

**AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS, HELD IN AND FOR
GADSDEN, COUNTY FLORIDA, ON AUGUST 3,
2010, THE FOLLOWING PROCEEDINGS WERE
HAD, VIZ**

PRESENT:

Commissioner Eugene Lamb, Chair, District 1
Commissioner Doug Croley, Vice-Chair, District 2
Commissioner Gene Morgan, District 3
District 4 - Vacant
Commissioner Sherrie Taylor, District 5
Johnny Williams, County Administrator
Jeff Price, OMB
Muriel Straughn, Deputy Clerk

CALL TO ORDER:

Chairman Lamb called the meeting to order with a quorum present at 6:00 PM. He asked everyone to stand for a moment of silent prayer and he then led in the Pledge to the US Flag.

Chair Lamb called for amendment approval to the agenda and Mr. Williams had two items, one to add to the consent agenda and one to delete from public hearings.

AMENDMENTS TO THE AGENDA:

Add To-- Consent Agenda Item #4a, Acceptance of the Brownfield's Assistance Agreement Award from the U.S. Environmental Protection Agency, Region 4, and the Authorization for Chairman to Sign/Execute.

Remove From -- Public Hearings Item # 5, ~~Approval of Resolution # 2010-038 & Execution of Budget Amendment for Frank Smith Road Repair.~~

Mr. Williams said this item has been taken care of; staff met with the Sheriff last week and agreed to look for other ways to do it. He requested an amendment "To Not Touch Any of the Money That Has Been Appropriated to the Jail, and Then In Turn, To Take It out Of Public Works Reserve Fund".

Commissioner Croley explained the Board became aware last Thursday that Public Works had adequate funding for replacement of culverts on Frank Smith Road, as well as for the emergency repairs to Dodger Ball Park Road and the remaining safety paving on Talquin Avenue. He said he had discussed this with Clerk Thomas last Friday, they had reconfirmed the Clerk's findings on Monday and he asked the Clerk to explain to the Board what the findings were.

Clerk Thomas said he believes there are adequate funds in Public Works capital projects fund; \$477,000.00 that hasn't been spent and less than two months remaining in this fiscal year. He also said if that isn't sufficient then there is fund balance in the transportation fund; but hopes they don't have to do that.

Commissioner Croley said it was quite obvious the funds were there and had been all along - doesn't know why the Board was not made aware of this and based on all of that, and that he didn't see anything inappropriate with removing the item from the agenda. County Attorney Minnis said if the Board no longer needs to act on an item there is no reason to keep it on the agenda.

~~**Removed-** General Business Item # 7, Approval to Donate a Surplus Ambulance to the City of Quincy Fire Department to Become a Mobile Urban Search and Rescue (USAR) Unit for Countywide Deployment---~~

Removed at Request of Commissioner Morgan. He said he had discussions with some of the Greensboro residents and thinks there is more information they would like to consider before the Board moves forward with it.

Chairman Lamb called for a motion.

UPON A MOTION BY COMMISSIONER CROLEY AND A SECOND BY COMMISSIONER MORGAN TO APPROVE THE AMENDMENTS TO THE AGENDA, THE BOARD VOTED 4-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Chairman Lamb said there are citizens present that wished to speak on Item 5 which has been pulled from the agenda, and if they still wish to speak they will be allowed to do so for 3 minutes at the citizens requesting to be heard portion of the meeting.

UPON A MOTION BY COMMISSIONER CROLEY AND A SECOND BY COMMISSIONER MORGAN TO APPROVE THE AGENDA AS AMENDED, THE BOARD VOTED 4-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Chairman Lamb called for the next item.

Awards, Presentations & Appearances:

Mr. Charles Chapman said the Board would like to recognize their community leaders, volunteers and County staff for all of their hard work over the last five years in the Gadsden Hospital project. He then read into the record Resolution # 2010-025 honoring the GHI Board of Directors, Inc. Mr. Chapman recognized each of the individuals by name only. The GHI Board members were then recognized and the Resolution recognized as of the date the hospital license was officially awarded, June 8, 2010.

GADSDEN HOSPITAL INC. BOARD OF DIRECTORS:

Craig McMillan, Chairman
Herb Sheheane, Vice Chair
Jimmy Suber, Sec-Treasurer
Ms. Shelia Atkins - Board Member
Senator Fred Dudley - Board Member
Dr. Charles Kent - Board Member
Scott Whitehead - Board Member
Darryl Marshall (past GHI Board Member)
Dr. Carla Holloman (past GHI Board Member)
Mike Glazer, GHI Attorney

Also recognized:

Honorable Nicholas Thomas, Clerk of the Courts
Maximo Martinez, Exec Dir. Gads. Health Council
Honorable Curtis Richardson, State Legis. Rep.
Arthur Lawson, Assistant County Manager
Clyde Collins, County Building Official

Commissioner Croley said the certificates were inadequate in expressing the full extent of appreciation to the GHI Board, County Staff, Health Council and the Hospital Corporation of America (Capital Regional Medical Center). He said the County profoundly appreciates all of their hard work, diligence and dedication, with a special thanks to Craig McMillan, Chairman of the GHI Board.

Commissioner Taylor echoed Commissioner Croley's comments and added this was a long deserved project for Gadsden County, that they were able to bring quality healthcare back to the citizens of this County so the County can continue to grow in a positive manner; businesses will not come to Gadsden County unless certain areas are elevated and quality healthcare is one of those areas. She said the hospital is a top-notch facility that will continue to grow and she expressed sincere, heartfelt gratitude to everyone instrumental in this process.

