. We do have people in the county who do not have children in the school system and they are looking for benefits also. I am a school teacher. I worked under Mr. James and under the Board Member here, Mr. Hinson. But, I do think it is a bit excessive. I think, if I am not mistaken, Mr. Manager, the Water Management District, the school system and the county receive taxes from ad valorem taxes. Those three entities should give an abatement. They should be willing to give up part of their percentages for this project. The School Board, Water Management District and the County. So, if you are looking for 83% return, board members and for everyone here, it should be done by everyone. As I said before, it should be a community effort. I teach school and I believe that the school system needs help, but I do believe that it should be done by all three entities.

Madam Chairman, I think that should be part of what the attorney looks at for that. I think the 20 years is excessive. I need a bit more clarification on if we give the abatement and you are not going to go bankrupt like the company in the news the other day, that solar company, you are

not doing that, but I am using it as an example. If we give the abatement and you go bankrupt and you are gone, when does the property owner come back in and start paying ad valorem taxes. That needs to be looked at. You cannot say it is a blanket job and that is it. So, we would need to go back and start collecting taxes from somewhere in order to pave roads and fix stuff.

Scrivener:

May I make a comment on the property taxes?

Holt:

Sure.

Scrivener:

If you look in the U.S., there are about 40 of the states in the United States of America currently have at the state level and exemption for solar equipment under property taxes. California is 100% exemption. North Carolina is 80% exemption for both the school, county, everything – 80% reduction for lifetime on solar equipment. What happens in the utility market, when you charge the utility, which is what we are, we will be an independent properties, when you charge me property taxes, if I were a regulated utility, I would be charging my rate payers for those property taxes. So, I would be submitting a bill to the county for property taxes and then charging everybody I sell power to those property taxes. So, it is sort of a loop, so to speak. That is what happens now. That is what happens with regulated utility companies in the state of Florida. They build an asset. They pay property taxes to the local county. On your power bill, you will see a franchise fee. Well, that is the property taxes. You are paying them. The rate payers are the ones that use the power. So, adding additional taxes to emission free fuel, fuel free, renewable energy is counter productive.

In the State of Florida, Governor Crist passed 100% exemption in 2007 or 2008, but the Department of Revenue never implemented it because the State Legislature did not enforce it. So, it is still on the books today, but it is not enforceable. You can call the Department of Revenue and they will say, “Yes, it is exempt. There is a law in the State of Florida for 100% exemption for property taxes for solar.” So the offering of incremental dollars, which is the way that we view it – “Hey, I am going to take land that is generating zero dollars now and I am going to generate \$300,000 a year with it.” You had zero. Now you have \$300,000. Rather than looking at the piece of the pie we are trying to carve out to make it viable, economically viable, we sort of view it as a required prerequisite to being able to build the facility in the first place. Without the property tax incentive, I wouldn’t be able to sell the power to the power company at a market price. Then there would be no development.

Holt:

I don’t have a problem with what you are saying because I know there is charge anyway for any service. But, what I am saying is this – If it is to be offered by the State, I don’t see a problem with it being offered. I am just saying how the pie is cut up. If the School Board, Water Management and the County decide that you get 83% abatement, then it should come out of all three pots. I don’t have a problem with that, Commissioners. But, I do have a problem with someone trying to get their road paved when we are not getting anything, but the other two entities are. They are not going to call the School Board to get a road, they are going to call us.

We work for the citizens that don't have anyone in the school system. I am for the School System getting money, but I want to see that pie cut up equally and look to see if it can be done.

The megawatts – you are saying how much per megawatt?

Scrivener:
20 per farm.

Holt:
20 per farm and that is how much money?

Scrivener:
It is about a \$70 million investment.

Holt:
No, I am talking about how much we will have to pay for the permitting, the studies, that type of thing.

Scrivener:
We would pay all of those things. We are asking for consideration, I believe, in the form of a tax credit for those expenses.

Holt:
That is what I am saying. We will have to pay you back. That is what I am saying, Commissioners, if you are looking at permitting, you are talking about permitting for 20 areas and it is about how much per property?

Scrivener:
I think we asked to have the permitting fee capped at \$15,000 per farm.

Holt:
That is \$15,000 times 20 farms. If they are done in one year?

Scrivener:
\$10,000 is that the number?

Holt:
That is what I have. When you said \$15,000, I was getting really worried.

Scrivener:
It will take us about eight years, maybe 10 years to build, but, you are in the neighborhood. So, \$200,000 over 10 years.

Holt:
The studies. The county has to pay for the studies. How many studies are we talking about there?

Scrivener:

Once again, we are asking for simply consideration of our expenses in the form of a tax credit.

Holt:

All of these items, we need to look at and make sure. If you are saying one study per property, then it is o.k. But, if you are talking about several studies and if they are going to be \$1,000 each, we want to look more closely.

Scrivener:

On a single facility, a sing 20 megawatt farm, we have about \$2 – 3 millions of development expense that we invest. Most of that is done in the local community where we are doing surveys, environmental studies, geo-technical testing, interconnection studies, permitting, - our business model is focused on being able to assemble many projects, not just one. So, when we look at the expenses associated with a single site development, we are looking for a partnership with the County willing to share some of those expenses with us given the long term benefit.

Holt:

We are coming back to this because from what I am hearing, the contract I mean. These are some very general questions. I am really stating them also for the attorney, not just me trying to put you on the spot. So, are all of these charges out of the 83%? Or are they additional?

Scrivener:

It would be in addition to the 83%.

Holt:

O.K. Come on, now. We are talking about 100% here. The county would almost foot the other 17%.

Scrivener:

No, it is actually – I think if you do the numbers, you will see that you are cash positive in year one. The county is cash positive in year one.

Holt:

To who?

Scrivener:

From us. If we are paying the county taxes and asking for a refund of a portion of those county taxes, paying the school taxes and paying the water or special district taxes, what we are asking for is help in leveling the playing field between these competitive markets.

Holt:

I want to help you. That is why I am asking. I am not saying that you need to answer that.

Scrivener:

I think that the numbers even at the farm basis are still heavily in favor of the county. I don't

think that at any time in our scenario is the county out a penny. I think it is a cash positive scenario from day one from us to the county.

Holt:

As I said, I am not debating that. I am debating where that 83% comes from.

So, that is not for you. That is for us.

Scrivener:

Understood. I will leave that at your feet. I can tell you what the numbers are and where we need to get in order to make it work. That is what I am looking at. When I looked at the overall scenario and we were faced with coming up with a strategy approaching the counties about how we go about requesting this. The idea of infusing capital into the school board is something that we felt strongly about. We believe in it and we wanted to pursue that as a way of partnering with the county. Let's make it about education, about the schools and focus on paying that burden completely. But, then we are asking the money to come out of the county pockets. If there is a difference in those, you guys will have to guide us.

Holt:

Thank you. That is where I am. I am concerned about the schools, too. But, I really am concerned about the county, too. We are county commissioners. Commissioners and Madam Attorney, I am very interested in seeing if this can be divided up to make sure that it comes out fairly among the three entities. Maybe Water Management District would like to know and see if there is anything there. They may want their money. They may not. Maybe they want to give some type of incentive for the companies. As far as Planning and Zoning issues, I think those issues have to come up, but we will see if we can fast track them, but I think they have to go through the process. We don't want problems later on. They are there for some reason.

I am looking at this 20 year abatement. I am just like, "20 years?" I know you have to make money and I know that we want this company here. I just think we have to hammer it out.

Commissioners, I think we need to look at this closely.

Taylor:

Thank you. I think we have heard from everyone and we are going to move on with this.

Obviously, as you said, you presented this to us. This will help the axles moving. We are going to entertain it and just ask the attorney how quickly she can get this back to us. Obviously, there are some issues in the contract that will not allow us to move as expeditiously as we would like. That is the referendum. That is the only thing that I can see that is sticking out like a sore thumb at this time. It is going to have to get on a ballot and so forth. That is what we are trying to not happen. I am sure, as she mentioned, you all now are looking at some other counties that might help us to avoid that particular situation.

With regards to the agreement, one issue that I saw was that you are going to put up the farms, but you didn't cap as to how many. You said 20 in your presentation, but your agreement does

not elude to 20. That concerns me. We don't want to see them all over because one thing this county has done is reserve our natural habitat. We would like for a good portion of that to stay in tact. So, something of a moratorium as to how many farms need to go in. At this point, let me say again, it will not stay on some bureaucrat's desk for 60 days. However, as Commissioner Lamb said, we need to move it along, but stay within our guidelines, rules and statutes.

We all know that if the education system does well, it brings in economic development. We all know that, so investing in our education should be paramount for all of us around this dioceses. We all know that if our health system is strong, again, it brings in economic development. As well, our county structure brings in economic development.

I am going to ask that staff look at this along with our Property Appraiser. Again, I don't want to begin by telling you who to talk with because I don't have authority over other constitutional officers, but I am sure, Mr. Lawson, you know who all the players are on this that need to come together and have a round table so that we can get the nuts and bolts taken care here and that it stays on our desk no longer than it has to and that we move forward.

I want to keep that smile on your face. I want to keep the intensity in your heart. To Mr. Gardner, again, I want to appreciate you for working as hard as you have done and as well, your staff and the Chamber board for your enthusiasm and your sticking with this project, your dedication with absolutely no pay for them. But, I want to also thank the Board and the staff and National Solar.

These are just questions that the board is going to ask and you would rather hear them now. You would rather hear what the issues are now on Day 1 of the agreement being presented to us. It gives you a roadmap to follow and not a trap.

Scrivener:

I will say this, we, at National Solar Power are delighted to work with you guys. We will work with you on this agreement and the county attorney along with our attorneys from Orlando. I am sure we can carve out an agreement that is a win/win for everybody and meets everybody's needs.

Taylor:

Commissioner Morgan asked for something and I agree with him. He asked that we do a timeline. But, out of respect for the unknown at this time, we couldn't do a timeline right now and be fair and concrete on it because there are some things that are extenuating that we can't control. So, to give you a timeline now would certainly not be fair. But, I will say this, at our very next meeting, we will have a timeline for you as to what we can circumvent. The referendum – we will know that by then. AS to what other issues might be there in front of you and then, we may have to have a special meeting so that we can have just this particular item to discuss. One where the citizens can come in as well and we can sign off on this agreement and move you forward. I don't think we can get it at the next meeting because there are so many unknowns here, but we are certainly going to use this as our road map.

Again, thank you so much to all the stake holders. Thank you so much for coming this morning.

Let's go to work and get it done.

Let's move on.

Holt:
I am ready.

(applause)

Taylor:
I let you get away with it one time and I just broke the rule. We are not allowed to clap in the commission chambers.

Croley:
Madam Chair, I just wanted to ask a question of you.

When you said a "special meeting," would it be possible for you to consider a follow up to your comments about a special meeting?

As soon as they are ready, have a workshop on this so that we could talk about this item? That is just a request to you.

Taylor:
I have no problem with that. I think it is a great idea. A workshop/special meeting.

Croley:
Whatever you want to call it, but a workshop according to the ordinances.

Taylor:
Let's do it that way with a special meeting so we can go ahead on and entertain the agreement and vote on it. That is the reason I want to have the "slash." (workshop/special meeting)

Mr. Lawson,

Croley:
May I ask a question as a follow up?

If we have a workshop and you are saying a special meeting, I think you are going to have to have a public hearing on this. Of course, if it is appropriate to do a special meeting, that is fine, but all I am saying is it would help to expedite this thing if we could have the workshop as soon as they are ready and then – I don't know if you have to have a public hearing or not.

Lawson:
We will make that determination.

Taylor:

Again, I agree with Commissioner Morgan, Commissioner Lamb, I am ready to get out there and get the dirt turned. I am with them 190%.

Croley:

Well, we are all ready to that.

Taylor:

I am with Commissioner Holt; I am with Commissioner Croley; I am with my board.

What I was about to say is that Commissioner Holt and Commissioner Croley have very valid concerns and we need to address them and get it answered. We have two commissioners that are ready to get it going. So, if we could get those questions asked and get it going. That is why I want a workshop slash special meeting so we can do it all in the same night. Now, we will make amendments if need be and we will vote upon this agreement based on those amendments from the workshop. Sounds a little confusing now, but we will get staff and make sure that it is advertised and properly noticed.

Holt:

Madam Chairman, may I right quick?

Taylor:

Yes.

Holt:

I am trying to figure out what Commissioner Croley is saying. He makes a valid point. If you have a workshop and you make any decisions in that workshop, you have to advertise for a special meeting in order to take a vote in a special meeting.

Taylor:

Well, when you advertise, you are going to advertise that this particular agreement will be entertained and voted on. And that it will be a public meeting for discussion. So, whatever discussion that will be made and whatever amendments that will be made, will be heard by those who are interested and come in to give their opinion.

Holt:

If I may say this. Whatever the law says is what we should do.

Taylor:

There you go. That is exactly right. Alright. That being said, we are getting to ready move. Is that clear as mud, Mr. Lawson?

Lawson:

Yes.

Taylor:

Very good. Are you clear?

Straughn:

Yes.

Taylor:

Very good again. Our next meeting will depend on what we need from you (to attorney) and as well establish a time line.

Are you clear? (to Commissioner Morgan)

Morgan:

Yes, I am clear.

Taylor:

Everybody is clear.

3. ~~Bike/Pedestrian Plan Update~~

This item was deleted from the agenda.

3. DISCUSSION OF ECONOMIC DEVELOPMENT AGREEMENT WITH NATIONAL SOLAR

(This item was added to the agenda to replace the above item.)

CLERK OF COURTS' AGENDA

4. Presentation of County Finance and County Clerk Issues

Clerk Thomas had nothing to discuss.

CONSENT AGENDA

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

5. Approval of Minutes

August 2, 2011 Regular Meeting
August 16, 2011 Regular Meeting

6. Ratification of Approval to Pay County Bills

Accounts Payable Vouchers dated:	September 16, 2011
	September 23, 2011
	September 30, 2011
	October 7, 2011
Payroll Vouchers Dated:	September 2, 2011
	October 6, 2011

7. Approval of Workforce Plus Interlocal Agreement

The Board approved the establishment of a Jobs and Education Regional Board in 1996 along with Leon and Wakulla counties that would serve as the workforce Development board for the region. An Interlocal agreement was also approved at that time. The agreement describes the responsibilities of each County Commission.

The Workforce plus must adopt a one-year Workforce Services Plan which includes planned action to reach objectives and strategies. They also emphasize a plan to address the needs of the business community through the development of strategies that serve a good business climate.

The Workforce Services Plan was approved by the Gadsden County Commission on September 201, 2011. An updated inter-local agreement serves only to ensure the document is updated to coincide with the services plan.

8. Approval of Signatures for Special Assessment Liens and Rehabilitation Contracts – State Housing Initiative Partnership (SHIP) and Florida Home Opportunity (FHOP) Program

Mary Kelly, 1395 High Bridge Road, Quincy, FL
Walter Byrd, 22 MLK Blvd. Chattahoochee, FL 32324
Peggy Stokes, 424 9th St. Chattahoochee, FL 32324

CONSENT AGENDA ITEMS PULLED FOR DISCUSSION

No items were pulled from the consent agenda for discussion.

CITIZENS REQUESTING TO BE HEARD ON NON AGENDA ITEMS

Marion Laslie, 5 Dante Court, Quincy, FL

“We are still waiting for more data dealing with the Comprehensive Plan and Land Development Code and I guess the items that are in the agreement that you folks have been handed. I am wondering what the role of Planning and Zoning Commission in this whole process. I personally would like to see this presentation made to the Planning and Zoning Board, but slowed down quite a bit or with a handout. There was quite a lot of information presented. I would like it to appear as an agenda item on the Planning and Zoning Board so that the public can speak on the issue in that forum. I think we would get a lot of questions on the table and sort of find out what the concerns are. That is just a suggestion.

I am also fairly confident that any changes to the Land Development Code or the Comprehensive Plan have to go through the Planning and Zoning Board first. So, that is another forum where the public could be involved. I just want to make sure that those things happen.

There are quite a few questions that have not been even addressed and I am sure that these will

come up in time. What are the water needs of each of these sites? What is the life of a plant? One of my big concerns is the 2-mile limit is the eminent domain issue. I want to look at that real carefully because I know that people lose a lot of rights when eminent domain is invoked under the umbrella of a utility even though this is a "for profit" company.

The last thing I have is to ask is, "Is there a video of this meeting?" If so, where is it available? Is Mr. Southerland still making a copy and giving it to the Clerk? Is it in the Library anywhere?

Taylor:

These are very valid questions. Is that your last question?

Laslie:

Yes, we are just waiting on the ability to ask more questions.

Taylor:

Number 1, the process here is that we normally ask citizens to get with the interim administrator with their issues and concerns.

With regard to the video taping, I think the interim can give you directions as how to obtain one, if that is what you wanted.

The questions and your concerns are very valid. Again, as you sit here, you have observed that we will bring this back for a public hearing and for public questions. I think that at that time, you will be able to get a lot of your questions answered.

With regard to Planning and Zoning, again, that is an issue that I hope you will speak with the administrator on. He has authorization over that department. Giving this presentation and allowing Planning and Zoning to be able to listen to it or look at it is a discussion that I certainly hope you will have with him. But, that is a judgment call from him as well as the director.

All your questions are very valid. I will implore you to please speak with him before the week is out. To Mr. Lawson. See if we can get your concerns moved from that note pad to his note pad and then we can get some traction. I appreciate you coming and I certainly appreciate your patience.

Thank you.

GENERAL BUSINESS AGENDA

9. Approval of the Distribution of the 2% FRS Offset for the BOCC Employees

During the 2011 Florida Legislative Session, the Legislature revised the Florida Retirement System by having employees to contribute 3% to their retirement. Many local governments throughout Florida helped their employees by offsetting the required deduction by increasing the pay by 1 – 3%. During the budget process the BOCC approved sufficient funding to increase the pay of the

county commission employees only by 2%. Subsequent to the budget approval, more discussion ensued and it was proposed that the increase would only apply to those employees making less than \$40,000. Staff brought forward the data and analysis to the board at the last meeting as to how the increase would affect the budget at various percentage increments.

This agenda item was brought back to the board for a vote on how to proceed as to the proposed increases. The options listed are as follows:

1. Keep the 2% currently in the approved budget all eligible county employees.
2. Keep the 2% currently in the approved budget for all employees making \$40,000 and under (including eligible part timers) and authorize staff to advertise a public hearing and budget amendments deleting the 2% for all other employees.
3. Other board directions.

Staff recommended Option 1.

A MOTION WAS MADE BY COMMISSIONER HOLT TO APPROVE OPTION 1. COMMISSIONER LAMB SECONDED THE MOTION. THE BOARD VOTED 5 – 0 IN FAVOR OF THE MOTION.

10. Approval of Agreement with [Gadsden County Chamber of Commerce for Economic Development Services Fiscal Year 2011-2012](#)

This agenda item presented the board with an agreement for economic development services to be provided by the Gadsden County Chamber of Commerce during the year 2011-2012. This is an annual agreement that is submitted by the Chamber for the money that has been allocated by the board for economic development. The amount of the contract is \$60,760.00.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE AGREEMENT AS PROPOSED.

11. Discussion and Consideration for Approval Additional Economic Development Funding

This agenda item was presented at the request of Commissioner Morgan to provide additional funding for economic development. The Board approve \$60,760,000 in the 2011/2012 budget, which was a decrease of \$9,240.00.

Morgan:

Thank you, Mr. Administrator. I appreciate you letting me agenda this item for discussion and action here this morning. As we have seen from the discussions we have had prior that the importance and focus on economic development could lead to great things for our county. We currently have in our budget \$9,240 less than what we had budgeted for economic development for last year. What I am asking the board to do is to approve an additional \$9,240 for funding the economic development arm of the Chamber of Commerce so that we can keep our engine going, so to speak, as we continue to move forward and look for growth that makes sense to our county where we can keep bringing jobs for our folks here in Gadsden County and the surrounding

counties.

Secondly and within that request we now, as you all know, have a very active and successful small business development center that operates out of the Chamber as well in conjunction with our economic development group. What they have been very successful in doing is having a very positive impact on small business owners and those wishing to understand how to be successful and move forward to open a small business in our county. We heard during our budget discussions from individuals throughout our county as well as the young lady that actually taught the class to the students and those who currently work in the small business development center. What I am requesting is an amount to fund this for the upcoming year of \$25,000, which is a very reasonable budget. What that would do is bring the total request to \$34,240.00. So the public can understand, I appreciate these screens being up here. What we are asking is to fund the economic development at the same level as we did in the prior year so we can keep this moving forward. That would require an additional \$9,240.00. In addition to that \$25,000.00 to be used by our small business development center to continue the educational and other benefits that the other folks in our county will receive. That will bring the total request to \$34, 240.00.

Now, that will have that fiscal impact on this year's budget. Staff is coming to us to get our approval on whether or not we want to use money to fund this or whether or not we see that as a top priority for those without a job in our county as compared to the other items that we looked upon. So, according to the recommendation that I am seeing put together by the administrator, is to move these funds from our "reserve for contingency" or if there is a better request, we can certainly move it from there. That is my request. I hope that I can get some support from the board. I will leave it at that.

Thank you, Madam Chair and Mr. Administrator for putting this on the agenda.

Lamb:

Madam Chairman, does he want to put this together or does he want to separate it?

Morgan:

Yes, I am asking for it to be put in the same motion that we fund, and I know there will be further discussion, but at the appropriate time, I would like to put forth a motion. Thank you.

Taylor:

What I did a moment ago, I asked the attorney to give an opinion as to whether or not you can approve this particular item now pending an amendment to the budget. I will lend to her to give her interpretation at this time.

Minnis:

Basically at this point in time, as I indicated at a prior meeting, in order to change these amounts, there would have to be a budget amendment, which would require a public hearing. So, at this point in time, my belief is that you can instruct staff to bring back a budget amendment, but you cannot amend the budget with your vote today.

Taylor:

With that being said, this is open for discussion so that we can give staff directions as to whether or not we are going to do this. I think that they should be separate issues; whether you want to bring them to \$75,000 and do we want to give them the additional \$25,000 for the entrepreneurship program that they have implemented. I think that would bring them to the full \$100,000 that they were looking for initially.

Staff did indicate that there are some other unfunded items that we need to look at for this upcoming year which is going to have to come out of that contingency. So, we will open this up at this time for discussion. We live in a democracy and we will see however the board goes.

I will start with the commissioner to my far left, Commissioner Holt.

Holt:

Madam Chairman, I think this needs to be revisited and we really need to look at this. We have already budgeted it. I think there are questions about the Solar Farms because when the Chamber was making these negotiations, the board itself needs to be included in some of those meetings. I am not talking about "if you wanted to come." We should have been there and it would have cleared up a lot of our questions. I am sure that I would never have agreed to those large numbers going to the school system when we have other needs in the county. What I am saying is when I look at productivity, that is what I want to see; the inclusion. Not whether you are doing a good job. You are doing a good job if everybody knows what you are doing. We just need to know what the plan is. Where is the plan? Like I said, I am willing to give them the money for production. This is no offense to anyone, but when C.W. Roberts was leaving, I needed to know from the Chamber, "What do you think about that?" If we are losing jobs on that end and picking them up on this one, they should be telling us something. What are you saying on these things? So, I am looking for that. I am not opposed to funding them. Maybe they need more money. But, where is the plan? How do you weigh in on issues when they are heavy weight issues? I need to see that before I can really say, "Give them the money."

Another thing is the budget process. How do we go back to those other groups and say that we are either going to fund you or not fund you. And don't start saying that you will do it on an individual basis. We always say that when we want to fund somebody and we don't want to fund somebody else. Don't start that. Let's have a consistent program. Now, those other groups are going to come back and ask for money and what are we going to say? What is the plan? If there is a business leaving, we need to know about it and see what we can do to keep them. If we have one that wants to come and it may not be Solar, it may be someone that we don't even like, but we may never hear that that company was trying to come here.

The training for small businesses – that is fine. I don't have a problem with funding it. I just need to see the plan. That is what I need to see. Like I said, when it comes to contracts and the contract shows up a week before, we need some input on that from the hammering out stage. That is where I am with it.

Thank you, ma'am.

Lamb:

Madam Chairman, I have already asked the question that I was concerned about – will we do them separate or are we going to vote on them together. I think Mr. Morgan is the one that presented it to us and he said he would like to do it together. Unless you ask for a vote, I don't have any other comments on it.

Morgan:

In response to some of the remarks, this is simply about prioritizing your money. Yes, there are going to be others that come that may want funding. It is just a matter taking the responsibility of saying, "We choose this as a top priority and we say yes to it. Other things we will have to say no for right now and hope that we can say yes later." It is not an all or nothing that you have to "yes" to everything or "no" to everything. It is just a matter of identifying and focusing on your priorities.

Now, I do want to make one quick comment. When it comes to discussions that the economic development arm of the Chamber is having these private companies or any other entities – that has to go through stages. All of that information does not come to the Board of County Commissioners at once and there are reasons that it has to go through those certain steps. It is done so that it is done in the correct manner. That is what is important to keep in mind. But, if there is no further discussion, I would just -

Holt:

I do have another question.

Taylor:

We need to go around the board.

Morgan:

I am sorry, I thought we did.

Croley:

My question was how much money is in the reserve for contingency? Mr. Lawson, do you have that information?

Lawson:

At this point \$202,000.

Croley:

And that is in the budget that has already been approved?

Lawson:

Yes, sir.

Croley:

Well, on that basis. Here is the thing. The Chamber is the economic arm. We've got to support economic development if you want to have any opportunities of getting jobs. The other thing is that the Small Business Development Center. Here is the deal with it. As they say, "You can give

people fish or you can teach them to fish.” As far as I am concerned, anything that is providing an education to help these people operate a business and step forward and put people to work is a good thing.

Yeah, there are always other groups asking for money, but this is really an investment in the job and employment market. AS long as we can afford it, I am for doing it.

Commissioner Morgan, whenever you get ready to make your motion, you will have my support.

Thank you.

Holt:

Madam Chairman, I would like to ask the manager a question.

What are some of the other items that may need to come to be funded that may have to be funded out of the reserve for contingency.

Lawson:

Commissioner, we put money each year into reserve for contingency because we don't know what type of items may come up. That is the purpose of putting it there so the items we haven't funded that come up. We usually look at the reserve for contingency before we look at trying to find the money anywhere else.

Taylor:

I will share one with you. Mr. Administrator, help me here. One was the transportation that is being used by Gadsden Express. That was not a budgeted item. That is something that we indicated that we wanted to take a look at. It is also an economic development tool because it gets people to and from work and school and medical attention. That is one item to the tune of \$50,000 and \$80,000.

Lawson:

Madam Chair, we have learned that we are fully funded with our current transportation system through February of 2013. However, in order to alleviate some of the congestion on the bus, we are looking at adding an additional van during the peak periods, which will bring that funding down by a month or two. But, we will need to identify funding for next year in the next budget.

Taylor:

The congestion as well as additional routes. We are going to need additional funding for it as well. I know that each commissioner would like to have an extended route to their district; stops in Gretna, Chattahoochee, and Havana so that we can get people moving.

Holt:

Madam Chair, I was not finished.

Taylor:

I am sorry.

Holt:

Thank you. I am glad you brought Gadsden Express up because that is one of the items that I had jotted down the last time; I didn't this time. That bus is running full and overcrowded when it leaves Winn-Dixie. The problem comes when you go to pick up at the hospital and Midway. If they are already standing up at 8:00 o'clock here (I know because I have been dropping someone off up there every morning.) and the problem becomes where the other people will sit. So far they have been sitting on the floor or standing in the aisle while the bus driver is trying to drive. So, if you are looking at running another van, Mr. Lawson, you need to purchase that out of this funding – is that what you are saying?

Lawson:

No, Ma'am. Big Bend Transit runs the service for us as you know. We are waiting on Mr. Walters to get back with us and tell us what the additional cost will be. They've got extra vehicles; we wouldn't have to purchase a van at this point in time. But, then there is the cost of the transportation and that is what we are waiting for him to get back with us.

Holt:

Thank you. On the other items that were brought up, I do understand economic development quite well. I have dealt with it since 1999 with this board, this County Commission, so I don't have a problem with that. I do have a problem with not being included on items. Now, to give you a great example and I am going back to the development in Marianna. The same scenario was brought. Well, you have to have all these things signed, so we signed forms and did everything, or at least they did everything, we didn't do anything. They got all the development and the reason they got it - I got in my little pickup truck and I drove over there. I found that the School Board, the County Commission, the City Commission, the NAACP and the Chamber were all in the same room. They were going over and trying to get the Dollar General parent company. They had a big sign over US 90 that said, "Project Raven, We are Waiting on You." We were back here and everything was so secretive. Of course it was a secret to us, but over there they had a big banner across US 90. It couldn't have been a secret because you have to get a permit from DOT two weeks ahead of time in order to put the banner up. We missed that project because we were told by our Chamber that we were not "camera-ready."

My example is to say to you that unless you include the board in economic development plan, we are going to continue to miss projects because you are depending on one group whereas Marianna was getting together and depending on a lot of folks. They are better informed. I asked one of the city commissioners there, "How did ya'll get to this point? All of us are in separate rooms and separate buildings." He told me, "You have to have some expensive funerals and good elections. They either have to die off or you have to vote them out."

So, we are not looking at the process. We are looking at just funding. If it is a good process, I am willing to fund it. That is all that I am saying. I am saying as I said before, I am using C.W. Roberts Company as an example. Our economic development people should have weighed in on that one way or the other. Are we going to lose 100 jobs or are we going to lose 50 jobs? Are we going to lose 200 jobs? How does it affect our economy? You save economic development, yet no one weighed in on that.

I am going to support this and if it needs to be brought back I am going to bring it back. I want to see some accountability and I want to see it laid out. That is all I am asking for. I want that from the Chamber and also, Madam Chair, I think it ought to be voted on as two separate items. The reason I am saying that is because if the Small Business Development Center is separate to the Chamber, it should be funded separately. If the Chamber gets an increase, then it should be funded separately because you are talking about two separate entities.

Thank you.

Lamb:

Question, Madam Chairman, just quickly cause I've got somewhere to go.

I believe we have, and Mr. Lawson can verify this, I think we have more than one truck or one van that is taking citizens over to Tallahassee – the Gadsden Express. I think we've got two or three of them.

Lawson:

The Gadsden Express is the one that makes one route, but Big Bend Transit has several vehicles that go to Leon County in addition to the Gadsden Express Bus.

Lamb:

My concern is that Mr. Waters needs to come up with a procedure that we can let the citizens know that this is his procedure that he has come up with. Standing up or sitting down – there is nothing we can do about that. He can let just so many on and then they will have to wait until the next one comes by. All can't get on one bus.

Taylor:

That is not exactly how it happens.

Big Bend will pick up from the door to take citizens to certain designation, but it has to be kind of (inaudible) in order to ride.

The bus that we are talking about is that anybody that gets on with a \$2.00 fare can ride. That is the only bus that does that. But, Big Bend will take on doctor visits and special needs visits. That is the bus that runs. But, the one that we are talking about that needs additional funding – I do sit on that Transportation Board. We are going to need additional funding in April of the year coming. WE are going to need that because I have the discussion. As a matter of fact, a letter is being drafted as we speak to be sent to the City of Quincy and to the County letting them know that additional funds will be requested. This is something that I know for a fact. It is on its way.

Lamb:

The last question I have - This Small Business Development – Who oversees that?

Morgan:

Those two people in front there.

Lamb:

Who oversees them? Who do they answer to:

Taylor:

David Gardner.

Lamb:

Mr. Gardner, would you come to the microphone. This is a question that I need answered before I vote on this.

So, you see over the Small Business Development?

Gardner:

Yes.

Lamb:

Is it worth it? Is it working as far as you are concerned?

Gardner:

We have been overwhelmed with the success of this program. We are getting calls, walk-ins, and the support that Mike and Pam give is unprecedented in this county. From entrepreneurship to Specific small business questions and guidance about how to develop a business plan, there is a tremendous demand in this county.

Lamb:

In the future, if this passes, can the board be given some type of information and updates on what they are doing?

Gardner:

Absolutely. We will do it quarterly along with our economic development report, which we will also be doing orally as well as written.

Lamb:

Thank you.

Croley:

Madam Chair, again, I move the question.

Taylor:

Excuse me sir, we do have just like you have had an opportunity for discussion. When you finish you questions, they were answered and everyone else has that same right. When a question is called we need to respect each other moving forward.

Lamb:

That is it for me.

Taylor:

Thank you very much.

Now, I didn't have a chance to make a comment and I am going to say this and I am going to be done with it and we will call the question.

I certainly am not in favor of amending this budget. I would like to entertain them separately as presented by another commissioner, however it is agendaed with both items on it. Commissioner Morgan has indicated that he wanted to see them both entertained. WE went through painstaking time entertaining this budget and we need to adhere to it as best as possible. We can come back in 3 – 6 months later to look at doing some additional funding. Obviously, the Chamber cannot spend all of this money right now. According to this agreement that we just voted on stated that they would pull their money down quarterly. So, all the dollars that they are needing, they don't need all of the \$100,000 today. They can certainly get underway and get started.

What is the cost of the entrepreneurship program? Here is what happens. We get them to the program and they get all the training, but at the time they start using what they have learned, there are no dollars in place to fund them. That is where we drop off. You've equipped them with a vast amount of knowledge, but you are not funding them so that they can take their concepts to the next level. That is what I was looking to hear. I was waiting to hear about some funding process. I know that when I went to the graduation, that was a concern that was laid out by some of the graduates. So, I am not really in favor of doing it right now. I don't think I am going to give it my support to it of either of the two simply because we agreed to come back in 3 – 6 months and look at it and work our way through this budget, get some projects under tow. We might even have more money to help some of these people to launch their projects. If you would give this budget a chance to process itself, there might be even more money to help that gentleman who wants to do lawn service or that lady who wants to do catering or that other family that wants to do an inhouse program. There might be some opportunities.

Now this particular program was funded by Rural Development before and that is how it got off the ground. It was not funded by this board. It came through rural development dollars. You are being a bit premature here in setting out these dollars and not giving our budget a chance to work. We are already adding and changing it and this is not good. This is not how you want to do your business. Set a plan, stick with it and move forward with that plan for 3 – 6 months, come back, look at it, make some adjustments if need be then continue on down the road. Remember that I said that yesterday. It is not good to bother this budget at this time.

I call for questions to approve this item.