Commissioner Morgan and Chairman Lamb agreed with comments made by Commissioners Croley and Taylor and added it was a job well done. Chairman Lamb also expressed thanks to the County Commissioners for standing together and staying firm in getting the hospital open.

At this time Chairman Lamb called GHI Chairman McMillan forward.

Chair McMillan expressed thanks on behalf of the GHI Board for all of the kind comments and he said it would not have been possible without the support that was given by the County Commission. He said he feels they have a great partner in HCA (CRMC) and looks forward to a good future and expanding on healthcare in Gadsden County; the citizens will receive top quality medical care at the facility. He explained they have a plaque that will be mounted on the hospital and then briefly addressed a proposal for a heliport which is needed at the hospital. He said quotes have been received by Mr. Collins ranging from \$108,000-\$140,000 depending on the size of the heliport. He said funds are available/set aside for this, some of which were funds from Senator Nelson's Office; the need for an irrigation system for the lawn at the hospital also needs to be installed. Chair McMillan asked that both the heliport and the irrigation system be agendaed for a future BOCC meeting. He said the heliport is really needed at the hospital and Mr. Bud Wethington (CRMC) agreed the heliport is absolutely something that is needed.

Chair McMillan urged the citizens of the County to use the facility and said if their doctor orders a CT scan, x-rays, blood work, all of that can be done at this facility and the citizens need to use this facility. They are talking to other doctors and looking at possible rentals for the facility and feels very confident the facility will build. The hospital is currently seeing 50-60 patients per day and many of the local physicians are sending patients to the hospital for their diagnostic testing.

Chairman Lamb called for action on the Consent Agenda.

CONSENT AGENDA:

2. Ratification of Approval to pay County Bills
3. Approval and Execution of Resolution Number 2010-037 and Budget Amendment # 10092
4. Award of the Local Agency Program Project - Florida Department of Transportation - Hardaway Highway (C.R. # 268)
- 4a. ADDED Acceptance of the Brownfield's Assistance Agreement Award From the U.S. Environmental Protection Agency (EPA) Region 4 and Authorization for Chairman to Sign/Execute

UPON A MOTION BY COMMISSIONER TAYLOR AND A SECOND BY COMMISSIONER MORGAN THAT THE CONSENT AGENDA BE APPROVED, THE BOARD VOTED 4-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

PUBLIC HEARINGS:

~~Removed -- Public Hearings Item # 5, Approval of Resolution # 2010-038 & Execution of Budget Amendment for Frank Smith Road Repair.~~

Chairman Lamb explained Item 5 had been pulled from the Public Hearing Portion of the Agenda because it has been taken care of. He said if there were citizens still wishing to speak on Item 5 to come forward when their name is called and they will be allowed 3 minutes to speak. He then called forward:

Citizens Requesting to be Heard on Non-Agenda Items:

Ms. Arrie Battles - She said she would yield her time to Mr. Sam Palmer.

Ms. Brenda Holt - Made public records request for copy of the Sheriff's report on the EMS investigation, and stated she would like to receive it within the allotted time as required by State law. She said there was no award given to the citizens' committee on the hospital (appointed by the County Commission) and those individuals worked hard on a plan for the hospital but they have been ignored by the County Commission.

Chairman Lamb said he didn't think the citizens committee had been ignored by the County Commission; that staff came up with this recognition. He said he will let Charles Chapman know about this and he can work on it.

Ms. Holt responded by saying the citizens committee worked on the campaign for the half-cent tax, they got the half-cent and there would be no hospital if it wasn't for them - there wouldn't be a hospital because there wouldn't be a half-cent. She said it was totally disrespectful and they had been complaining about it so she is bringing it to the County Commission to be taken care of.

Chairman Lamb apologized on behalf of the County Commission for this oversight by staff and that he will ask staff to put together something for those members of the citizens committee.

Dr. Sterling Watson "How is it we didn't know about the Public Works Reserve Fund before now?"

Commissioner Lamb "I don't know. You will have to ask --".

Dr. Watson "No, I'm asking ya'll. I'm asking ya'll"

Chairman Lamb "I'm telling you -"

Dr. Watson "I'm asking you - I'm asking the Board because ya'll are the one that had the budget amendment."

Chairman Lamb "OK, let me talk now. The manager -"

Dr. Watson "I thought it was my three minutes"

Chairman Lamb "It's mine, too. The manager is the one that came up with this - the money's been there all the time. Mr. Manager, has the money been there all the time?"

Mr. Williams "It's been there all the time. On the advice of our Clerk we decided not to dip into reserves. We have several reserve funds, General Fund reserves, Public Works reserves, and we made that effort not to dip into those funds but to try and build them up because they were at a low level so we kind of, you know, we tried --."

Dr. Watson "So it was the Clerk's advice not to do it?"

Mr. Williams "Yes, Sir."

Clerk Thomas "No, Sir. In terms of building reserves, there's only one fund that I've talked about building reserves in and that's the General Fund because it funds everything else and that's the one fund that money can be used for any governmental purpose, so it's important to have reserves in the General Fund. The money we're talking about spending is in the capital projects fund. Capital Projects Fund is for doing major projects; that's what its there for and I have no problem with spending on capital projects or taking the cash forward, but if the projects are not finished then the capital projects fund should be spent for the next fiscal year so we can make a distinction here. General Fund is what I've stressed for many, many years about building reserves in; General Fund, not capital projects fund and some of the other special revenue funds and the transportation fund that is there to accomplish projects."