Morgan:

I would move that the board would agenda an item at our next public hearing to amend the 2011/2012 budget to include an additional \$9,240 for funding in the economic development arm of the Chamber of Commerce and then a separate budget amendment to approve the \$25,000 to fund the Small Business Development Center.

Lamb:
Second.

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

Holt:
When is this to be brought back? When is the draw down on those accounts?

Taylor:
Quarterly.

Holt:
Is it possible to vote to approve and then rescind?

Taylor:
You can always come back, but you would need a majority to rescind. We will ask that of the parliamentarian.

Holt:
The reason I was asking is because I had not thought about the draw down being quarterly. But, I am expecting some literature and I am not just saying, "Report on what you have done." I need some information about what is going on so we can help and get out there and do some things to help.

Taylor:
There is a motion and a second to approve having this brought back for a public hearing and a budget amendment, I assume at the next meeting.

Lawson:
We've got to have time to advertise.

Taylor:
There is a motion and a second for it to be brought back at the appropriate public hearing meeting. All in favor of this motion, let it be known by saying, "Aye."

Holt: **Aye.**
Lamb: **Aye.**
Morgan: **Aye.**
Croley: **Aye.**

Taylor:
Opposed?

Taylor: **Aye.**

The motion carries 4 – 1.

12. Approval of Revised Hours for the William A. “Bill” McGill Library

In 2006, the Board increased the library operating hours at the Bill McGill Library from 56 hours per week to 68 at the additional cost of \$57,686. The operating expenses are paid from the State Aid grant, which has declined considerably and is now 37% less than when the Library opened. It was noted that grant fell \$125,000 short of covering the operational cost in 2010/2011. The budget for 2011/2012 was based on a reduction of hours at the main library in the effort to make certain that the grant revenue was sufficient for operations. Reduction of 12 operating hours at the main library will serve to keep the Library System within its approved budget.

Two proposals were presented for the reduction. Dr. Carolyn Poole, Library Director, and Interim County Administrator Arthur Lawson recommended Proposal A: Close the library one hour earlier on weekday nights; open earlier on Wednesdays; close three hours earlier on Friday and Saturday nights; and close on Sunday afternoon.

Public Input: **Ms. Emily Rowan**, 1200 Little Sycamore Road in Sycamore. As a member of the Library Commission, she reported that extensive investigation went into the recommendation of Proposal A. She requested that the board approve Proposal A.

There was some discussion about whether the library should close on Sunday afternoon since the statistics show that it is actually used more on Sunday afternoon than on either of the week-end nights. There was also discussion about performing surveys to determine how the public would react to closing on Sunday. If the survey results confirm a need to be open on Sunday, the matter could be revisited.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO REDUCE THE OPERATION OF THE WILLIAM A. MCGILL LIBRARY AS STATED IN PROPOSAL A ABOVE.

Mr. Lawson reported that they would advertise the new hours in the newspaper and post signage at the library with appropriate information. He also told them that the proposed hours are reflected in the approved budget and it would be necessary to budget additional money if the board should determine that the matter warranted extending the hours.

13. Discussion of RFP Number 11-1 for Roadside Mowing

Public Works Director Charles Chapman reported that when the bid committee met to consider the bids received, they realized that a significant error was made in the pricing. He recommended that the board reject the bids and authorize staff to rebid the roadside mowing. Commissioner Croley noted that the public works equipment is wearing out and this privatization

possibility arose out of the concern that the equipment needs were greater than the funding available for those purchases. He said, "This is not to replace people. It is to avoid having to replace all those tractors and mowers."

Chair Taylor suggested that perhaps they could negotiate with multiple vendors and spread them out in the districts.

Commissioner Holt asked the administrator if it would be possible to recruit local people to give those jobs to.

Mr. Lawson replied, "You could add a local preference to your procurement policy, but we don't have one currently. The only other thing is (especially for something like this) if you put a local preference, it could cause the county's cost to be higher because they would have to go out and purchase the necessary equipment."

Commissioner Croley replied, "I have learned from the State DOT is the fact that most of the contractors would be local, you would be getting some local folks here that would have an opportunity for employment if this thing were to move forward under their bid procedure." I thing that would cure what you are suggesting. "

Commissioner Holt reiterated that she would like for it to become a part of the local procurement policy as a part of the routine process.

Commissioner Morgan asked, "When we are looking at these RFPs, how are we ensuring a level of service for the tax payers since we are the ones funding it? Is this (level of service) going to be secondary criteria to who is actually doing the work or is the standard of service going to be prioritize before whether or not it is a local firm? How would you see the standard of service we are receiving now changing, if at all?"

Mr. Chapman answered saying, "There are about five answers to that minor stem. When we are looking at this from our approach, our primary concern is that we have five rounds of mowing per year. One round will give up about six weeks. There is no way that we can get ahead of the weather and ahead of the grass with the current situation with four mowers, four batwing decks and one maintenance worker truck. It is logistically impossible for us to stay ahead. Understand?

So, when we are approaching this RFP, the idea is now when we go back and refine it is to put in what we would like to see as an acceptable level of service based on conversations that I intend with DOT district 3 here in Midway as well as Chipley. What would be reasonable? They have engineers coming out their ears. They have the experience and they have been doing this a lot longer than we have. They are a good source of knowledge.

In answer to you question, we are going to be looking at standard of service. To insure that the standard of service is met, there is always a performance bond and a cancellation for convenience clause and a breach incurred clause in any contract that would perform for this kind of work.

Anybody that wins this RFP moving forward will have to legally adhere to the acceptable standards, bond themselves, know that we have a breach incurred policy and understand that at any point in time, Gadsden County can be unhappy with their service and we could cut our loss with a reasonable notice.

Morgan:

Would the term of the RFP – would it be 1 year, 3 years, 5 years?

Chapman:

We would address not address that at the RFP level. We would probably address it when we get into contractual negotiations with the selected vendor. It would be at the discretion of the Board. This board has had a history of liking to go in one year terms. It is very rare that we move beyond a one year term unless it is a long standing and long term provider that we have really good relationship with.

Morgan:

Back to the level of service. How are you going to insure the standard of service? Do you see that improving, remaining the same, not as good?

Chapman:

We are kind of flying into a dark room. I can't insure what we are going to see from the contractor because we have never done this before.

Morgan:

Based on the comments that you made earlier, the fact that you don't have enough funding or resources to provide the level of service that you would like to see. I don't want to put words in your mouth, but I believe that is what you were eluding to. Would you agree that we may, in fact, have to invest a some additional funds in order to make sure that we are providing a good and quality service to the public? Again, going back to prioritizing and also the comments that Commissioner Croley made that I completely agree with – shifting the cost from equipment -

Chapman:

I think I see where you are headed - Shifting from the actual in house expenses versus paying out to a private vendor. I think you may see an increase. The potential is there. I am not going to say that you will or you will not. I will say there is a potential there that you will see an increase in annual cost, but understand that you may be getting a greater frequency and be getting a better benefit for the expense. We will not know that until we get the responses back after we refine this bid package to really drill it down. We are going to be dealing with folks on the outside like HB Hirt and JSM Services that do this for a living with FDOT all across the state. They are well equipped to do it. Whether they are interested in us or not, we don't know. I have not received a bid from them. We will just have to figure that out. I do know that currently in the county, they run about 150 miles of eight arterial roadways and they are very uniform and they get it done in about a 30 day cycle. They are cutting two weeks off of what we are performing currently.

Taylor:

Alright, let's move this one along.

A MOTION WAS MADE BY COMMISSIONER CROLEY TO APPROVE THE RECOMMENDATION TO REJECT THE BIDS; REFINE THE BID DOCUMENTS AND READVERTISE THE RFP FOR ROADSIDE MOWING. COMMISSIONER LAMB SECONDED THE MOTION. THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE MOTION.

14. Adoption of 2012 Legislative Program

The attached legislative platform serves as a guide to provide direction and goals for a successful 2012 Florida Legislative Session. It was constructed from previous platforms as well as a review and inclusion of the Small County Coalition 2012 Legislative Program.

Mr. Lawson reported that the Legislative Delegation has scheduled a public hearing for the county. In view of the fact that the Legislature will convene in January this year, the document should be provided to them as quickly as possible.

Commissioner read a portion of the Preface into the record, "The issues and comments reflected in the 2012 Legislative Program for Gadsden County are intended to protect, promote and benefit programs and areas of funding that are important to providing services to the citizens of Gadsden County. "

Commissioner Croley stated, "I am not very sure that this legislative program is going to track very well with the governor's office nor with the Florida Legislature majority. It is at odds in many different areas with what I know having heard the Governor's sixth legislative priorities presented last week. I don't think this is going to fly very well, but please move it forward."

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0 TO APPROVE AND ADOPT THE PROPOSED 2012 LEGISLATIVE PRIORITIES.

15. Approval to Pay Preble Rish Engineering for Services Rendered in the Design of Attapulugus Creek Bridge and Swamp Creek Bridge

In response to questions by Chair Taylor, Mr. Chapman stated that he had been unable to determine who authorized the work to be done, but it was done during a frenzy to get projects shovel ready and in a position to compete for federal stimulus grants. Under ordinary circumstances, the discussion for such a project would begin at the staff level, but before any work could be done, there must be a task order approved by the Board of County Commissioners.

Commissioner Lamb supported paying these bills because the work was done and in the end the design work benefits the county. However, he was quick to say that he would not approve another one that has not been done by the procurement policy.

Commissioner Holt contended that the board still needs to find out what happened and why it happened. She was in favor of paying Preble Rish, but she asked to continue the in-house

inquiries to determine how these bills came about.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE OPTION 1 AS RECOMMENDED BY STAFF TO WIT: APPROVE PAYMENT OF INVOICE 79835 AND 79834 TOTALING \$91,497.00.

16. Approval of Local Agency Program (LAP) Agreement for the Town of Havana – Landscaping and Scenic Beautification Project FPN: 428098-1-38-01

The Town of Havana embarked on an initiative to apply for funds to design and landscape SR 63 (US 27) and 12th Ave. Gadsden County is the only LAP certified agency in the County and as such is the executor of the grant agreement. Florida Department of Transportation has funded the project. The grant amount is \$11,396.00. Gadsden County has been asked to enter into a Joint Participation Agreement with FDIT to release the federal funds for the project. No Gadsden County funds will be expended.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE LAP AGREEMENT WITH DOT FOR THE TOWN OF HAVANA FOR THEIR BEAUTIFICATION PROJECT.

17. Approval of Proposed Distribution of Indigent Tax Funds from 2008/2009

The indigent sales tax referendum passed in Gadsden County in 2008 to assist with reopening the hospital and providing indigent care for the citizens of the County. After all required hospital monetary obligations were met, Clerk Thomas indicated that there was approximately \$400,000.00 left from the 2008-09 sales tax collection. About \$127,000 has been disbursed leaving a balance of \$273,324.57.

The Gadsden County Health Council made a request for 200,000 to purchase a medical mobile unit. Gadsden Hospital Inc. requested the money be left in the bank to use to renovate additional space at the hospital when warranted.

None of the funds were allocated for a specific purpose and staff requested direction from the board.

Mr. Howard McKinnon, Chair of the Gadsden County Health Council, made a plea to the board for the mobile unit. He asked the board to give them more time to work with GHI and come back with a better plan.

Mr. Craig McMillan, Chair of the Gadsden Hospital Inc., addressed the board. He pointed out that the hospital has been open for 15 months and the economy is not good and no one is presently looking to expand the services at the hospital. However, the time will come when they will look at expansion possibilities again. He asked the commission to hold on to the money in anticipation of a need that will surely come.

Commissioner Croley supported letting the two entities work it out between themselves.

Commissioner Lamb agreed, but did not want to spend the money now until a greater need arises.

Commissioner Holt suggested that they look at building satellite units in the rural community instead of a mobile unit.

Mr. McMillan reminded them of how the funds can be used and that it must be approved by the legal counsel.

There was a consensus that GHI and the Health Council should have some collaboration and come back to the board at a later time with a plan.

18. Renewal of Contract for State Lobbying Services

The BOCC retained the firm of Christian B. Doolin and Associated for the past five years to assist in developing and implementing a state legislative effort to enhance state-level funding and services to Gadsden County. The previous contract for State Lobbying Services expired on 09/30/2011. During the 2009/2010, staff rebid for the lobbying services and ultimately recommended the bid be awarded to Mr. Doolin again.

The BOCC approved \$10,000 in the current budget for lobbying services.

Mr. Lawson asked the board for direction without making a recommendation.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 3 – 2 TO APPROVE RENEWING THE CONTRACT FOR \$10,000. COMMISSIONER CROLEY AND COMMISSIONER TAYLOR OPPOSED.

19. Approval to Renew the Contract with Southerland Enterprises, Inc. for Video Recording Services of the County Commission Meetings

Mr. James Southerland originally agreed to provide the video recording and broadcasting services for \$600.00 per meeting. That contract expired on 09/30/2011, but there is an option to renew it for an addition year. Since that time, Mr. Southerland has agreed to a reduced rate of \$500.00 per meeting for the 2011/2012 year. The fiscal impact will be \$11,500 per year.

While Commissioner Lamb was in favor of continuing the contract with Mr. Southerland, he said he was going to watch very closely how the board uses the video services. He suggested that some commissioners tend to prolong the meetings because of the presence of the cameras. He encouraged them to be direct and speak clearly to the issues and not prolong their input because the meeting was being televised. He commended the product that Mr. Southerland provides.

Commissioner Morgan agreed with Commissioner Lamb in that Mr. Southerland does a very good job, but reminded them that a recording is available on the Clerk's website at no cost. He could

not support the expenditure or the contract.

Commissioner Croley noted that the broadcast is not shown countywide and is only available for some people. He could not support it.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 3-2 BY VOICE VOTE , TO APPROVE RENEWING THE CONTRACT WITH SOUTHERLAND ENTERPRISES FOR \$500 PER MEETING. COMMISSIONERS CROLEY AND MORGAN OPPOSED.

20. Request Board Approval to Use the Commodity Building as a Cold Weather Shelter

This agenda item sought the board's approval to use the Commodity Building as a temporary cold weather shelter for homeless individual, elderly and low income person in the event temperatures drop below freezing. A community group made up of churches has preliminarily worked out a system to provide the services needed to run a temporary shelter in the event of cold weather. The only fiscal impact to the county would be the utilities.

The building is leased to Gadsden Men of Action until January 2011 and staff notified them of the expiration of the lease. As of this date, nothing has been received from them about exercising the renewal clause in the contract.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE USE OF THE COMMODITY BUILDING AS A COLD WEATHER SHELTER.

Commissioner Croley suggested that the county consider selling the building to a non-profit group.

COUNTY ADMINISTRATOR'S AGENDA

21. Update of Board Requests

The administrator had no report.

COUNTY ATTORNEY'S AGENDA

22. Update on Various Legal Issues

Ms. Minnis had nothing to report.

DISCUSSION ITEMS BY COMMISSIONERS

23a. Commissioner Lamb, District 1

Commissioner Lamb had no report.

23b. Commissioner Croley, District 2

Commissioner Croley reported that he met with Mr. Reed at CRTPA on October 7 with the Florida Secretary of Transportation and Secretary Barfield from the District.

- He said he got a firm commitment and a hand shake from him that the Quincy By-Pass was being funded. They are expecting to let the work in July of 2012.
- There are safety enhancements that affect Gadsden County – Shady Rest Road and Salem Road due to the number of fatalities that have occurred on them.
- He will attend a district workshop for the four counties
- He gave the five year work plan for Gadsden County to Mr. Lawson and asked that he file it with the clerk when finished.

23c. Commissioner Holt, District 4

Commissioner Holt reported the following:

- Local preferences in the procurement policy

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0 TO AGENDA AN AMENDMENT TO THE PROCUREMENT POLICY TO GIVE LOCAL PREFERENCES TO RFPS AND ALL BID AWARDS, CONTRACTS, ETC WHEN THEY MEET THE SPECIFICATIONS.

- Issue dealing with Preble Rish – Find out what happened and how to correct it.

A MOTION WAS MADE BY COMMISSIONER HOLT AND SECONDED BY COMMISSIONER MORGAN TO HAVE THE STAFF LOOK INTO THE ISSUES SURROUNDING THE UNAUTHORIZED BRIDGE DESIGN WORK THAT WAS PERFORMED BY PREBLE RISH AND REPORT THE FINDINGS TO THE BOARD.

DISCUSSION FOLLOWED.

THE BOARD VOTED 5 – 0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

- EMS investigation of allegations

She suggested that the director of EMS be removed until the investigation ongoing at the EMS department has concluded. Such a move would remove any possibility of partiality. It would just be good housekeeping.

24d. Commissioner Morgan, Vice-Chair, District 3

- He referenced the wording in the Legislative Priorities Page 3 of 14 .

A MOTION WAS MADE BY COMMISSIONER MORGAN TO AGENDA AN ITEM TO INCREASE THE LOBBYING SERVICES BUDGET BY \$15,000 BRINGING THE TOTAL FUNDING TO \$25,000.

The motion died for lack of a second.

Commissioner Taylor, Chair, District 5

Chair Taylor had no report.

RECEIPT AND FILE AGENDA

- 24a. Letter from the Florida Department of Health Regarding Emergency medical Services Grant Award**
- 24b. Letter from Senator Montford Congratulating Gadsden County Board of County Commissioners' Leadership Regarding Solar Farm**
- 24c. Letter from the Department of Community Affairs Regarding Florida Disaster Recovery CDBG On-Site Monitoring on August 9, 2011**

November Meetings

November 1, 2011, Regular Meeting at 6:00 p.m.
November 15, 2011, Regular Meeting at 9:00 a.m.

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, CHAIR TAYLOR DECLARED THE MEETING
ADJOURNED AT 12:05 P.M.

Sherrie Taylor, 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 1, 2011 AT 6:00P.M., THE FOLLOWING PROCEEDINGS WAS HAD, VIZ.

PRESENT:

Sherrie Taylor, Chair, District 5
Gene Morgan, Vice-Chair, District 3
Eugene Lamb, District 1
Doug Croley, District 2
Brenda Holt, District 4
Deborah Minnis, County Attorney
Arthur Lawson, Interim County Administrator
Beryl Wood, Deputy Clerk
Muriel Straughn, Deputy Clerk

INVOCATION , PLEDGE OF ALLEGIANCE AND ROLL CALL

Chair Taylor called the meeting to order then opened with a prayer and the pledge of allegiance to the U.S. flag.

Chair Taylor called for all cell phones to be silenced and requested all speakers to file a "Speakers Request Form" with the clerk. She thanked the number of visitors for their attendance and taking apart in County Government. "It takes people to move a government."

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

AMENDMENTS AND APPROVAL OF AGENDA

Mr. Lawson said he would like to add Mrs. Emily Rowan concerning long time library patron who passed.

Addition:

Emily Rowan was added to the agenda concerning Emily Hart, library member that was deceased.

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

AWARDS, PRESENTATIONS AND APPEARANCES

Emily Hart Resolution(Addition to Agenda)

Emily Rowan addressed the Board thanking the Board, and especially Commissioner Morgan, District 3 for the resolution in honor of Emily Hart a vibrant member of Chattahoochee Community who recently passed away. She was an active member of many organizations, but her main focus was children, reading and the Library in Chattahoochee. Mrs. Hart was instrumental in organizing the Gadsden County Friends of the Library and continually served as a Friend of the Library for twenty years as a constant driving force in support of County Libraries. She then read the Resolution into record and asked that a copy of the Resolution be given to her family. She once again, thanked the Board for honoring her.

Chair Taylor asked the Board and Audience to stand and applaud in honor of the belated Mrs. Emily Hart for all her contributions to the County.

Commissioner Morgan thanked Mrs. Rowan for her efforts in honoring Mrs. Hart. He stated all of her children would receive a copy of the Resolution along with a copy to be placed in the Chattahoochee Library. He also commented there is a large chair in the kid's corner of the Library that Mrs. Hart would frequent. He encouraged all to visit the Chattahoochee Library.

1. Gadsden County Health Department - Closing the Gap Grant Project (Mother Care Network, Inc.) (Maximo Martinez, Gadsden Community Health Council, Inc. Executive Director)

Mr. Martinez along with Cynthia Coxen both at 2616 N. Adams St. addressed the Board regarding the Closing the Gap Grant Project. He expressed gratitude to the Administrator and Board members for giving them a letter of support to write the Closing the Gap Grant. He also acknowledged Dr. Brown, Professor of Psychology at FAMU who was essential in putting the grant together. He also acknowledged Howard McKinnon of the Health Council and Paul Meyers. He expounded on the exciting news of the grant that was presented by the Office of Minority Health, a ½ million dollars to Gadsden County. He said they were the highest awarded of any County in the State. He expressed his excitement about the grant and what it brings to Gadsden County.

Ms. Coxen spoke at length on the description of the project and its benefits. She said the purpose of the Closing the GAP project is to improve healthcare access to the minority residents of Gadsden County by creating an atmosphere in which such access is more culturally-sensitive, compassionate and affordable. This purpose will be achieved through implementation of a program employing a community of residents trained in the basic knowledge of how to access the healthcare in Gadsden County. These community-based healthcare advisors are called "Gadsden Community Health Ambassadors" (GCHA). She said the project would break out in 4 phases: the 1st phase would be the Community Health Ambassadors, 2nd phase 3 forum meetings held around Gadsden County, 3rd phase is specialized training.

The strength of this program is predicated on the intimate knowledge that a Gadsden Community Health Ambassador would have knowledge to pre-existing areas of need in their respective communities. In small rural communities like Gadsden County, physicians and healthcare workers

are typically seen as “outsiders”. A traditional professional healthcare worker may never be made aware of the informal social networks, as a consequence of their historical social ties to their community. She went on to identify the process of hiring Gadsden Community Health Ambassadors (GCHA). She said that there would be forums to inform the community of the need to identify Gadsden residents who could be trained to become Gadsden Community Health Ambassadors and a total of 72 advisors would be selected. She also discussed the Orientation Process and Assessment Plan. The Ambassadors Compensation would be a rate of \$10 per hour for 40 weeks; \$100.00 per week X 40 = \$4,000.00 per ambassador, based on a 10 hour work week. She ended by thanking the Board and stated that the project dates are from October 1 – June 30th.

Background History:

The Reducing Racial and Ethnic Health Disparities "Closing the Gap" grant program, section [381.7351, Florida Statutes](#), was signed into law on June 8, 2000. These grants are utilized to stimulate the development of community and neighborhood-based organizations to improve health outcomes of racial and ethnic populations and promote disease prevention activities.

Projects funded through the Closing the Gap grant program help **stimulate broad-based participation** and the support of both public and private entities by:

- Fostering partnerships between local governments, community groups and private sector health care organizations;
- Helping communities address their most pressing health needs through targeted health screenings, education and awareness programs;
- Helping communities better understand the nature of health disparities among ethnic and racial groups; and
- Allowing state epidemiologists to evaluate the effectiveness of the interventions so that identified "best practices" can be shared with other high-risk Florida communities.

Primary **benefits** to the state from the Closing the Gap Act include:

- Meaningful improvements in the lives of Floridians who now suffer disproportionately from disease and disability; and
- Development of tools and strategies that will enable Florida to eliminate these disparities.

The "Closing the Gap" grant program targets seven priority health areas but Gadsden grant would focus on (3): Cardiovascular disease, Diabetes and Maternal and infant mortality.

- [Cancer](#),
- [Cardiovascular disease](#),
- [Diabetes](#),
- [Adult and Child immunizations](#),
- [HIV/AIDS](#),
- [Maternal and infant mortality](#) and
- Oral health care.

Chair Taylor along with the Board commended Mrs. Coxen and Mr. Martinez for their efforts and offered their wholehearted support for them bringing over a half a million dollars to Gadsden County.

2. **Eugene Lamb, Jr. Park at Richbay Presentation of Funds**
(Elizabeth Jenkins and Dale Riggins, Eugene Lamb, Jr. Park Fundraisers)

Elizabeth Jenkins, Chair of Community Project and Dale Riggins, Fundraising Chair appeared before the Board to give an update on Lamb Park. She pledged they had committed to helping with the financial contributions to the park and total raised to date is \$14,200. They asked Mr. Charles Chapman to come forward to give an update on progress of the park.

Mr. Chapman commented the playground equipment should be delivered in the upcoming days. He said they are in the final stages and looking forward to ribbon cutting very soon.

The Board applauded their fundraising efforts and commitment to the Lamb Park.

There was no comment by Commissioner Lamb, who the park is in honor of.

CLERK OF COURTS

3. Presentation of County Finance and County Clerk Issues
(Nicholas Thomas, Clerk of Courts)

Mr. Thomas had no report.

CONSENT AGENDA

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 -0, BY VOICE VOTE, TO APPROVE ITEMS 4, 5 AND 7 OF THE CONSENT AGENDA.

4. Approval of Minutes –September 6, 2011 – Regular Meeting
August 16, 2011 – Regular Meeting
July 19, 2011 – Regular Meeting
5. Ratification of Approval to Pay County Bills
6. **Approval of Budget Amendment Numbers 120002 and 120003 Moving \$9,249 and \$25,000 from Reserve for Contingency Account to the Chamber of Commerce, Small Business Development Account. (*Pulled at request of Chair Taylor*)**

Chair Taylor pulled item 6 for a question. She commented the only question she had was, could a budget amendment appear on the consent agenda?

Attorney Minnis replied it was her understanding from talking to Mr. Lawson is this had already been approved and they are simply bringing it back. It was approved in a general business discussion.

Chair Taylor stated that was the only question she had and asked for approval from the Board.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 -0, BY VOICE VOTE, TO APPROVE ITEM 6 OF THE CONSENT AGENDA.

7. Approval of Commissioner Lamb's and Commissioner Holt's Travel to the Florida Association of Counties' (2011-12) Legislative Conference
(Commissioner Eugene Lamb and Commissioner Brenda Holt)

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

Lamar Rudd of Ashton Court, between Quincy and Havana addressed the Board with his concerns. He said was appearing due to heavy traffic and people gathering in an area close to him on a private soccer field. He said they are making the living situation unbearable due to the traffic, trash, drinking and loud noises. He asked the Board for direction to control the situation.

Chair Taylor directed Mr. Rudd to get with Mr. Lawson, County Manager with his concerns due to this item not being on the agenda. She commented she hoped some type of resolution could be agreed upon.

PUBLIC HEARINGS

8. **Public Hearing – Approval of Close –out Budget Amendment for FY 2011**
(Connie McLendon, Finance Director)

Mr. Lawson announced the public hearing. He addressed the Board in regards to Resolution No. 2011-040 amending the budget as reflected on Amendment# 110127 through 110139. This is the annual close-out entries as permitted by Florida Statutes to close out Fiscal Year 2011. He said that Mrs. McLendon, Finance Director was present if there were questions.

Public Comment

Chair Taylor reiterated the public hearing and she invited the public to come forward and there were no speakers on this issue.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE RESOLUTION 11-040 WITH AMENDMENTS 110127 THROUGH 110139 FY 2011.

9. **Public Hearing – Amendment of Section 74-1 of the Gadsden County Code of Ordinances**
(Deborah Minnis, County Attorney)

Mrs. Minnis, County Attorney stated Amendment of section 74-1 of the Gadsden county Code of Ordinances to allow Discretionary Sales Surtax funds enacted pursuant to F.S. section 212.055(3) be used to pay for maintenance of the existing jail facility, the construction and maintenance of bridges in addition to the other uses already identified in the ordinance.

She gave a brief narrative that at the July 19, 2011 meeting, the Commission, at the request of the City of Gretna, with the support of the Sheriff, authorized the transfers of \$205,000.00 from fund 301(a line item to be used for improvements and repairs to the jail) to a line item for the benefit of the city of Gretna. Pursuant to the vote of the Commission, the \$205,000.00 would be made available to the city of Gretna to assist in the cost of installing a wastewater line along State Road

12. To replace the revenue in fund 301, the Commission voted to consider amending Section 74-1 of the Gadsden County Code of Ordinances to allow for the use of Discretionary Sales Surtax money to allow it to be used for the maintenance of the jail facility.

She noted a draft amendment was proposed to allow the sales tax fund to be used generally for the maintenance of infrastructure with infrastructure being defined as any fixed capital expenditure or fixed capital outlay associated with construction, reconstruction, or improvement of public facilities that have a life expectancy of 5 or more years and any related land acquisition, land improvement, design and engineering costs. The proposed amendment was duly noticed and advertised and considered by the Commission at its September 19, 2011 meeting.

She added in addition, the proposed amendment will allow the funds to be used for the construction of a pod or pods at the existing jail facility and for maintenance of bridges in addition to the uses already identified in the ordinance. Amendment of the ordinance will require an **extraordinary vote** of the Commission. The language in this ordinance has been guided by the Board of County Commissioners and prior Public Hearings.

Public Comment

Chair Taylor reiterated the public hearing and she invited the public to come forward and there were no speakers on this issue.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE AMENDMENT OF SECTION 74-1 OF THE GADSDEN COUNTY CODE OF ORDINANCES.

10. Public Hearing – Second Hearing for Gadsden County to apply for Florida Department of Community Affairs 2011 CDBG Economic Development Grant

(Anthony Matheny, Planning And Community Development Director)

Mr. Lawson and Mr. Ford addressed the Board regarding the second of two Public Hearings Required for Gadsden County to apply for Florida Department of Community Affairs 2011 CDBG Economic Development Grant. He said that Mr. Auburn Ford, on behalf of Mr. Charlie Harris, will conduct the second of two Public Hearings required for Gadsden County to submit a grant application to the Florida Department of Community Affairs (FDCA), under the CDBG Program to fund infrastructure improvements for Gussie's Garden Inn Assisted Living Care Facility. This is Gadsden County's second application for these grant funds. The County's 2010 application was denied due to the submittal of an incomplete application. The first Public Hearing was held on October 04, 2011. The conceptual plan for Gussie's Garden Inn ACLF was approved by the Gadsden County BOCC on March 1, 2005. Mr. Harris owner of Sirrah Mini Storage allocated about a quarter of a mile west of the City of Quincy, city limits on U.S 90. He is converting the building into an Assisted Living Facility which will house forty-eight (48) clients and create eleven (11) low-moderate income jobs. The site is now serviced by septic. The facility will be required to hook to City of Quincy sewage. The connection requirement will cause an undue financial hardship o Mr. Harris and therefore he is requesting County staff to pursue a CBDG Economic Development Grant to provide the infrastructure to his business. The infrastructure improvement may also benefit future development in the area.

Chair Taylor explained the county is applying for a Grant, so that they can build infrastructure a sewer line on Highway 90, west, Blue Star Highway. She explained when you build infrastructure it pays the way for more growth and development.

Mr. Ford stated if funded, the infrastructure improvement will be paid 100% from grant funds. There will be staff time devoted to the grant application process, which may involve the County securing a consultant to apply for the grant.

Public Comment:

Chair Taylor reiterated the public hearing and she invited the public to come forward and there were no speakers on this issue.

Commissioner Holt clarified that we are approving the grant only to do infrastructure and asked the statement be taken out concerning the Assisted Living Facility until they reach the plan.

Commissioner Morgan made known this project was federally funded and it has no fiscal impact to the County.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED, 5 – 0, BY VOICE VOTE, TO APPROVE GADSDEN COUNTY FOR THE SECOND HEARING TO APPLY FOR FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS 2011 CDBG ECONOMIC DEVELOPMENT GRANT, FOR INFRASTRUCTURE ONLY.

Mr. Ford asked for permission for Chair Taylor to sign off on signature letter of items.

Chair Taylor asked Atty. Minnis if they were in order, to sign off on necessary documentation for this particular item.

Atty. Minnis replied it is not an agenda item for that particular issue and the documentation is not before you so, it's normally not your practice.

Chair Taylor commented she understood, but they are within a timeline and reiterated it doesn't have any fiscal impact.

Commissioner Holt moved for approval and the Board entertained questions.

Commissioner Morgan inquired of the Board what was involved in the signing of the documents. He asked for a copy of the document for review by the Board and County Attorney.

Chair Taylor stated it was a signature page needed to move this on to the next level.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5- 0, BY VOICE VOTE, FOR APPROVAL OF CHAIR TAYLOR SIGNATURE ON THE LETTER OF INTENT.

GENERAL BUSINESS

11. Request to Authorize a Countywide Referendum on Allowing Slot Machines at the Creek Entertainment Gretna Horse Track Facility

(James Dorris, Chief Executive Officer, PCI Gaming Authority)

Mr. Lawson came before the Board with a request to authorize a Countywide Referendum on allowing Slot Machines at the Creek Entertainment Gretna Horse Track Facility. He said this item seeks Board approval of a county-wide voter ballot referendum to authorize the use of slot machines at Creek Entertainment Gretna's pari-mutuel horse track.

Chair Taylor:

What we are going to ask is as you come, forward please introduce yourself and the position that you hold in this particular firm that would suffice for us. Thank you.

Keith Martin:

Thank you, Madam Chair and members of County Commission of Gadsden County. My name is Keith Martin for the record. I am a Council Member of Poarch Band Creek Indians. I am designated by the tribal council to serve on the PCI Board of Directors. I have the honor of serving as their Chairman. I come before the County Commission today to ask them to allow the people of Gadsden County to vote on a referendum that would allow slot machines within the county. We are excited about this opportunity to come before you today. I would like to introduce Mr. Mark Dunbar who is 10% partner. GCI Gaming owns 70% of Creek Entertainment, Gretna. Mr. Mark Dunbar owns 10%, Mr. Gene McGee owns 10% and Mr. David Romant who is not here today owns 10% also. I have with me Mr. James Dorris who is the President, CEO of GCI Gaming, Vice-President of Marketing, Mr. Brent Faison, Mr. Matthew Martin who is a Board Member of GCI Gaming Board of Directors, Ryan Eluder who is the treasure of GCI Gaming, Mr. Wesley Cox who is lifetime resident of Gadsden County. Currently in my tribe we have 3 game facilities within the state of Alabama. We own 70% of the Pensacola Dog Track and we own 70% of the Mobile County Dog Track. We appreciate you hearing us out and let us come before you today. It does mean a lot to us and the project. This is the first project that we have taken on that is this far out of our reservation. We are excited about the opportunity with the potential of this project. I'll turn it over to Mr. James Dorris, my CEO.