Dr. Watson "Do you still get out financial statements at the end of each month?"

Clerk Thomas "I try to; we try to post it on the internet."

Dr. Watson "But that information is on the financial forecast this Board gets?"

Clerk Thomas "Sure."

Dr. Watson "So, the information was there. Ya'll just ignored it or - I would just like to hear an explanation as to why."

Chairman Lamb "I have no idea sir."

Dr. Watson "The other thing - are we're sure no one in Public Works is going to be laid off to get these projects done?"

Chairman Lamb "No, no. That's up to staff, that's up to the administrator. His recommendation comes to us. "

Dr. Watson "So you're saying its possible - I'm talking about to fund these projects."

Mr. Williams "At the present time no lay-offs are planned. What happens at the end of the budget cycle; you know last year we had to lay off 36 people just to balance the budget, but right now it is balanced."

Dr. Watson "The other thing is has any of this work been completed that was advertised -- Dodger Ball Park, Frank Smith and Talquin Avenue - has any of that work been completed?"

Mr. Williams "Yeah, All but Talquin Avenue."

Dr. Watson "So the work was done before the money was appropriated?"

Commissioner Croley "The money was there."

Chairman Lamb "All the money was there."

Dr. Watson "But the work was done before the money was approved-- before you knew where the money was coming from? "

Commissioner Croley "No, the money was there."

Commissioner Morgan "I believe his three minutes are up, Mr. Chair."

Dr. Watson "Dodger Ball Park has been done, correct?"

Dr. Watson "Are my three minutes up?"

Chairman Lamb "Yes, sir."

Chairman Lamb "I'll get; the Manager will get the information for you."

Dr. Watson "Just one other thing. Is there work being done on a park in Havana that was --"

Chairman Lamb "No, it's not being done."

Dr. Watson "Has any work been done on it? When was it authorized? When was it authorized by this Board?"

Chairman Lamb "It was done -- Your three minutes are up Mr. Watson - your three minutes are up. Thank you sir."

Dr. Watson "You afraid to answer the question?"

Chairman Lamb "Bye."

Commissioner Croley "Just for public interest it should be pointed out this commission never took any action to request any

budget amendment. That action was taken by the County Administrator on his own initiative. He took that during the interim, if memory serves me right, week before last when Mr. Collins said that he might not be able to get all of the facilities work done. Ms. Sherrilynn Chess was leaving her role as the budget official and we were in between getting a new budget official so in good faith I am assuming the administrator placed that on the agenda. However, as Clerk Thomas has pointed out, had the budget in Public Works been looked at and had Public Works brought our attention that this money was in capital improvements, we probably would not have ever seen that item on the agenda but it was an unnecessary item and I think you will recall that being the case and as the clerk has confirmed. But, just one last thing for the public record, Mr. Clerk what is the fund balance now on the county that you -- as some have referred to as the General Fund reserve? How does it stand as compared to years past? Is it better, worse, or what?"

Clerk Thomas "The General Fund balance is about \$2.3 million dollars which is actually down from a couple of years ago when it was at \$3.8 million. At the end of this current fiscal year we expect it to go back up significantly, but I can't give you an exact figure."

Commissioner Croley "Would you say then that the County's financial direction is moving in a positive direction or a negative direction?"

Clerk Thomas "The General Fund balance will improve at the end of this fiscal year."

Commissioner Croley "Thank you."

Commissioner Morgan "Mr. Chair, just one quick comment if I may. Mr. Clerk we certainly appreciate your being here. We thank you for your communications and willingness to attend our meetings. You and I spoke last week. We had a couple of points in our conversation; one was about just a short two years ago when this County government was having to consider borrowing money just to meet payroll at a certain point in time during that year because of a low fund balance. Is that correct? That was in the latter part of 2008."

Clerk Thomas "I've talked several times about fund balances declining; the need to improve and we had that conversation."

Commissioner Morgan "Right, and that was the state of affairs at that time, correct?"

Clerk Thomas "Let me point out though that we've never gotten to the point that we had to borrow money from another institution to do that - we've been able to transfer money from one fund to another and that was replaced."

Commissioner Morgan "And that was because fund balance was desperately low, is that right?"

Clerk Thomas "Right."

Commissioner Morgan "And at this point again it's over \$2.3 million. I don't want to put words in your mouth, but I think you agreed with Commissioner Croley that we have acted in a fiscally responsible manner in the last year or so to insure that our fund balances have grown"

Clerk Thomas "All I'm saying is the budget you passed that you currently have has a significant amount of reserve, budgeted Reserve and if that money isn't spent, it will go into your General Fund balance and at the end of this fiscal year your General Fund balance will show an improvement."

Commissioner Morgan "So we have set a good budget and adhered to it and if we continue to adhere to it we should see those fund balances increase?"

Clerk Thomas "Yes, significantly."

Mr. Larry Ganus Said he had a presentation prepared for tonight's meeting if Item 5 had remained on the agenda. He then asked the County Attorney if it is legal and proper to advertise a public hearing and then pull the item from the agenda at the scheduled meeting. He said it seems like a 'bait and switch' if you publicize something and then don't follow through with it.

Ms. Minnis explained there is no prohibition in removing an item from the agenda if the Board determines action is not needed on it, or if it is scheduled to a later date. She said it is important that if the Board is going to take action on an item that it be noticed so that any one wishing to can have input on the item prior to the Board taking action.