James Dorris:

Thank you Keith and Madam Chairman thank you and the Board for letting us be here tonight. As Keith pointed out this is first venture or the furthest that the tribe has considered with Commercial Operations. I want to make clear this is not a tribal land issue. We will be paying full taxes to the County, City and to the State. Most everyone knows about Creek Entertainment Gretna. We are very excited about it; we will be operational as of December 1. We are located going toward Greensboro; County Road 12 near Interstate 10. One of the things that attracted us to this opportunity is the location and being on the Interstate. Our Wind Creek Facility in Atmore, Alabama is on Interstate 65 and they have some many cars that go out to that facility a year. There is 15 million that go by this location here in Gadsden County. We know that a great many of those people are driving by here and going to Biloxi. You can look at the Mississippi Gaming Website and they actual breakout where they are getting patrons in Biloxi. We know a lot of them are coming from Florida. We think there is a tremendous opportunity if the Commission approves the Referendum and the voters agree to let us put slot machines in and it would be a Wind Creek type facility here. This is a 20 million dollar investment and if you go out there you can see what that 20 million will get you. We have 62-63 people in training, those folks will tell you, there are

about 41 of them or 2/3 of them are residents from Gadsden County. Those jobs are going to pay up to \$50,000 a year. In fact we are about to start our massive hiring. I say massive because it will be very busy for us. On December 17 we intend to open the Poker Room. December 1, we are going to start racing. We are expecting right out the gate 158 employees. We will give you an idea what each job will pay. There will be 15 jobs that pay \$120,000 a year. There will be 67 jobs that pay between \$20,000 and 30,000 a year. We have 22 positions scheduled for \$30- 40,000 a year. We have 17 jobs scheduled for \$40-50,000 a year. We have 47 jobs we think are going to pay \$50,000 a year or more. They will be very good jobs and they are going to give people in Gadsden County, Gretna the chance to stay home and earn a very good living for themselves and their families and we pleased to be able to take part in that. Again, you ask the question what types of qualifications they have to have. For us the answer is; you got to be able to take care of our customers. If you have a great personality we can work with you because, you are going to be able to relate to our customers and if they have a good time they will come back. For folks that don't have a great personality, we need accountants (laughter). We are very excited with what we have going. On December 1, we are going to start racing. We are excited about what's going on with that. We have Charmayne James, long time world champion barrel racer. She will be here on the 17th. That will be our marquee performance between the 1st and the 17th, we will do 20 performances. On November 16 we are actually going to dress rehearsal. I've been inviting people to come check us out. We are going to screw up but it's ok, it's a dress rehearsal, but we are going to work out are problems and we are going to be good to go when we open up on the 1st. We are looking forward to opening our card room on the 17th. We are pleased to bring these 168 jobs. If you all see fit and the residents of Gadsden County to let us, we think with 2,000 slot machines we can put in a Wind Creek Class Facility. At Wind Creek there are 1,600 games these will be 2,000. So it's actually larger than what we have in Atmore. If you haven't been to Wind Creek, Atmore, we would love to have you come and see it. If not I would ask that you look on the web and Google. You will see a quality facility that we try and build. I hate to toot our own horn, but I will put it up against any property anywhere in the Country and will be something that you all can be proud of. We want to stay overnight.

We know that it takes that level of investment and quality to bring people and ask them to stop. We want to be able to stay and visit Gretna, Gadsden County and then go about and move on. They will tell everyone they had a great time and say you got to go check this place out. It's a place you can come and have a good time and come back often. Ad Valorem Taxes, we think it's going to take about 5 years to build this out. Should the referendum pass this would be the casino complex, it would be bigger than the one we have in Atmore (layout viewing). We think this plan will take about a 5 year build out. The entire sight right now, Creek Entertainment, Gretna is what we opening up come December, should the referendum pass. We want to start immediately building Resort Destination Casino and Hotels. As that get's built, we think it's great opportunity to also have other development on the site. He said we will have our Arena where we will do our barrel racing. We finally got our permit in for the race track. We want to be able to offer a full spectrum of sports activities. There is barrel racing, racing around the race track, there is rodeo. We want to be able to bring all the different horse activities to have an event. Anytime we can have an event at our facility and especially if people could spend the night, the better off it is for us. They will have more time in the community and eventually spend their dollars here. With hotels, the plan has 1, 2, 3, 4 hotels, amphitheater, retail, restaurants other parcels. Also part of this plan is an indoor Equestrian, Gretna Civic Center and Agricultural Arena. The City of Gretna is working to build that facility, which would be near the Casino Resort. We would use that to host concerts and activities. We also have a parcel that would be used to provide fire and public safety.

The City of Gretna has been a great partner. They are excited, we are excited and we are hopeful that you all will let folks vote on this. I want to turn this back over to Keith and he will have a few more comments that he wants to share.

Martin:

Thank you, James. I don't know protocol here madam Chair, but I thought it would be helpful if ya'll hear from some of your peers. I asked and they graciously came. The Sheriff of Escambia County, Alabama is in attendance here, City Councilmen, Jim Staff who happens to be the Police Commission of the City of Atmore which is where we preside in Twin Creek. If ya'll have any questions of those. If any of the fellow Commissioners what to ask any questions. I always hear crime is coming; well I kind a thought that, when I first started, it's not Las Vegas. The rural south, clubs and things like that just don't pop up overnight. When you build a casino. I can't speak of any crime waves that came and they are here to address any question if ya'll, may have any.

Chair Taylor:

At this time if you want them to do a presentation during your part, it is certainly up to you. If that's what you want to do during your time

Speakers

- **Jim Richard Staff**, City of Atmore, Mayor Pro-Tem, 110 McKenzie Dr. Atmore, AL 36502, he commended the Poarch Creek Indians were viable in their County. He noted with the addition of the Casino the positive impact it has had and it has provided 1,000 jobs and the economy is doing well.
- **Grover Smith**, Escambia County, AL Sheriff, P O Box 772 Brewton, AL, addressed the Board on behalf of the Poarch Band Creek Indians. He said they have contributed to the County School System 1.6 million. He mentioned he has gone to the Poarch Creek Indians many times and they have always helped whether it is financial or taking an active role in the community. He said there was no addition in crime by the Casino coming to their area. He added the business is run very professionally.

Martin:

Everybody says Indians don't pay taxes, but on behalf of my tribe and to the great State of Florida and we will pay every tax that the law puts on us gladly. At this time I will let Jay close, Thank ya'll.

Dorris:

Speaking of taxes, Ad Valorem if we are able to put the Casino in we think it would be a 5 year build out. We think within the 1st year we are looking to pay the County about 1.8 million in Ad Valorem taxes. The entire master plan that's up on the screen, it is our estimate that it will generate about 5.8 in Ad Valorem taxes to the County. As Keith said, this is a commercial endeavor and we just did an estimate of what we think the taxes would be and those are our estimates of what we would be paying to the County. With that Madam Chairman, I'm done.

Chair Taylor:

I certainly appreciate your presentation and know there are some people that have asked to speak on this particular item. I will call you up and this is where your 3 minutes come into play. After which, then we will hear from the Board.

Public Speakers:

- **Sam Palmer, 1225 Berry Lane Quincy, FL 32351,** stated he was undecided, but after hearing them speak and receiving a better understanding he is now in favor of Referendum.
- **Mayor Clarence Jackson, City of Gretna, 150 First Street Gretna, FL,** spoke in favor of the project with his Commission by his side. He said they welcome them to their great city and are 100% behind this project. He commented they had visited the 1st class facility in Atmore and were thoroughly pleased. He also spoke of the added economic impact the project would provide.
- **Wesley Cox, 637 Cox Lane Quincy, FL 32351,** greeted Commissioners and stated he was a lifelong resident of Gadsden County. He shared the Creek Entertainment Gretna Facility revision of a Horsemen Destination, in addition to the pari-mutuel events. They want to be open year round for all type of horse shows. He said he was working with Creek Entertainment Gretna to host events as far as bringing in the horses and riders. He said the facility will be used all year long. He discussed the economic growth that could result in jobs. He supported the Referendum be placed on ballot.
- **Dr. Anthony Viegbese, 989 Ames Barineau Rd, Havana, FL 32333,** conveyed the need for economic development speaking from the professional point of view as an Economist. In addition he spoke in support of the Referendum.

Chair Taylor:

I think that was the last speaker to speak on this particular item, but before I bring this before the Board, please let me apologize and recognize a couple of political members who are in the audience. I will do that at this time, I should have done it earlier. I do want to recognize ***former Senator Al Lawson*** and would you please stand sir. Please give him a round of applause. We ***have School Board Member, Eric Hinson*** and would you please stand sir (applause).

Additional Public Speakers:

- **Bobby Milton, Greensboro, FL,** provided he is in favor of the project. He spoke on the changes from Quarter to Barrel Racing and commented it was the greatest thing to come to Gadsden County.
- **Henry Corry, Havana, FL, Corry Cabinets in Havana,** shared he was in support of the Referendum and the economic boost to the County.
- **Randolph Thomas, Jr. 437 S Cleveland Street, All out Masonry –** conveyed the need for jobs in the area. He urged the Board to consider the Referendum.

Chair Taylor:

Alright Commissioner's. Now I will put this into the hands of this Board and we will have discussions from each of you on this particular item. We will go around and have words for each of the Commissioner's. I will start to my left with Commissioner Croley.

Croley:

I'm going to pass and yield to Commissioner Holt she had her hand up first.

Taylor:

She is the owner of the property. I was going to save her for last, so she could wrap it up and bring

it to a close. That was my intent.

Croley:

Well, first I want to thank you Mr. Martin and the Poarch Creek Band Indians for this investment and your commercial interest in Gadsden County and I mean that sincerely. I want to recognize Mayor Clarence Jackson my friend, the entire City Council and the staff who have worked hard on their economic development. Let's face it ya'll have really gotten out in front of these things. Now as part of this process and for the record. I want because of the personal interest of certain parties involved in the issue now under consideration for public record. I would like to disclose that I have been in discussion on this ballot with Mr. Gene McGhee in Gretna, Dr. Steve Fish, president of Florida Quarter Horse Racing Association, Mr. Herb Sheheane, lobbyist for the Florida Quarter Horse Racing Association and of course Mr. Antonio Jefferson, Gretna City Manager. Now obviously there is some difference in opinion what constitutes Quarter Horse Racing and that's unfortunate, but that's not my business. That has been decided when you obtained a license through the state of Florida. As far as I'm concerned that is of no interest to me. If there are any issues that will have to be worked out in other forums. I want to bring something to everyone's attention this business of the referendum on the ballot, I don't have any problem with submitting the issue to the citizen's of the County in terms of the State Statues, before I go any further I want to thank the Councilman of Atmore and the Sheriff of Escambia County for taking the long drive down here to give your input in this process. I think it's a great value to the citizens to hear about the law enforcement element and the contribution of the Poarch Band Creek Indians to their communities. I personally thank you for that, I think it's very valuable.

Let me go back to the question of the referendum, I spoke today to Gadsden County Supervisor of Elections, Shirley Green- Knight, I want to give you some figures and then let you know where I'm coming from. Think about this from how I'm viewing this and maybe you can help me resolve this question I have. Out of approximately 28,521 voters in Gadsden County 22,591 are Democrats and 3,801 are Republicans and 2,129 are other parties or Independents. Mrs. Knight shared with me the voter turnout in Presidential preference Primary typically run at about 25-30%. This past election when you had both of them a Democrat and a Republican preferential primary it was a little bit higher, but even then it was only 45%. Now you compare that with the General Election when there is 75 – 80% of the voters in this county are turning out to vote. The cost to include the ballot initiative in January and I know you have agreed willingly to pay this is approximately \$60,000, not counting what it would cost for you to do your promotion. Mr. Ghee you advised me if this passed and you could put slot machines in, you would be looking at \$100 million dollar a year in possible revenue somewhere in that neighborhood. I understand and if the Attorney would clarify this for me, the argument from the Florida Legislature may amend or repeal gaming laws that presently allow these slot machines for the referendum on the County levels. You got to weigh that against greater voter participation and the referendum process. My concern is how I am going to sit here and say I want to put this on a ballot initiative, that historically only 25% of voter's turnout. Sure it might go up with promotion against 75-80% of the voters are going to vote in the General Election in August of the same year. I'm also concerned; I can't second guess Legislatures on what they are going to do. I am hoping Madam Chair; this is a key issue for us. If there is anybody that can speak about the issue, how to weigh out. That seems to be the intent of the law, please engage the public mindset, because I have to disclose to everyone. I have had a lot of people some for, some against and probably out on the streets some of the circles I run in are little bit more apprehensive about the slot machines. They all seem adamant that they want to have it when the majority of the voter's are going to vote. With your

permission I think that's a key issue for the citizens of this county to hear about. If anybody can respond to that, I would appreciate it, if that's ok with you Madam Chair.

Taylor:

I certainly don't have any problems with that. The question is whether or not you want to place an item on the agenda when obviously the turnout wouldn't be as great as if you would wait until full agenda.

Croley:

That's my primary concern.

Dorris:

Commissioner, I understand what you are saying, but with respect. Historically it's a better turnout in November, however the right of the people to vote only counts if it is still there and I experience it the Legislature can close the door and they have on prior projects our partners have been involved in. I want the votes in Gadsden County to actually count and the only way legally that can happen is if we can get in January, before Legislature has a chance to veto. It is our opinion the Legislature is under a lot of pressure from these big 2 billion dollar proposals from Leg Vegas and Malaysian Companies. They don't necessarily want to see us in Gadsden County competing with that. Legislature is under pressure to shut the door. Our desire is to show them that people actually count. If we wait for November it's a very good chance it won't count. So that would be our plea to you. Let the folks have that opportunity while it would count.

Taylor:

Thank you

Croley:

One more question, while you are up. I don't have a problem putting the referendum on the ballot. I want to make that clear, my problem is when. If it is put on the ballot and if it passes you would see a significant increase in traffic. I understand you have a good record of supporting your community. I don't have any doubt about that from what I have heard. What arrangements are you willing to enter into with the other affected governments? The improvements that may be needed at this interchange, maybe additional safety improvements. Who's going to pay for roads and infrastructure improvement at a time when the State and Federal tell us they don't have the monies to do this. How do you propose to handle that and what commitments are you willing to make.

Dorris:

When we actually plan the resort the whole concept is to take to systematic design. I have some familiarity with St. Joe Company down in Panama City beach and they do a lot of development. I know we are going to spend a lot of time with the Department of Transportation and other affected Governments to make sure their concerns are addressed. That process will be very refined and reformed. We will work with each of those entities and we will make sure those kind of concerns are addressed.

Croley:

I think I'm finished right now, Madam Chair. I may want to come back after I hear other conversation, but I'm ok for right now.

Morgan:

Thank you, Madam Chair. First of all I want to disclose as Commissioner Croley did that I have had several conversations with the folks he has mentioned and I appreciate the opportunity to do that. I also want to disclose all of us here on this Council each threw in \$100 bucks to bet on how these votes would turn out. I'm kidding. I hope ya'll take my sense of humor with a grain of salt. This is a very serious issue and it's a great thing that we are having discussions about economic growth here in Gadsden County. Most everyone in this room knows that I have supported economic development in our community every since I have been up here. I want to commend the City of Gretna for wanting to better their community. Our County is not going to look the same whether it is this issue or any issue that we will be discussing. We will look different in years ahead. It can be for the better or not for the better. It can be from some issues that we are talking about. This is a good day when we are having these serious types of discussions. It doesn't matter on which side of the fence you may be. We have economic development at the forefront here. We are going to swing and miss some projects and we are going to get some grand slam homeruns. I truly believe when the right project comes along and this might be it. I think it will have a domino effect in our County. Some of the concerns that I have quite honestly, from what I've heard from talking to different people in the community, many who are for and many who are against the slot machines in our County. One of the primary concerns I have is how we are going to maintain the rural character of our County and the things, the lifestyle we enjoy in Gadsden County. I heard, I'm also on the Board of the Chamber of Commerce. I was in a meeting with the Casino folks, City of Gretna Officials where there and the Chamber Board and I was very pleased with some of the things I heard. These gentlemen are very professional at what they do. They have been successful in other places where they have done this. I was hoping to have an opportunity to go to Atmore, Alabama to see their facility. I tried to get there within the last 2 days and it just hasn't worked out in my schedule, but I look forward to going there and seeing that facility. It means a lot to me to here from local officials, like the Sheriff of Escambia County, Alabama, the City Council person and so many others I have talked too. I want to continue to hear discussion and I have honestly tried to listen with an open mind. There is never a time in my opinion where you should not put decisions like this before the public. I know if I wasn't on the Board of Gadsden County Commissioners I would not want 5 people deciding on something of this magnitude that may have a profound effect on our County, no matter how I felt on the issue.