Mr. Ganus said to follow up on an item that Dr. Watson had brought up concerning Item 5, as to whether or not any of those

projects had been completed prior to any budget approval. He said he understands Dodger Ball Park Road is complete, that he doesn't know about Talquin Avenue but that he does know Frank Smith Road has not even been started so that project is still in the works. He asked if they were ready to begin with the Frank Smith Road project, or would they have to have another meeting to decide what they are going to do.

Mr. Williams responded there will be one action required; that will be a change order.

Mr. Ganus "Will that be after the project is completed?"

Mr. Williams "It will be after the contract is awarded."

Mr. Ganus "I understand the contract has been awarded."

Mr. Williams "That's the last thing left to be done."

Mr. Ganus "So we can expect to see some digging of dirt soon, within the next week or two?"

Mr. Williams "Absolutely, absolutely you should be seeing some."

Commissioner Croley "You know, to try to keep the public informed as much as possible, I think -- Mr. Forehand and Mr. Presnell are present in the room. Mr. Forehand you're the chief engineer on this project and I think it would be a good idea if you came and spoke and answered that question about the timeframe

Mr. Chris Forehand, Engineer with Preble Rish "Just to give you an update on the project, We still need to receive two permits. One is the DEP permit and we met with them today and they promised they would issue that next week. The other permit is the Core permit and we should receive it by the end of this week. As soon as we can do that and get the contract finalized then we can issue the contract and notice to proceed. I suspect within about two weeks they should see some activity out there."

Commissioner Croley "What about the change order reference, what is that referring to?"

Mr. Forehand "Well, originally you had only budgeted about \$100,000.00 so we have to change that based on the bid price that we negotiated with them."

Commissioner Croley "Which is what the Clerk addressed about having the public works funds to do this. It's just a matter of

adding whatever the final signed contract difference is out of that capital improvements fund. Is that right Mr. Clerk?"

Clerk Thomas "It will essentially be just a line item change within that fund."

Commissioner Croley "Will that require a public hearing?"

Clerk Thomas "No."

Commissioner Croley "Will that require any action by the County Commission?"

Clerk Thomas "I would think you would want to do that. This is the thing, you have a policy that allows your administrator to do departmental budget changes within a department and I just think it's wise to have the Board approve this backed out since we've talked about it (inaudible) but I think this certainly is something of the nature that this Board should approved."

Commissioner Croley "Bottom line is citizens of Frank Smith Road area can expect their culvert work to begin within the next two weeks?"

Mr. Forehand "Hopefully if we receive the permits."

Mr. Leonard Robinson "I'm glad to hear that you finally did due diligence. The Clerk has indicated that he really doesn't understand why you didn't already know about the money and where the money was. There would have been no question and a lot of people would not have been here tonight had it not been that there was talk about the money coming out of the Sheriff's Department budget, and even if you didn't have the money why would you go to the Sheriff's Department to take money out of public safety? Surely, these roads that you are talking about repairing are not a greater hazard to the community than the Sheriff's inability to arrest people that need to be arrested; to house them, feed them, clothe them and give them medical attention when they need it. Surely there aren't road here in this town that are more important than that and I'm glad you finally did your due diligence and that common sense prevailed." He asked that the Clerk speak loud enough for the citizens to hear him. He said he knew it wasn't the Clerk's intention and that he certainly doesn't want anyone else to think the Clerk wants to have a private conversation with the commissioners when they ask him a question.

Mr. Robinson also said the Chairman seems to get very upset when people come up to speak if they are not saying what he wants to hear; he said it shows in what the Chairman says, as well as through his body language. Mr. Robinson said he would like to remind the Chairman and all of the other commissioners that (said if the shoe doesn't fit you don't have to wear it) it is a privilege for them to serve the public, not a right so when they wake up in the morning not to think that they have the right to serve the citizens. The citizens have privileged them with an opportunity to serve the community; nobody asked them to run and if they ran they were seeking the privilege. They have been given that privilege and they have an obligation to treat all of the citizens that come before them with respect.

Chairman Lamb "No clapping please; and Mr. Robinson thank you for the comments and I will try to be more careful when addressing citizens. I thought I was doing OK except for one maybe that I kind of got off line, but I will definitely watch that and thank you very much."

Commissioner Croley "One more thing just for public interest, and I'm going to ask Clerk Thomas as the Chief Financial Officer to explain that even the proposed budget amendment submitted by the County Administrator was not - would you clarify where that money was rather than me put words in your mouth as opposed to the Sheriff's Department budget vs. the facilities maintenance budget. Would you explain that for the public?"

Clerk Thomas "The money that was proposed was not coming directly out of the Sheriff's operating budget. It was a capital projects fund for repairs at the jail that absolutely should be done, and as Mr. Collins said he may not have time to get them completed in this fiscal year, but the money can be carried forward and those projects completed in the next fiscal year, so it's a capital projects fund, separate from the public works capital projects fund and there is no problem carrying this money forward if he doesn't get the project done in the two months remaining in this fiscal year."

Commissioner Croley "But Mr. Clerk, the point is those monies are not within the Sheriff's Department Budget, they are in Board of County Commissioners under facilities management so there was no money ever being taken from any of the Sheriff's operations. It was improvements to the building and those have been an on-going effort and will continue to be as you've indicated."

Clerk Thomas "That's correct. I thought I said that - it's not directly in the Sheriff's budget, but in capital projects -- but I thought I said all of that."

Chairman Lamb "OK so it's under Mr. Clyde Collins budget for capital outlay. It's never been in the Sheriff's budget; it's always been in Mr. Collins budget. Mr. Collins controls those funds and he's under the County Commission."

Commissioner Taylor said at the Board's budget workshop last Thursday, "On that night we discussed dollars were to go back or to make sure that the jail was taken care of. I had a phone call with him earlier that day and he was a little concerned so that night when we discussed it we realized that the jail belonged to this Board and it is our responsibility to make sure it is adequate and that it does the job it was built to do. We discussed that night the \$175,000.00 and there was unison among this Board to get those dollars and to make sure they will be available. So, I don't know what happened between Thursday and now, but I'm glad you're here so that you can see we are moving forward in a positive direction. There is information as we sit on this Board we will continue to learn. Mistakes might be made and that's why they have erasers on pencils, but it is the integrity around this Board to say 'OK, let's get it fixed and let's move forward' and that's what we want to see done today. I spoke with the Sheriff exactly one and one-half hours before coming here tonight and he was concerned about the dollars and I could only base my conversation with him on what happened Thursday because that was the information I had and that was that we were working to identify the funds and to insure that the jail would be fixed. I heard one of my fellow commissioners say 'that building is our responsibility and it is our responsibility. You know, we have the same group that came back with the hospital, but now the hospital is there and those locks and that boiler will be fixed and it will be done in a timely manner. I appreciate your coming to get the truth and to go forward with the truth, but time is the only thing we are going to have to show that this commission - this commissioner is here about this County and wants to move forward positively, and I can say that about some of my other colleagues that are on this dais. I'm glad that you came so you can get the facts for yourselves, rather than being told things in the community. I want to applaud my Chairman for just a minute ago having the integrity to say I apologize for the restlessness; that is the demeanor of this Board. We don't want to divide our County. I know you are tired of people talking about all that is going on over here. I'm hoping and praying for the one day when we have one thing

that we are unified on and we can move forward and build this county. So, it is going to happen - that jail will be fixed. It is our responsibility, and I appreciate the Sheriff. I know what he is going through. I told him today I will do everything I can to support a positive growth for our County and I will continue to do that from this seat. Now it was a little perplexing when I heard one commissioner say he didn't know the money was there or that it wasn't identified, but if you were to see the line items that we have to be mindful of; it's large in numbers and we can't possibly know about every line item dollar that is being spent but I am thankful to this Clerk who is able to identify the dollars and say let's move forward. Let's just move forward and get it done. That's where I am at."

Commissioner Taylor said there are some items of grave importance at the jail; the locks, boiler, the doors, etc., and she asked Mr. Collins to give the Board a timeline of when those items will be finished, based on the money being identified.

Mr. Collins said on the doors and locks it would be tough to give a timeline at this point because they are currently working on the indoor air quality of the jail. He said they have been working on the air conditioners, chillers, the exhaust fans on the roof and as soon as they have all of that completed they will do an indoor study on the air flow to make certain the air quality in the jail is good and then his next project will be the locks.

Commissioner Taylor "Now, understanding that this is one of your sizeable projects and given the county's policy, will this item have to be bid?"

Mr. Collins "Yes"

Commissioner Taylor "Hold on. Before you answer me let me ask the county attorney and the administrator - given the fact that this may be considered an emergency, will we still have to go through the same process because those locks need to be repaired in an expeditious way?"

Ms. Minnis "I would have to have more information to determine if it fits the technical definition of emergency."

Mr. Williams "And the Board would have to declare it an emergency."

Ms. Minnis "Yes, and I would have to have a lot more information about public safety and welfare."

Commissioner Taylor asked if an observation or study could be done to determine if this is something that needed to be done yesterday so the Board can act accordingly and the citizens can be at rest with this issue, and so can the Sheriff. If we can look at it and see if it fits the emergency criteria and if not, then the bidding process needs to start.

Mr. Collins said a lot of work has been done over the past year and they do have hot water at the jail, and they have air conditioning at the jail.

Commissioner Taylor expressed appreciation to Mr. Collins for all of his work, but said the items being discussed today are the ones they to get under way.

Commissioner Morgan "Clyde, the jail was completed in 1988. Has that facility in all the years we have had it has it always had on-going improvements that we have to make to that building?"

Mr. Collins "I would say that it was lacking for a while and that is what we're doing now is playing a lot of catch up.

Commissioner Morgan "So we are always going to have on-going projects -"

Mr. Collins "Yeah, you will always have something. There will always be something and as soon as we get everything fixed the chiller will go down and we'll have to replace it, or something."

Commissioner Croley "One other question Mr. Collins. Security, is there a security issue due to the present lock situation right now that is placing the public's safety in jeopardy or is this something that is more of a maintenance issue that you are mainly addressing under your work schedule?"

Mr. Collins "To my knowledge there are a few locks out there that some times they work and some times they don't. That's my knowledge and yes they need to be fixed, but I don't think anybody could get out of the jail."

Chairman Lamb recommended Mr. Collins meet with Major Morgan and see what the Major thinks Mr. Collins priorities should be. If he thinks it's the locks, then go to the locks.

Mr. Collins responded he has a meeting with the Major tomorrow morning, and that it doesn't matter to him.

Chairman Lamb recognized a good friend of his as a fellow commissioner from Leon County - Commissioner Brian DeLoach.

Commissioner DeLoach said it was a pleasure being here.

CITIZENS REQUESTING TO BE HEARD:

Ms. Jonnie Ganus - passed

Mr. Michael James - passed, requested to yield his time to
Mr. Michael Dorian

Chairman Lamb explained he couldn't do that.