I want to have the opportunity to get involved and share my opinion. Have input with the benefit as a citizen of being able to make that decision, it comes with responsibility, not blame. You can decide to blame other people for how something turns out or you can get involved and become responsible enough to be informed about certain things that we are talking about. It doesn't mean you have someone else take responsibility for you as far as becoming informed about an issue. It means you making and me making our own decisions based on what we believe as individuals in the County. I will tell you that I support us putting this before the people in January. I think for all the reasons I just stated that is the right thing to do. I also talked to the Supervisor of Elections and have reviewed the previous elections when they were held in January. Whether it is a Presidential Primary or other election even though voter turnout has been low, we want to have the majority of the citizens in our community make this decision. It doesn't matter when that vote is; you are not going to legislate somebody's responsibility on whether or not they go to the polls and vote. We can't legislate people becoming informed and making intelligent decisions that are morally right. What we are voting on tonight is to put it before the people; it's not whether we think it's right or wrong. It's whether or not we are willing to put it before you. I am going to go

out on a limb and tell you right now, I am not in favor of slot machines coming to Gadsden County, that's a personal opinion of my own. I am in favor of quality economic development projects and I believe this has the potential to be a very good one. That doesn't mean someone jump on my head and make me go pull a slot machine or play a game of poker or go bet on a horse race. I can if I want. If I want to go eat a prime rib with my family at nice buffet, I have the opportunity to do that if I want. I think those are some of the things we need to keep in mind. OI think we have citizens in our County that there are some potential for them to be up there placing bets, playing poker spending money in ways they have no business doing that. That's just my personal opinion. I feel uncomfortable about that, that's why I don't want to support slots there. Understand by listening to everything I said and what I told you tonight I think this has the opportunity to be a great thing for Gadsden County. I want some assurances that we have a good responsible corporate partner here, one that has been successful before in a community who is happy in them being there. One that will be there to support not only our public schools but our quality private schools, the local 4-H clubs and other organizations that they could become involved with. I want this to be an above board operation. One that is a quality project in Gadsden County that we can be proud of. I share with you my personal opinion; something that is important to me is how they will ensure us, to help maintain are rural character here. What we know about living in Gadsden County.

Antonio Jefferson:

Commissioner's I thank you, for having the City of Gretna here tonight. Commissioner Morgan you and I have had numerous conversations. I have talked with each of you and heard your concerns about making sure what we see here in the project is something we all, whether elected are appointed, we can be proud of. I want to ensure you Commissioner Morgan and the rest of the Commission we have done our due diligence; we know what type of partner this is. We know they are going to be a good corporate citizen because we have talked to the people in Atmore, the average everyday guy. We have talked to government officials, we have talked to the Sheriff and everything that we have heard and this is a great company that believes in the community. They have a very strong religious foundation on their reservation. I believe these folks represent a good close religious based community. I believe that and I stand here representing the greatest City in Gadsden County, that's what you will see out there on the ground and in 20 years from now when my son or your children are looking at that facility and keeping them here in Gadsden County.

Morgan:

Antonio I appreciate those comments. I just want to say again for the public this decision that if it goes before you, requires again not blame but responsibility and I close with that.

Taylor:

Commissioner Lamb

Lamb:

Thank you, Madam Chairman thank you very much for giving me the opportunity to express my opinion concerning this project. I met with the Investor and told him where I stand when it comes to gambling. I heard from both sides concerning this project. I've been sitting behind here come 7 years and most of the time I was the swing vote, one or the other for the last 3 years. That's not a good feeling some time being here, that's a lot of pressure placed on you some time. Guess what, I have an opportunity to put it right back on the citizens and it's giving me great pleasure to say

yes, to this vote tonight. I can't wait to say yes, thank you, Madam Chairman.

Taylor:

Commissioner Holt

Holt:

Thank you, Madam Chairman. Gretna is in my district, we are aggressive and hardworking and they are economically sound and involved. There are several people involved in this project and I must say this, there is no greater right that Americans have, than the right to vote. This is not about gambling this is about the Citizen's in Gadsden County finally having the opportunity to vote on their own outcome. That's what we need. We should always give them the opportunity to vote no matter what. That's something you never take away from the citizens. We lost jobs in Chattahoochee; in the State of Florida we have people that need jobs. There are people standing in the back room back there and they can tell you they need jobs. I told a young lady this, if you are working and your neighbor is not working and they are good people are you willing to share your supper with them. Think about they have to eat too, they have to live too. This should be put on the ballot and let the people vote. That gives those folks an opportunity to sell their product that is what you want. Give them an opportunity to go visit. I took someone out there the other day and the project manager was getting in his truck, but this man really wanted to know what was out there, so I told him to get in my truck and let's go. I want people to go and see and talk, don't let something come to your community that you don't know anything about. Get with the Commissioners, City Manager and go out and look at the project. Someone please tell me how to play Texas Hold-em (laughter). We really need to place this before the citizens and let them vote and then we turn around and can have these discussions. Put it out there and give them the opportunity to vote. Thank you, Madam Chairman.

Taylor:

Thank you. We are going to bring this to a close and have a vote. I have just a couple of comments. One thing that we can appreciate and I to have met with the Keith Martin and his team, as well as the City Attorney & City Manager for Gretna. I need to disclose that. We have had emails and we have had conversation with people as my colleagues have mentioned about pros and cons. As Commissioner Lamb so eloquently said we now put it in the hands of the voters. I also met with the Supervisor of Elections. One thing she has done on every election is to educate the public before you go in and pull those levers. She put information in the newspaper. She even mailed out ballots to the homes, so that folks can have a chance to look and talk about it, discuss and have a clear understanding as to what they are voting on. My opinion what's good about January, you do not have a crowded ballot. It gives the voters a chance to make an intelligent decision and that's important. I too would like to put this referendum in the hands of the citizens in January, so they can make a decision about where they stand in regards to the Casino and Slots. Now, we have heard about horses, quarter horses, barrel racing I haven't the slightest, but I know that Florida is the 3rd in Horse Culture. We have the 3rd largest number of horses in the 50 states. We have to get in the game and let this move forward. Commissioner Morgan said something that I thought was so appreciated. We don't know if it's a good investment, we don't know if it's bad, but we have to put skin in the game. This County is not growing just because; it's growing because we are investing our time and energy in it. We have to stay focused. Again good Stewards, good Citizens, good corporate citizens is actually what we need. Gambling Anonymous need to be posted, so that folks can be made aware that no madam no sir, do not take your light bill money out there. You need to make aware the casino is set up, so it does not lose. You need to make

people aware, that's my major concern. The people of this County, that they are protected that they are not being taking advantage of and that you pay your fair share of the dollars needed to everyone, Private Schools, Public Schools, County Government and the City whomever, just pay your fair share and take care of this county. That's my only request.

What we need to do now Commissioners. Commissioner Holt I want you to do something that you have never done before. Just for tonight for 20 minutes to 8pm for a motion for approval.

Holt:

I motion for approval.

Lamb:

Second

Taylor:

There is a motion and a second. I will recognize Commissioner Croley, you have a question.

Croley:

Again, the issue is not whether there is consensus to put the matter on the ballot. The issue is when. I have heard the concern about the possible change in the Legislature, but I do note one of the gaming attorneys is sitting over there on the front row. My question though if this is put on in January, what benefit does that really give Gadsden in the event of an action by the Legislature. Is there something we need to do Mr. Dunbar, could you answer that?

Mark Dunbar:

Madam Chair, My name is Mark Dunbar, 35 Oxford Court, Tallahassee, FL. Commissioner Croley the questions you presented is if the County acts and puts this on the January ballot and the citizens approve it. I believe it is the attentions of my partners, to immediate move forward and apply for a license. Once the license has been issued essentially the property right is invested, not just to them but to the County. So in the Legislature, if it chooses to act, essentially is taking the property right from them and from the County and from the City all who would benefit from the revenue generated by the project. At that point the Legislature would sort of be on notice and as staff works legislation up, there are constitutional flaws with taking people's property rights. The whole idea here is to make sure that the Citizens of Gadsden County have their rights protected and invested. I was involved in a project in a very similar community to Gretna down in South Florida, Florida City. That project which was very similar to this one, had their slot machine license taken from them by the Legislature on July 1, 2010. That project is still be litigated, we lost in the first round in court and that Community lost its rights to that license because the legislature took it from them. I mentioned when I talked to Commissioner Morgan earlier today, that is the concern I have, I lived it. I was in a small community that was really invested in this type of project for economical development and the Legislature took it from them. What I would propose to you is not let the Legislature do it. I've seen gaming bills move very quickly. I had a conversation with the former Speaker of the House, James Harold Thompson last week about this very issue and I said Speaker you know better than anybody when the Speaker of the House or the Senate or President decide they want to pass a piece of legislation, particularly on gaming, it happens (snap of finger) just like that and the community's that are affected they lose. That's actually what happened last year? That's the reason why we are urging you to consider January vote, so your citizen's won't have that happen to them.

Croley:

I appreciate that response. I have pledge to all the parties. I wasn't going to make up my mind until I got here and heard all the facts. I appreciate you stating that publically. I've had no private conversation at all with you about this. On that basis, I appreciate it and thank you Madam Chairman for allowing him to clarify that.

Morgan:

Very quickly, Mr. Dunbar I know there has been talk whether are not there will be track racing or just barrel racing. I know that you guys originally proposed this as mixed use equestrian center. Just for the public record, you all will be opening track racing there as well.

Dorris:

Within the plan that we put forth with the City, we have a mixed use horse facility. We have a track and we have an arena. Our desire is to put all that in our facility. Our intent is to do all that. When we can come to terms with one particular discipline, then we want to move forward.

Morgan:

Your intent is to have all of the disciplines. Just for the public Madam Chair, you may want to consider reading the wording of that tax referendum, so that they will know what will be coming on the ballot in January, if that is approved by this Board.

Taylor:

No I do not mind and you can read it.

Lawson:

The referendum, if approved, will ask the voters of Gadsden County the following ballot question:
"Shall slot machines be approved for use at the pari-mutuel horse track in Gretna?"
It should be noted that the voter will be asked to approve the use of slot machines at only the Creek Entertainment's pari-mutuel facility in Gretna, no other location.

Taylor:

There's a motion and a second.

Lamb:

It has been said that there is over 20,000 voters and only 25% show up. I just want to say to the citizens of Gadsden County if you stay home, you just might get something you don't want. You need to come out and vote.

Holt:

Come out and vote and get something you want.

Taylor:

There is a motion and a second. All in favor of putting this item on the referendum in January please let it be known by saying Aye.

Taylor, Lamb, Holt, Morgan, Croley:

Aye

Taylor:

All oppose same sign. Make that 5 – 0 to put this item on the ballot. Ladies and gentlemen thank you very much.

Martin:

Would like to say thank you to Gadsden County Commission and the Chair and the City of Gretna.

Taylor:

Thank you very much.

12. Discussion and Action on Authorization to Place a Referendum on the January Ballot to Authorize the Board of County Commissioners to Grant Economic Development Ad Valorem Tax Exemptions (Material to be Provided)
(Deborah Minnis, County Attorney)

Mr. Lawson:

Madam Chair, item 12 under General Business, discussion and action on authorization to Place a Referendum on the January Ballot to authorize the Board of County Commissioners to grant economic development ad valorem tax exemption. This item is going to be discussed and presented by our County Attorney, Mrs. Minnis.

Attorney Minnis:

Madam Chair, Board Members just too briefly summarize this item and to clarify what I hope has not been confusing, it's that while it may be true, the National Solar issue is what triggered this discussion with tax abatements. The referendum that would be presented to the citizens would be broader than that. It would basically be a referendum for a 10 year period. To allow the County to use tax abatement as a form of economic development incentives and it would apply to any business who applied and whose application was approved and met the qualifications under the ordinance that could be later implemented. I just wanted to make sure that it was understood that this is not a referendum just for National Solar. This would be a referendum for the County Commission. Now that being said, there are other methods of giving economic development incentives under the statutes. I provided supplemental information to the Board Members and hopefully you got those emails, telling you what those additional types are. The referendum language was added because I was asked how you would do a tax abatement referendum. So that's why the initial memo was sent to you. There are ways that you can do grants, you can do loans and there are a variety of other methods that you can use. That doesn't mean that the Board has to decide not to do the referendum, because like I said it's not just for National Solar. It's for the Board as a whole, for a 10 year period. If National Solar is not interested in tax abatements at this point or other businesses that come forth don't want tax abatements there are other mechanisms that can be used. In fact it was brought to my attention that Marion County has used a grant program. That they have set for their economic development incentives. I did get an opportunity to talk with the Attorney for Marion County, that haven't had the cause to use their ordinances at this point and time, but they were able to develop an ordinance that gave businesses certain grant money or loan money or help with loan insurance and those kind of things. There are other options available to the Commission for those kinds of projects.

Taylor:

Well put, Commissioners what has just been said and I know you understand, but I just like to regurgitate words to make sure I understood what she just said. Tonight we will still look at this referendum as an opportunity to going forward, not necessarily the company that's before us because there are other measures that we can look at to get them this percentage that they are looking at. We can go through a grant, am I correct, for a loan or something of that nature. However, we probably still need to look at this referendum. One point and time it was there.

Minnis:

That is correct, there was a referendum of this sort passed by Gadsden County in 1981 and it expired in 1991 and not renewed, so this is a referendum that the County has had in the past.

Taylor:

With that being said, Commissioner Lamb won't you address your mic, so that you can make sure they can hear you.

I will start at my far right this time with Commissioner Holt and see what kind of opinion do you have or do we go on and move this item for approval.

Holt:

Madam Chairman, I don't have any problems with approving a referendum for incentives and don't know if this can be done, but I would like for there to be some kind of preference for Gadsden County Jobs. I don't know if it could be done.

Minnis:

What happens is once the referendum is approved, then the business who wants the abatement would have to submit an application and part of that application is to the job creation and the ordinance that you would pass for that particular business could have the job creation piece in it.

Holt:

No problem, I just wanted to make sure that local preference.

Minnis:

Oh ok, I see what you are saying.

Holt;

I didn't say preference for Gadsden County, since whatever you entice someone to come here. Whatever that money that you are getting a lot of local taxes are going into that the abatement. I think they should have first preference at the jobs. I love the people from Bainbridge and Jackson and Leon and Liberty and all those counties, but in the application put the preference for local. Thank you, Madam Chairman.

Taylor:

Thank you. Commissioner Lamb.

Lamb:

Thank you, Madam Chairman; I think it would be a good idea to put this on the book. It needs to be on there, it was on there once and then it expired now it's time to consider placing it back on

and I agree to place it back on.

Commissioner Morgan:

Thank you, Madam Chair I am glad we are having this discussion because we certainly need to consider the right time to pass this out to the public to decide, which is the referendum I tried to read a while ago. I do think since we are not under a specific timeline on this particular issue. I'm not sure something of this nature should go before the public, when we know the majority of our citizens will not be voting at this time. I think maybe we could have some other discussions maybe on what Commissioner Holt was saying. I just don't know if we ought to as much as I would be in favor of the citizens voting on this. I think the General Election would be the proper time to do it, because you aren't under a timeline. I know that our Executive Director of Economic Development for the Chamber, David Gardner had been in conversation with National Solar and I know we are having these discussions because of the possibility of them locating to Gadsden County. I think that it would be wise to see if we could have other options, I know what the Attorney mentioned.

Gardner:

Good Evening, Madam Chair and Commissioners. I put a letter that was emailed to me in everybody's pile tonight. I hope you saw the letter from National Solar requesting that because of the time issues involved that we look at the ordinance language the County Attorney has prepared. I'm very concerned about another 3 months on to this project and then the language after that.

Morgan:

David, do you think that it would be better served, with the conversations that you have had around this issue not just with National Solar but with other industry coming to Gadsden County. Would it serve us better to do this General Election proceeding or do you think that is something that we should go with now, with public in January when that doesn't tend to be when the majority of our citizens vote.

Gardner:

My gut feeling is to say, probably November. It's not as simplistic as what we talked about earlier. It is going to require some education.

Morgan:

That's all I have thank you.

Taylor:

Thank you, Commissioner Croley

Croley:

Well, I don't like abatements. I don't think they are right, except in the most extraordinary case. I think they are discriminatory against small business and unless you got a General Motors plant that's going to locate her or something with 1,000 of jobs, I'm just not really for them. As far as allowing the public to vote, that's something I do support and I do think it needs to be dealt with at a later date, because the proposed agreement the alternative that is being presented here needs more time to be talked about in a workshop anyway. It's a very completed agreement and this is my position right now.

Taylor:

Alright, I think everyone has spoken on this particular item. Here is what I think as the attorney has stated. If we move this referendum forward in January it doesn't necessary apply to National Solar, but it's a safe mode that's in place. To do it in January, it gets us started early in the year. Economic Growth and Development comes but ever so often and it is best that we are prepared, to be able to handle this and not lose our way and the opportunity. I said that at the referendum for the Poarch Creek that when you have a ballot that is not crowded, people are little bit more intelligent about what's on that ballot and not able to discern. The Attorney has stated that there are some other opportunities that we could look at for this particular project with National Solar. There are some other opportunities, some opportunities may be legal and some of them may not be, but at least you will have another option out there. I do not want to lose out on this particular opportunity, so I would like to move forward with it being placed on this ballot and that we go ahead and get this underway, not necessarily saying it is for National Solar. Just saying that we would be prepared in the event that someone comes to us, say in January or February and we will be able to say we are prepared for this addition.

Taylor:

Yes, you may speak your current address as well as phone number.

Public Comment:

Marion Lasley, 5 Deonte Court, Quincy, FL, I feel there is a lot of education material that needs to be presented before the people can vote on this. This is so very different from the 1 time location criteria for the referendum that was discussed previously. I think November is best. I want to know if you can read the referendum how it's being proposed. The tax abatements, it seems to be general and I want to understand what the criteria is for determining who gets the tax abatements and for how long. It was my impression that previously the abatements where for 5 years of use. Those are my concerns, there needs to be a success record to these abatement jobs provided. My other question is if it's on the January ballot and 20% of the voters vote, how would it be approved, is it 51% of the number who voted.

Taylor:

Those are valid questions and I will lean to the Attorney to get the questions answered.

Minnis:

Very quickly, I can read what the ballot language would be: shall the Board of County Commissioners of this County be authorized to grant, pursuant to s.3, Art.VII of the State Constitution , property tax exemptions to new business and expansion of existing business that are expected to create new, full-time jobs in the county. Then it would be: Yes-For authority to grant exemptions; No- Against authority to grant exemptions. For your information there is a statute that specifically sets out how this all has to happen. What the criteria is for the businesses that can apply. What their application has to say and it does tie it to the creation of jobs and that particular statue is 196.1995 and it has a very detailed process referendums normally last for 10 years. After 10 years they have to be renewed by referendum, so they don't automatically renew it would have to come back to the citizens. At the end of that 10 year period to determine if it would be renewed. There is a very detailed application process including presenting the application to the property appraiser to make report on what income may or may not be lost to the citizens and the county, if the tax abatement is approved. There is also a job creation piece to

it. If the application is approved then the County would then have to actually do an ordinance in the normal process that it does ordinances. So there would be a Public Hearing on any Ordinance approving the Tax Abatement for a particular industry. It's a pretty regulated area.

Lasley:

Does it save more jobs versus

Minnis:

Well I think they have to indicate how many jobs have to be created. The total number of new jobs to be created by the applicant, the average wage of the new jobs, the capital investment to be made by the applicant. Those are some of the things they have to explain in their application. The application does have to be approved by the Board and an ordinance has to be passed before the abatement would go into effect. Those are some of the criteria after the ordinance is passed. There would be an agreement that the Commission would enter into with the entity, where they could flush out the details of what their expectations are as far as new job creations. There is a performance criterion that is also set out in the statute. The applicant would have to report the specific times before the expiration of the agreement of the actual number of full/part-time jobs created what the average wage is. It's pretty detailed requirements in the statute for businesses who want to get the abatements.

Lasley:

Right, but the criterion is up to the Board. If the Board wants to give abatements. As long as the paperwork is filled out and the numbers are presented, if the Board decides that any business that can produce the paperwork can have abatement.

Minnis:

I don't know that it would be any business that could pull the paperwork. There is an application process; there is an ordinance process within that process, definitely within the process. Of course the public does have the opportunity for input because that will be done at a public hearing. At that point the citizens could certainly voice their opinions with regard to whatever the criteria is that the Board of County Commissioners is considering with regard to job salaries and those kinds of things.

Taylor:

Let me ask this question of the Attorney, and then we will move this question on. I'm concerned because what is our legal standing. Whether or not we can use that to kind of similar to abatement or a refund. What is your opinion? If we push this down to a later date then that wouldn't give companies the opportunity for abatement, in particular National Solar. I want to make sure we are in safe mode; if we push this down we are still able to go through some points of the components of this agreement that concerns me. That is one of the reasons why I was trying to push to get it on the ballot, so that we would be able to save this company. Have it meet some of its requirements that are outlined in the agreement.

Minnis:

A particular agreement was presented and it did talk in terms of ad valorem, economic development incentives that would be a concern with tying a grant to the ad valorem tax base. There are other ways to offer grants without tying it back to that, so we would have to talk to National Solar about what their desires are at this point. If they choose to continue to pursue ad

valorem type economic development incentives, my concern would be that we do that as and abatement and not as a grant. I know in Marion County a part of theirs there are some areas that they tie back to Ad Valorem taxes. My understanding is they really haven't had to use this ordinance yet, so that particular piece hasn't been tested yet. There is an Attorney General opinion in a similar kind of thing where the Santa Rosa Island Authority was giving lease reimbursements and they had tied the amount of lease reimbursement to the ad valorem taxes paid. The Attorney General applied that would not be appropriate. We would have to look at the agreement and get back with National Solar on actually what other avenues they would like to look at and pursue for this project.

Holt:

Madam Chairman if I may.

Taylor:

Yes

Holt:

What I would like to say is this. You are right. Definitely look carefully and make sure the process is in place. What I would like to say is this; the agreement is not an agreement with the County. It's a proposed agreement by National Solar to the County. I didn't want someone out there thinking we already have an agreement, because I see a couple of heads looking kind of puzzled. The other is that particular agreement proposal was for a 20 year abatement and it continuous after the 20 years. Also, there was a percentage that I was not in favor of. I just wanted to let the public know that's not an agreement.

Taylor:

Yes, we will get into the body of it. I will make sure that we don't close ourselves of any options to make sure this company comes here. If abatement is needed and required then we have that, if we proceed in January. Again, the attorney has mentioned her position in regards to grants and loans. I just don't want to go into this agreement, proposal with just those two options and we are not able to offer them per the statue.

Morgan:

Thank you, Madam Chair. One of the reasons we need to pay close attention to two things. One Commissioner Croley mentioned is something that we ought to consider the General Election because of what we have talked about and how it could potentially have such an impact on our county for a long period of time. In addition to that, the letter we see before us from National Solar request that we create a separate ordinance without the need for a referendum. That is us being in full support of them and wanting them to come to Gadsden County and that would provide an agreement that is favorable to us. That would be something I would take in mind as we proceed with this.

Taylor:

Again, Commissioner we may be able to do the loan, we may be able to do the grant. Again, as the Attorney said, first this referendum does not tie down or stop the progression of National Solar. It doesn't stop them it just puts us in safe mode in the event that this Board could not come together for the loan or the grant per our statue. It just puts something in place and that's all I'm trying to do. Like I said at our last meeting, I am competent of this. We definitely need this; this is

good growth and economic development. I just wanted to make sure we had something in place. In the event we aren't able to move through the other two that's out there. That's it, we might be able to do the grant. We might be able to find statute that we can do the grant, that we can do the loan. I want to make sure that thing is on that ballot. In the event the Attorney comes back and as you said there are some pending cases out there already? You have some judges that aren't in support of loans and grant. We have to be careful that we don't let anything get away from us that we capitalize on every opportunity. Let's move this. There is a motion to approve this particular item. We need a motion.

Lamb:

So moved

Taylor:

There's a motion. Is there a second. I'll second the motion. There is a motion and a second to have this item agenda so we can have something in place for January. All in favor respond.

Holt:

Question, why does National Solar not want it on the ballot in January, because there is nothing to say that we are going to approve the Ordinance anyway. So it seems like National Solar would be in favor of it.

Minnis:

They are trying to get it a little quicker with the loan or the grant.

Taylor:

We are just putting this in place just in case our statute doesn't allow the loan. It's just language right now. We are just trying to get through the process.

Morgan:

We are voting to place this on the referendum.

Croley:

Madam Chair, you do appreciate the fact that the Attorney had said that if you do put it on the ballot in January it may or may not pass by the citizens. If it does pass you still have to adopt the ordinance, so that's going to require at least a draft of the ordinance and 2 public hearings to be held before that could even come about. I believe that the Chamber's position has been to try to look at the alternatives that Marion County has presented as a way of doing what Commissioner Holt has just mentioned about National Solar. It still is a very complicated matter that needs to have a workshop because we haven't had time to look that over. She just emailed it to us, yesterday. The problem with what you are trying to do is you may even create a problem for the item you just approved because you may find out they all get rejected. I would not think it would be a good idea to put this item on the ballot in January.

Taylor:

The only problem with that is that we have to have this information approved before November 12 and that's per the Supervisor of Elections Office. It has to be approved so we can get the language over and we put these things on there. This is a democracy, we vote things up and we vote things down. I won't get heartburn one way or another. Only thing I'm trying to do is just

make sure we have as many opportunities to take care of this company in the event we aren't able to do the other too. That's the only thing I'm trying to do is to make sure there is something in place. There are some other things that might need to take place after the vote. They did say they would be turning dirt the first quarter of 2012. That will give us 4 months if we just follow this process, just in the event. That's the only thing I'm trying to do. There's a motion and a second. All in favor to put this item on the ballot in January please let it be known by saying aye.

Taylor, Holt, Lamb:

Aye

Taylor:

All opposed

Croley, Morgan:

No

Taylor:

Make that 3 – 2 to place on ballot. Thank you very much.

COUNTY ADMINISTRATOR

13. Update on Board Requests
(Arthur Lawson, Interim County Administrator)

There were no items or issues brought to the Board's attention by Mr. Lawson.

COUNTY ATTORNEY

14. Update on Various Legal Issues
(Deborah Minnis, County Attorney)

There were no items or issues brought to the Board's attention by Mrs. Minnis.

DISCUSSION ITEMS BY COMMISSIONERS

15. **Commissioner Lamb, District 1**

- There were no items of concern for Commissioner Lamb.

Commissioner Croley, District 2

- Disclosed publicly, a letter from former County Manager, Johnnie Williams that was prepared while he was still employed by the County and mailed after his termination. He noted that it was a County Document that came to him at his personal resident. He stated he has met with the County Attorney and former Attorney General, Richard Durham. He handed the letter to the deputy clerk to be placed in the public record.

Commissioner Holt, District 4

- Replied to comments from Commissioner Croley concerning the letter from, former County Administrator, Johnnie Williams. She asked that she be included in copies of the letter and wished Mr. Williams great success in future employments.

Commissioner Morgan, Vice Chairman, District 3

- Embarked on financial commitment for defending Florida State Hospital – Increase financial (support) for Florida State Hospital. He asked for a motion to have it placed on the agenda for discussion at a later date.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 2 - 2, BY VOICE VOTE, TO HAVE THE FINANCIAL COMMITMENT FOR DEFENDING FLORIDA STATE HOSPITAL TO BE PLACED ON THE AGENDA FOR FURTHER DISCUSSION AT A LATER DATE.

Motion failed (Commissioner's Lamb and Taylor opposed) Commissioner Holt had departed at this juncture of the meeting.

Commissioner Taylor, Chairperson, District 5

- Expressed congratulations to the City of Quincy for their opening of the Tanyard Creek. She commented on the event and the professionalism. "I take my hat off literally to them". She said the County is moving forward with positive things she noted the ½ million dollar Closing the Gap Grant, final touches to Lamb Park and two items that have been approved to go on ballot in January for the citizens to consider.
- Veteran Day Celebration – details would be forth coming
- Set date for National Solar Workshop/Special Meeting Date – It was the consensus of the Board to wait until next meeting and bring back in draft form.

RECEIPT AND FILE: NONE

NOVEMBER MEETING (S)

- November 15, 2011, Regular Meeting, 9:00 a.m.

ADJOURNMENT

There being no further business to come before the Board, the Chair declared the meeting was adjourned at 8:30p.m.

GADSDEN COUNTY, FLORIDA

ATTEST:

BY: _____
Sherrie Taylor, Chair
Board of County Commissioners

BY: _____
Nicholas Thomas, Clerk of Court
Gadsden County, Florida

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON NOVEMBER 15, 2011 AT 9:00
A.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ.**

Present:

Sherrie Taylor, Chair, District 5
Eugene Lamb, District 1
Doug Croley, District 2
Brenda Holt, District 4
Deborah Minnis, County Attorney
Arthur Lawson, Interim County Administrator
Beryl H. Wood, Deputy Clerk

Absent:

Gene Morgan, Vice-Chair, District 3

INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

Chair Taylor called the meeting to order at 9:00 a.m. and then opened with a prayer followed by the pledge of allegiance to the U.S. flag.

Beryl H. Wood, deputy clerk, led in the roll call with Commissioner Morgan being absent. Chair Taylor asked for a motion to excuse Commissioner Morgan due to him being at work.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0, BY VOICE VOTE, TO APPROVE THE EXCUSAL OF COMMISSIONER MORGAN FOR THE NOVEMBER 15, 2011 REGULAR SCHEDULED BOARD MEETING.

AMENDMENTS AND APPROVAL OF THE AGENDA

There were no Amendments to the Agenda. Chair Taylor asked for a motion.

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

AWARDS, PRESENTATIONS AND APPEARANCES

- Election of Chairman and Vice-Chairman
(Arthur Lawson, Interim County Administrator)

Arthur Lawson:

Madam Chair, the first item of business today under Awards and Presentations is the Election of a new Chair and Vice-Chair. First is the election of the Chair, who will then carry through to elect the Vice-Chair. Typically we take nominations from the floor and once the nominations are closed the Board would take a vote on those who were nominated for the Chair. At this point and time if you so desire

we can take nominations from the floor for the Chairman's position.

Chair Taylor:

For a point of order, I think the Attorney becomes the Parliamentarian of this particular item because none of us at this point have any position so we will open up the floor.

Attorney Deborah Minnis:

We will now open the floor for nominations for Chair.

Commissioner Holt:

I move that we, I nominate Commissioner Taylor.

Minnis:

Any other nominations?

Commissioner Croley:

I nominate Commissioner Morgan.

Minnis:

Any others? So we have two nominations, are you ready to vote?

Commissioner Lamb:

Yes

Minnis:

All those in favor of Commissioner Sherry Taylor to resume Chair for the upcoming fiscal year 2011-12, please vote by saying Aye.

Commissioner's Taylor, Holt, Lamb:

Aye

Minnis:

All those in favor Commissioner Gene Morgan?

Commissioner Croley:

Aye

Minnis:

3 – 1, so Commissioner Taylor becomes Chair for the upcoming fiscal year of 11-12.

Chair Taylor:

Thank you colleagues, for one more year of this. We will do are best. We need to open up nominees for Vice – Chair.

Commissioner Lamb:

Madam Chairman, I would like to nominate Commissioner Morgan.

Chair Taylor:

That's one nomination. I would like to nominate Commissioner Holt. All in favor of Commissioner Morgan please let it be known by saying Aye.

Commissioner's Croley, Lamb:

Aye

Chair Taylor:

All for Commissioner Holt please let it be known by saying Aye.

Commissioner's Holt and Taylor:

Aye

Chair Taylor:

That's 2-2, right now what will happen, given this situation is we will wait until the full Board is meeting and then we will go for the Vice-Chair again. As it stands Commissioner Morgan will retain his seat. I think that's protocol. Thank you very much, Alright thank you, let's move on.

2. Presentation on How Gadsden County Residents Can Benefit by Calling 2-1-1 Big Bend

(Jason Zauder, Outreach and Education Coordinator for 2-1-1 Big Bend, Inc.)

Jason Zauder greeted the Board of County Commissioners and presented a presentation and handout on how Gadsden County Residents can benefit by Calling 2-1-1 Big Bend. He discussed the vision of 2-1-1 Big Bend is to serve as the preferred 24/7 gateway to community services and support with a commitment to excellence. The mission of 2-1-1 Big Bend is to provide assesment, emotional support, crisis assistance, education, training and referrals with accurate, up to date information . He said just as you would call 911 for emergencies, you can call 2-1-1 for human service infromation. He also added they offer wonderful volunteer opportunities such as Hotline Counselor, Program Volunteer, Student Intern Placements and Workstudy. He discussed the possibility of an information kiosk that would benefit the citizens of Gadsden, such as the one in the Leon County Courthouse.

State Hotlines provide:

- Parent Helpline – offers crisis counseling, info for parenting concerns
- Family Health Line – offers counseling, information, and referrals about pregnancy, infant and toddler issues.
- Florida HIV/AIDS Hotline – offers crisis counseling, information, and referrals to callers who are feeling suicidal or know someone who needs help.
- Lifeline – offers 24 hour crisis counseling, information, and referrals to callers who are feeling suicidal or know someone who needs help.
- BrAlve Hotline – offers 24 hour crisis counseling, information, and referrals to those affected by military deployment to Afganistan or Iraq.

Help line 2-1-1 :

- Brings people and services together
- Provides crisis counseling
- Prevents suicide
- 24-hour support

- Free and confidential

Commissioner Taylor stated the services seem to be great and cover a large area of need, but she inquired about statistical information as a point of interest. She asked does the program work, because she did not want to send people over expecting services and it's just a formality. She expressed need through the School District where daily she interacts with families of children with issues such as utility, food and shelter. She offered her wholehearted support for the service.

Mr. Zauder commented that the program does work, but there are limited resources. He said if they can't help, they will partner the caller with an organization that can.

3. 1000 Friends of Florida Award Presentation- Charles Patterson, FAICP President and CEO

Charles Patterson, FAICP President and CEO of 1000 Friends of Florida addressed the Board. He stated Gadsden County is receiving 1000 Friends of Florida's Better Community Award for its passage of the Citizens Growth Management and Planning Bill of Rights Ordinance #2010-05, which provides citizens with enhanced opportunities to participate in the local planning process. He said Gadsden County is to be commended for giving its residents a more meaningful role in shaping the future of their community."

Adopted in May of 2010, the Planning Bill of Rights was adopted to provide the citizens of Gadsden County the opportunity to have a voice in development and its impact on their enjoyment and investment in their community, said Gadsden County Planning commission Chair, Diane Sheffield. She explained that long-time Planning Board Member, John Yerkes would always ask applicants if they had communicated with citizens surrounding a proposed development. The Planning Commission voted unanimously to require this communication." Affected property owners have the right to know about and have input in proposed changes to land use where they live."

1000 Friend's Better Community Award is presented annually for plans that have been implemented and projects are completed that use the principles of smart growth to create livable, vital environments. He then presented the County with a beautiful art painting of the Gadsden County Courthouse.

Chair Taylor enthusiastically articulated her support and appreciation on behalf of the Board and Gadsden County. She then asked Commissioner Croley to come down and accept the painting because of his due diligence in spearheading the project.

Commissioner Croley conveyed Chair Taylor's gratitude by accepting and thanking 1000 Friends of Florida and Planning and Zoning for all their efforts and they all posed for a memorable photograph.