Mr. Michael Dorian "We have heard a whole lot about the jail, but not very much about the situation on Frank Smith Road. The newspapers reported it was a dam you were fixing, but it is not a dam, it's just a culvert. The dam hasn't been there in more than ten years. Larry Ganus came tonight with a presentation that I wish he would present so that people would understand the situation we are in about Frank Smith Road. It's our only way in and out. Our story has not been told. The newspapers went out and they saw the Sheriff, but nobody called us up and asked our point of view and I would just like to say right now that this Board is one of the best Boards we've ever had. I remember back when people talked about 'lets take the gloves off and go after each other', and Mr. Chairman I think that you treat people in a very fair way and I think that you put up with a lot that you don't have to put with and I certainly appreciate all of you and appreciate the help you've done with Frank Smith Road.

Mr. Wayne Hawthorne - passed

Mr. Bob Prather - Not present at this time

Mr. James Maloy "One of the reasons I'm here is because of what I've noticed since Thursday, and I do agree with you Commissioner Taylor that there are certain things we need to accomplish in this County - health, welfare and safety of our citizens. The things that troubled me most about the events from Thursday to today is there seems to be a concerted effort to discredit our Sheriff. There's an article that was published on the front page of the Tallahassee Democrat which tried to alleviate to the fact that the Sheriff is unable to manage his own money. I'm also

under the impression that this Board of County Commission has earmarked sever hundred thousand dollars for the Sheriff that has not been given to the Sheriff, so therefore that money that should have been in his budget is not in his budget so that's why it couldn't have been moved. My point in speaking to you tonight, and I do believe there is a safety issue due to the Sheriff's budget and that's the fact - does anybody know how many outstanding warrants we have in Gadsden County?"

Response from audience - "it's significant."

Commissioner Morgan "Just under 9,000."

Mr. Maloy "Correct, and does anyone know the percentage of violent offenders out of this 9,000 warrants; it's also pretty significant; it's about 65-70%. So I believe we do have a safety issue in this County and it needs to be fixed and the next time I see the Sheriff's budget being discussed, I want to discuss increasing that budget. That's what I would like to see in this County and I would also like to ask this Commission, just for the record, does anybody have any knowledge how this got to the front page? I would like an individual answer from each commissioner please and also the county administrator for the record."

Mr. Williams "I have no knowledge of that."

Commissioner Taylor "I will be more than happy to answer. I had no idea and I have no idea of such an article, so No, Sir."

Chairman Lamb "I have no answer on that sir. I have no comments on that. I have no idea and I know nothing about it."

Commissioner Croley "I saw it when I got it out of my mail box on Saturday morning, the same as everybody else."

Commissioner Morgan "No, sir, I called the administrator and asked the same question."

Mr. Maloy "That's good to know and I appreciate that. Thank you for the time."

Commissioner Taylor "May I make this one little quick statement. I was sworn into Office in November of 2008 and by, I want to say March or April of 2009, I along with my colleagues around this dieses - there were five (5) of us identified \$250,000 additional dollars to give to the Sheriff in the middle of the fiscal year. We gave him that \$250,000 additional and the following year the

Sheriff submitted his budget and worked it out with the Chairman and no one questioned it and gave him exactly what he had requested. I don't know anything about him being restricted to spend his money, but I want to state for the record that I've been very supportive, and you are right Mr. Maloy, public safety is important and I've known about those 9,000 open warrants for years because this is not new. It's been going on for quite some time and it's disturbing that there are that many people still out there, but as far as history will have it, the dollars have been given to the best of this Board's ability and that is documentation. Thank you."

Ms. Barbara law "This is also a public records request for the EMS Investigation. I'm kind of curious as to why it was not placed on the agenda tonight. I had a dog poisoned and he died and a co-worker of mine had her dog poisoned and he also died as a result of things brought out in this investigation. It's very important to me so I would like a copy of that."

Mr. Williams "Mr. Chairman may I clarify something?"

Chairman Lamb "Go ahead."

Mr. Williams "There's a procedure; you have to go to the Personnel Department and fill out the required forms from Mr. Arthur Lawson. This is not something that (inaudible) by the Board."

Ms. Law "It worked for her."

Mr. Williams "No, she will have to do the same thing. She will come to the Personnel Director -"

Ms. Law "Why was it not placed on the agenda?"

Mr. Williams "Nobody has even seen it."

Ms. Law "You have."

Mr. Williams "No, I have not, nobody has seen it that I know of."

Chairman Lamb "He hasn't seen it yet."

Mr. Williams "I'm not going to put something on the agenda that nobody has ever seen."

Chairman Lamb "Ok, Ok, let's move on."

Dr. Olga Connolly - "I was here in June to speak to you about the children's programs in the Gadsden County Libraries. I'm here for two reasons. One, I would like to give you a short update on that, and as you may remember we were circulating a petition back in late May and early June, and to date we have 538 signatures on that petition in support of the children's programs at the Gadsden County Libraries so we have a very committed group of citizens and also parents. Just as a reminder to you that those programs serve hundreds of children and are vital to the children who cannot get outside of the county for similar programs. I would like to ask you where we are with the budget; the line item request that we made back in June. We have not been contacted and I remember Commissioner Morgan saying that one of our main problems back in June was that there appeared to be a break down in communications and I believe that is true. There was no communication between us and Dr. Poole at the Library although we had been trying for several months and we would like in the interest of communication to find out what we can do to have input on that budget and to find out when those decisions are going to be made so that we can be present and accounted for. Can any of you answer that question for us?"

Chairman Lamb "I think Commissioner Taylor has been working on that - Commissioner Taylor?"

Commissioner Taylor "Your voices were well heard that night and working with children myself I can concur, and this Board in unison requested that a line item of \$10,000.00 be put in for both children and adult activities. That request was made two weeks ago and this past Thursday we did an update to make sure those dollars were identified and that line item established. I am very proud to tell you today that it was, and as opposed to your original \$4,000.00, you now have \$10,000.00 and your request has been met. I'm hopeful that is one area that has been taken care of and now we begin to work on the communication portion of it. that has to come through the county administrator and that you all get together and begin that much, much needed dialogue as confirmed by Commissioner Morgan. So, one hurdle is over and I think that is a sufficient amount of money; it will have to go between the three libraries, but like you said, it's now time for communication."

Commissioner Croley "One thing Dr. Connolly you need to be aware of. That preliminary budget draft is public record and you can easily obtain a copy of it from the administrator if you would like to see it. I think the county administrator and the library

director heard very clear that this Commission is looking for better communication with those of you who are interested in the library so you just need to get a copy of the draft budget and then there will be a public hearing on the budget and that's one hearing that will be held."

Dr. Connolly "Can you tell me when that will be, sir?"

Commissioner Croley "I think that schedule will probably be after the draft budget has gone through the proposed budgets and then they put them all together once we have some preliminary consensus of agreement. Then it will be properly advertised and you can certainly come in but I would encourage you get a copy of the draft, certainly on the library since you are interested in it that and you can be prepared to give additional input."

Commissioner Morgan "Just for public information and for you, Dr. Connolly, we have a budget workshop that is scheduled for 4:00 PM, August 12th, and our first public hearing will be on the 7th of September at 6:00 PM and the final public hearing will be at 6:00 PM, September 21st."

Dr. Connolly "Are all of those open meetings?"

Commissioner Croley "All of those will be open."

Dr. Connolly "Thank you, we will certainly be there. In fact there are several of us here tonight."

Mr. Sam Hawkins "Mr. Chairman, I want to make a suggestion to the Chairman and the Board. You really need to take a good look at the Roberts Rules of Law - of Order because you denied a passing of the three minutes and under Roberts Rules of Order, you can yield your time. Now you adopted Roberts Rules of Order; this Commission did as a tool to conduct meetings and if you're not going to follow a tool that you adopted, then we need to adopt a new one. The next thing is there is no form for a public record. Mr. Williams received, and your attorney received a public records request from me almost two years ago, and another one a year ago which have not been responded to as of yet according to State Statute. What I need to do, take legal action? Mr. Attorney would you please advise -- Ms. Attorney would you please advise the Board what the State Statute is if they do not reply to a public records request that is turned in to their attorney and the county manager? I want to know what the Statute, maybe the Board doesn't know, but would you enlighten us all, please."

Ms. Minnis "Do I have the Board's permission to do that because I have to take my instructions from the Board and the county administrator."

Chairman Lamb "Yes."

Ms. Minnis "Basically, there are provisions in the Statute for litigation and there are penalties and criminal penalties that can follow from failure to comply with a public records request."

Mr. Hawkins "OK, so now that we understand my position, I'm really in favor of replying to my position Mr. Williams because, Mr. Lawson -- is Mr. Lawson here? Mr. Lawson, do you remember when I turned them in and you turned them in to the county manager because they have not been complied with yet. My next thing is Mr. Chairman - my understanding is everything must be directed to the Chairman. I would like to answer Mr. Croley's question that he asked me back in February and I would like to repeat the question as he asked me if that's Ok with you."

Chairman Lamb "Do you want him to do that?"

Commissioner Croley "If he can do it in his three minutes he can talk all he wants to."

Mr. Hawkins "Mr. Croley asked me in February at the debates as he asked it - 'Mr. Hawkins your black --- ain't in jail yet?' Now Mr. Croley I'm going to reply to your question No, because Mr. Hawkins has done nothing wrong. So I answered your question. As you have refused to answer the questions of the people in this building on many occasions, I never ask a question that I don't know the answer to. Now Mr. Chairman you do treat people differently that come to this mic. When you interrupt my time under the Roberts Rule of Law, that time is supposed to be held for me. When you interrupt me that remaining time is supposed to be left for me but you never stop that timer, it keeps running under your own provisions."

Mr. Sam Palmer "Mr. Chairman before I get started, you have about six requests there to speak. I would like to continue to speak and they will yield their time to me."

Chairman Lamb "No, Sir, I'm not going to allow that."

Mr. Palmer "You have to allow them to talk."

Chairman Lamb "No, Sir."

Mr. Palmer "Is that a provision --"

Chairman Lamb "The law says I don't have to allow anyone to speak. That's the law so go ahead and do your three minutes, please."

Mr. Palmer "It does?"

Chairman Lamb "Yes, sir that is the law that passed."

Mr. Palmer "Ok, but then we will deal with this later. My name is Sam Palmer President of the Gadsden County NAACP and my obligation is to protect the NAACP Organization and to avoid any violation to its order. Mr. Chairman are we together? "

Chairman Lamb "Yes, go ahead."

Mr. Palmer "On television you made a comment and said the NAACP endorsed a candidate and I would like to know who that candidate was that you said the NAACP endorsed, what evidence you had so that we can deal with that."

Chairman Lamb "Who made that statement?"

Mr. Palmer "You did."

Chairman Lamb "When?"

Mr. Palmer "I saw it on television yesterday."

Chairman Lamb "No, Sir I never made a statement."

Mr. Palmer "I saw it on television yesterday."

Chairman Lamb "Endorse a candidate?"