CLERK OF COURTS -

4. Presentation of County Finance and County Clerk Issues (Nicholas Thomas, Clerk of the Courts)

In the absence of Clerk Nicholas Thomas, there were no issues from the Clerk of Court reported.

CONSENT

- 5. Approval of Minutes – August 18, 2011 - Budget Workshop
-- September 7, 2011 – Budget Hearing**
- 6. Ratification of Approval to Pay County Bills**

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT , THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE REMAINDER OF THE CONSENT AGENDA, TO WIT:

ITEMS PULLED FOR DISCUSSION -None

There were no items pulled for discussion by the Board.

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

Charles Patterson, 308 N. Munroe, Tallahassee, FL, 1000 Friends of Florida addressed the Board again on a different issue on behalf of Water Management District. He noted Taylor County had adopted a resolution that stated that water is an important public resource, moving water across boundaries such as South Florida or Central Florida. He said they are a part of group that is trying to get communities engaged to let the state know that these are public resources and they should be managed properly. He spoke of Taylor County's Resolution which he handed to Commissioners and asked that they take it into consideration for Gadsden County. He added that Jefferson and Leon County are also considering the same Resolution.

Chair Taylor asked Mr. Patterson to pass Resolution to the Clerk and they would have the Administrative staff look at it and have someone contact him on this issue.

PUBLIC HEARINGS

GENERAL BUSINESS

- 7. Approval of Close-out Budget Amendments for Fiscal Year 2011
(Jeff Price, Senior Management and Budget Analyst)**

Mr. Lawson stated they are at item number 7 for approval of Close-out Budget Amendments For Fiscal Year 2011. We have some additional Budget Amendments that need approval and if there are any questions or concerns; Jeff Price was there to answer them.

Chair Taylor called for a motion for approval.

Commissioner Holt called for a question asking do they have separate accounts. I just saw something for Library Retirement for \$1,000.

Mr. Price replied it is a line items for Libraries each one of them.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 – 0, BY VOICE VOTE, FOR APPROVAL OF CLOSE-OUT BUDGET AMENDMENTS FOR FISCAL YEAR 2011.

**8. Discussion of Request to Donate County Property to the City of Midway
(Charles Chapman, Public Works Director)**

Mr. Lawson addressed the Board. This item seeks Board approval to donate county property (Parcel No. 4-07-1N-2W-0000-00344-000) to the City of Midway for the potential use for developing public safety and recreational uses. The parcel is 16.25 acres in size. Effective October 1, 2011 the Gadsden County Rural Waste Program was closed out. The subject parcel was used as the Midway (District 1) rural waste site, The property is 16.25 acres in size, located in the city limits of Midway, and is directly adjacent to a subdivision and current park property. Mr. Arthur Lawson, Sr. Interim County Administrator received correspondence from Mr. Auburn Ford, Midway City Manager on October 26, 2011 requesting the donation of the subject parcel. The City of Midway would use the land for Public Safety (Fire Station) and Recreational Uses.

Mr. Auburn Ford, City of Midway City Manager spoke in support of the request to donate County Property to the City of Midway.

Commissioner Lamb concurred with Mr. Lawson and stated he would like for the land to be turned over to the City of Midway. He said the City of Midway could really use land. He said he saw no reason why the County couldn't turn the land over to Midway with all responsibilities going to them also. He then offered a motion for approval.

Chair Taylor stated there is a motion on the floor. She then second the motion for approval. There was a question by Commissioner Croley.

Chair Taylor commented it was her understanding all of the property was under a Realtor. Some point and time the realtor was to go out and have some type of estimate of These properties to know what to sell it for. If that information is necessary, certainly the realtor should have it and should be able to bring that forth to them as needed.

Commissioner Croley called attention to the write up that stated it would include current market value. Obviously if we are going to have the City of Midway take the 16.25 acres, I don't expect it to be changed at current market value because I don't know what that will be. He asked would there be any monetary consideration at all? He stated he was in support of the land going to the City of Midway, but thought monetary value should be added.

Chair Taylor directed staff to have the realtor attach a dollar amount to the proposed 16.25 acres of property to be given to the City of Midway. She stated they have a motion and a second on the floor, she then recognized Commissioner Holt for a question.

Commissioner Holt stated she would not be in support of the county property going to the City of Midway because when they attempted to do the easements at Lake Talquin, if you can recall, I was not in favor. She commented she could not support until you look at the property especially if there is a landfill there including clean up, we are responsible and if there is no cleanup, what is the value? She stated the property belongs to the citizens. She said it was her opinion that it should be brought back to retain clarification and then it should be decided what they will do as a Board. "I'm all for Midway having the property." She that there is a way to do it and that was the reason she was not in favor of the motion as it stands.

Chair Taylor replied she could appreciate the point that Commissioner Holt was trying to make, however she said once the exchange is made all the responsibilities will lay with the City of Midway.

Commissioner Holt pointed out under the sale of property, Caveat Empor (Buyer Beware), they are correct it is there responsibility once they buy. It's not the fact that you are going to give, it's the process that you use that I'm questioning. She commented that what she is saying is you need to set some precedent as to how you give away public property. There is no precedent set in this county as to what we want that preceding to be, we just need a process in place.

Chair Taylor stated she appreciated Commissioner's Holt comment and staff has made notations.

Commissioner Croley asked the motion to be reinstated.

Motion to allow donation of property to the City of Midway with all responsibilities being now placed with the City of Midway.

Commissioner Croley asked would the motion include the determination of the value and would that information come back to the Board.

Chair Taylor commented it would. She then asked the motion be voted upon.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 3- 1, BY VOICE VOTE, TO ALLOW DONATION OF PROPERTY TO THE CITY OF MIDWAY WITH ALL RESPONSIBILITIES NOW BEING PLACED WITH THE CITY OF MIDWAY AND TO HAVE VALUE BROUGHT BACK TO BOARD ON PROPERTY.

Commissioner Holt opposed the motion.

**9. Approval to Award Bid Number 11-14 for Landscape Architecture Services
(Charles Chapman, Public Works Director)**

Mr. Lawson addressed the Board for approval to award Bid No. 11-14 for landscape architecture services associated with two Local Agency Program (LAP) grants funded through the Florida Department of Transportation (FDOT). The subject grants are for design only services in reference to County entrance gateway signage and wildflower beautification on state roads throughout Gadsden County. He went on to give the background. In 2009-2010 the Tourism Development Council embarked on an initiative to apply for funding to design gateways and improve roadside landscaping along the entrance points into Gadsden County. Most arterial roadways flowing through Gadsden County are Florida Department of Transportation (FDOT) maintained roads. As such applications were made to FDOT for funding assistance with design of the gateway and landscaping projects in hopes the designs would be approved and subsequently funded for construction by FDOT.

Commissioner Croley motioned for approval and it was seconded by Commissioner Lamb.

Chair Taylor stated there is a motion and a second.

Commissioner Holt called the question and then directed her question to Mr. Chapman by asking what the plan is?

Mr. Chapman stated the scope of services that FDOT uses calls for landscaping and the use of natural wildflowers and it would contain both in the design only scope in these grants. He said they are not construction hours but design. He said they are looking at concept, blueprints and design layouts.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4- 0, BY VOICE VOTE, FOR APPROVAL TO AWARD BID NUMBER 11-14 FOR LANDSCAPE ARCHITECTURE SERVICES.

COUNTY ADMINISTRATOR

**10. Update on Board Requests
(Arthur Lawson, Interim County Administrator)**

County Thanksgiving Luncheon

Mr. Lawson discussed the Annual Thanksgiving Luncheon held by the County on November 14, 2011 he said everyone was exceedingly pleased with the array of food and fellowship. He also thanked Commissioner Holt and Commissioner Lamb for taking time out of their busy schedules to join in the festivities.

COUNTY ATTORNEY

**11. Update on Board Requests
(Deborah Minnis, County Attorney)**

Attorney Minnis had no issues to report. However Commissioner Croley referenced a question to her related to the Slot Machine Referendum.

Commissioner Croley inquired of the Attorney concerning their decision of placing the slot machine referendum on the January ballot. He said the presentation spoke of Gretna Racing assuming responsibility of the cost of the election which is around \$65,000. His question was who is responsible for the billing of the election?

Attorney Minnis replied they would have to work with the Supervisor of Elections, Shirley Knight to determine who is going to bill. She stated chances are the County /Board may have to do billing for that. She reiterated that she would coordinate with the Supervisor of Elections to make sure it's not something she wants to do directly from her office.

Commissioner Croley said he did speak with the Supervisor of Elections and she replied it would be the Board's responsibility to do the billing. He asked if she would verify that information with her office. He said it needs to be put in place and we need to get that money in hand.

Attorney Minnis said she would coordinate with her today and get with their Council and the Council for Gretna to make sure this issue is taken care of.

Antonio Jefferson, City Manager, City of Gretna addressed the Board. He said he had no concerns and that Supervisor Knight had a direct contact person to ensure the coordination of the Referendum. He said he felt there would be no problem with funding.

Chair Taylor expressed concerns with what she is hearing about the \$65,000. Will National Solar be taking on the same responsibility, since both will appear on the ballot? She noted the election is on January 31, 2012 and there is still time to have much needed dialogue to get language correct and printed.

Commissioner Holt echoed the comments of Chair Taylor. She commented there are two referendums and the cost should be split between National Solar and Creek Entertainment/ Gretna Casino. She also added by the election being the early primary the Federal Government / State wouldn't they give extra money? She stated all entities need to step up and pay their fair share.

Chair Taylor said those were great comments that should be passed on to staff to see if there are Federal Dollars out there to help with the costs.

DISCUSSION ITEMS BY COMMISSIONERS

12.

Commissioner Lamb, District 1

- Thanked Mr. Lawson and staff for Thanksgiving Luncheon. He commented it was very nice.

Commissioner Croley, District 2

- **CRTPA Meeting** – He said there were two things he needed to report. One was on the Gadsden Express, service that is being operated by Big Bend Transit; he said it is under the authority of Star Metro, City of Tallahassee Bus System. He said the question concerns the future funding, state monies are drying up due to the economy and it doesn't appear the Florida DOT grants will be present. He said they requested in January further discussion specific to the whole concept of the Express not only operating in Gadsden County but perhaps in Jefferson & Wakulla. Also expanding to outlying areas in Gadsden County such as Havana, Chattahoochee, Gretna and Greensboro were also a topic of consideration. It is a matter of money. He said with fares being set so low it does not help the situation; he said it's lining up to be a giveaway ride from a business process. It needs to be reviewed in terms of costs.
- **I-10 Corridor Study** – He commented the impact of Traffic through the 3 counties along the I-10 Corridor that make up the CRTPA jurisdiction. The other counties to the west of the Alabama line are also involved, but we were specific in Gadsden, Leon, Jefferson and there is a desire by some to add interchanges especially in Leon County. There is a desire by some to make improvements in the interchanges, such as Chattahoochee with the lighting. At the Gretna/Greensboro they are concerned with the added impact of the Casino and who would be responsible for payment if needed.
- **Request of Tourist Development Council (TDC)** – Commissioner Croley said he would like to request that the appointment of District 2 be placed on the Agenda for next month due to the current representative's term expiring on December 31, 2011. He then moved for that to be

added to the agenda for next month.

Chair Taylor asked Commissioner Croley to amend his motion to include all TDC Members who term expires as of December 31, 2011.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4- 0, BY VOICE VOTE, FOR APPROVAL TO ADD ALL TDC APPOINTMENTS TO THE NEXT AGENDA BEFORE DECEMBER 31, 2011.

- **CRTPA Representation** - Commissioner Croley reminded the Board that he was appointed for the 2011 term for the CRTPA and it would expire December 31, 2011 and that would complete his term of Chair. He added it would have to be a reappointment for 2012 or whatever the consensus of the Board is; it would need to be addressed also on the Agenda.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 -0, BY VOICE VOTE, FOR APPROVAL TO ADD THE CRTPA REPRESENTATION FOR 2012 TO THE NEXT AGENDA BEFORE DECEMBER 31, 2011.

- **Theft of Copper/ Metal in Rural Areas Resolution** - He referenced a request relating to the theft of copper and metal. He requested a resolution of stronger enforcement or of further regulations of scrap metal dealers who are buying the metal. They are asking for tougher restrictions. He asked then motioned for it to be added to the Agenda.

Chair Taylor commented before we place it on the Agenda, lets allow the County Attorney the opportunity to look at the information and report back to us with her findings.

Commissioner Croley withdrew his motion to allow the County Attorney, the opportunity to research.

Commissioner Holt, District 4

- **City of Gretna, Creek Entertainment Job Fair**

Antonio Jefferson, Gretna City Manager, addressed the Board announcing the Job Fair that would take place on Saturday, November 19, 2011 from 10:00am - 4:00pm at the Creek Entertainment Site in Gretna, FL. He also discussed the past weekend November 12, 2011 Job Fair which was held at the Workforce in Quincy, which resulted in a number of people not being helped or able to go through the process due to logistical issues.

Commissioner Holt discussed this past weekend's Job Fair. She commented that she and Mayor Jackson were bombarded with calls about the situation and the hundreds of people that overflowed the Workforce for the job application process for Creek Entertainment. She said she would make sure she was at the Job Fair that is coming up this weekend. She discussed the importance of jobs and asked the citizens to be patient in going through the process.

- Nov. 30, 2011- CRTPA Meeting discussion of interchanges of Hwy 265 and I-10, the corridor where they come of Hwy 98 if you would bring that before the CRTPA at your next meeting.

Commissioner Croley informed the Board of a kickoff meeting scheduled for November 30, 2011

on these different interchanging topics and the first one will be here in the Commission Chambers. He expressed to Commissioner Holt that she might want to attend the meeting to express that need herself.

- Increase of traffic at the Gretna/I-10 – She commented the Federal Government has monies for infrastructure. She asked the Board to work with the City to ensure the interchange is done and that they work with the City.

Commissioner Morgan, Vice Chairman, District 3 – None

Commissioner Taylor, Chairperson, District 5

- **Discussion of Smoke Detectors** - Chair Taylor embarked on the importance of placing smoke detectors in homes that are needed. She reminded the Board winter is coming and she has begun discussion with the Fire Department about placing smoke detectors in homes.

Commissioner Lamb stated the County would probably need to check with other agencies who offer the service of placing fire detectors in homes.

Chair Taylor agreed and commented they have already talked with the City of Quincy, Fire Department. He is coordinating the effort County-Wide and we would like to help also if there is a need for the service.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO HAVE THE SMOKE DETECTORS DISCUSSION PLACED ON THE DECEMBER AGENDA.

- **Workshop on the Comprehensive Plan/Land Development Code** – Chair Taylor discussed the Comprehensive Plan becoming in sync with the Land Development Code. She said she would like for the Board to look at putting a committee together, people from the community, so they can sit down and start to address some of these issues regarding our Comp Plan and Land Development Code. She asked that Mr. Lawson agenda that item.

Commissioner Holt commented the Comp Plan and Land Development Code are large documents that need to be taken apart and worked effectively to ensure accuracy.

Commissioner Croley stated he thought the Planning and Zoning went through that process some months back.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO FORM THE COMMITTEE ON COMP PLAN AND LAND DEVELOPMENT CODE AND HAVE STAFF TO COME BACK WITH WHAT THIS COMMITTEE NEEDS TO DO AND THE CRITERIA FOR THOSE THAT WILL SIT ON IT.

- **Sheriff Department** – Chair Taylor discussed the 13 inmate breakouts which occurred Saturday, November 12, 2011 where a private company was transporting inmates through our County. She commended the Sheriff's Department for responding quickly and commented that is why she was not in attendance at the Thanksgiving Luncheon. She was attending the press

conference at the Jail and she was there supporting Sheriff Young and staff, City of Quincy and the Florida Highway Patrol for a job well done.

- **EMS Interlocal Agreement** - Chair Taylor discussed her concern with the EMS Interlocal Agreement, she went on to say when something of that magnitude (Inmate Breakout) happens the Board should have been contacted. She asked that some correspondence be made to get that situation addressed.
- **Workforce Plus** – Chair Taylor called attention to the situation at Workforce Plus with the Job Fair and she was glad to see that the Job Fair would be coming back. She encouraged the Media to announce it so people would know the Job Fair was coming and for those interested to come back. She thanked Mr. Jefferson for bringing the Job Fair's do over to the attention of the Board.
- **Gadsden Express** would be coming before the Board with a letter for funding.
- **Legislative Session** – Chair Taylor asked Mr. Lawson when the Representatives would be coming over to discuss with the Board concerning our wants and desires for this Legislative Session.

Mr. Lawson responded he is waiting for a response by Senator Munford's staff to get back with him and give a date.

13. Receipt and File

- a. For the Record: Letter from the Tax Collector Regarding Unused Revenue (Fees) for Fiscal Year 2010 – 2011
- b. For the Record: Letter from Florida Department of Transportation Regarding Traffic Regulation Change: Speed Limit Reduction
- c. For the Record: Letter from the National Solar Power Partners, LLC Regarding the Potential Solar Farm Operations in Gadsden County, Florida

December Meetings(s)

- December 6, 2011, Regular Meeting, 6:00 p.m.
- December 20, 2011, Regular Meeting, 9:00 a.m.

ADJOURNMENT

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIR DECLARED THE MEETING
ADJOUNED AT 9:56 A.M.**

Sherrie Taylor, Chair, District 5

ATTEST:

Beryl H. Wood, Deputy Clerk