Mr. Palmer "You said the NAACP endorsed a candidate."

Chairman Lamb "I'm saying I didn't make that statement. I don't know who you saw, but it wasn't me."

Mr. Palmer "But I saw you on television."

Chairman Lamb "No, Sir, No, Sir. I didn't make that statement Mr. Palmer."

Mr. Palmer "OK, well I guess we have a different news station because that's what I saw".

Chairman Lamb "No, sir Mr. Palmer I didn't make that statement, I have no idea."

Mr. Palmer "Well if you didn't make a statement then I'll go to the next thing. There was a mention about Dodger Park Road and someone said the contract has been let. Am I right? The contract was let before this meeting to repair the road?"

Chairman Lamb "I don't know what you're talking about."

Mr. Palmer "Did you give the contract to somebody to repair the Dodger Park Road that was completed?"

Chairman Lamb "Before this meeting here? Mr. Administrator?"

Mr. Williams "That's correct. It should be completed."

Mr. Palmer "Ok, what about completing a road before the meeting? That's a violation."

Chairman Lamb "That was on the agenda some time ago."

Commissioner Croley "I think what Mr. Palmer is referring to is the repair work at the bridge on Dodger Ball Park Road. There was safety repair work done, Mr. Palmer, at the bridge when damage to the roadway was caused by large truck traffic and it is a section, a small section of the road that was repaired. Mr. Palmer "I went down Dodger Park Road today and the repair has been done."

Commissioner Croley "Then you saw that it has been done."

Mr. Williams "Yes, sir we have money in the budget and we repair roads every day."

Mr. Palmer "Before the contract is let?"

Mr. Williams "Some is by contract and some is by Public Works crews. That's what Public Works does - we repair roads every day."

Commissioner Croley "I think what Mr. Palmer is referring to Mr. Administrator is that the Public Works Director came forward and

did the repair work as an extension of a bid done by Peavy Construction Company on another road and they were able to use the pricing to repair that road."

Mr. Williams "It was a change order to an existing contract."

Commissioner Croley "Yes, and I think that came before the Commission without a problem, if I'm not mistaken, Mr. Administrator and I see the Clerk's Assistant nodding her head in agreement so all is legal."

Mr. Palmer "Mr. Chairman the jail there is under the County Commission, right?"

Chairman Lamb "But the Sheriff operates it, right?"

Chairman Lamb "Yes, sir."

Mr. Palmer "So if there is a jail break who do they call, you all or the Sheriff?"

Chairman Lamb "That's their job."

Mr. Palmer "It's the Sheriff's job so the money is for him to make sure that doesn't happen. The money for the jail repairs is to make sure there's no jail break, no violation or problems, right?"

Chairman Lamb "It's to keep the jail safe."

Commissioner Croley "The money is in the budget to repair the jail the same way it is to repair the courthouse."

Chairman Lamb "Same way, same thing. Thank you Mr. Palmer."

Ms. Lizzie Thomas - Deferred

Ms. Paula Palmer - Deferred

Mr. James Palmer - Passed

Mr. Gary Loudon - Mr. Loudon moved to Gadsden County in 2005 after purchasing the John Shepard/Billy T. Shepard property on Bristol Highway. Mr. Loudon explained he intends to be here until he dies and his goal is to improve his property. He had a barn on his property that was not very safe and did not serve his purposes so he had it torn down and had plans drawn up to do the

barn with wind structures and everything on it and took it to the Building Department and the cost for a building permit was \$2,400.00. He said he spoke with Roger in Building Inspection, the county administrator and now the Commission. He asked why the permit would be so much.

Commissioner Croley "Do agricultural buildings require building permits?"

Mr. Collins "Yes they do unless you have an agricultural exemption from Clay VanLandingham in the Property Appraiser's Office."

Mr. Loudon "He just said I did."

Mr. Collins "I don't, Well you didn't tell me that."

Mr. Loudon "No, I just found out that I do have that. The point is I had an existing structure and I'm trying to put up another structure and it's going to be a bigger structure and a nicer structure. That's a 100 year old barn, I had electric in that structure and I just want to put up a structure that is going to fit my needs."

Commissioner Croley "I think the man just said if you have an agricultural exemption from the Property Appraiser that's all you have to file with his office."

Mr. Collins "Well you know, talking about the permit, the building is like 40'x 96' and like I tried to tell him; but now he doesn't need the permit and all of this is new, but he had a 40'x96' and we are required by the Commission to do a square footage valuation and will issue the permit on the valuation and I don't have the power to change it, so."

Mr. Loudon "I'm building a bigger barn and a nicer barn, but the thing is I was told by Roger the building inspector that even if I put up a pole barn it would cost the same thing and I just don't see the --."

Commissioner Croley "I think you got your problem resolved just that quickly just by the man back there on the back; if he gives you the agricultural exemption if you're running an agricultural operation."

Mr. VanLandingham "I do believe Mr. Loudon has an agricultural classification on his property but I would like to be able to check and be sure before ya'll carry on without me checking."

Chairman Lamb called for the next item on the agenda.

GENERAL BUSINESS:

Item # 6: Approval of Millage Rate for TRIM Notification and Set the Date, Time and Place for the First Public Hearing to Adopt the Fiscal Year 2010/11 Gadsden County Budget - Property Appraiser Clay VanLandingham -

Mr. VanLandingham gave a power point presentation "2007-2010 Ad Valorem Taxes, Notable Comparisons and Other Several Differences" with a brief year-by-year summary of taxes, millage rates, median sale prices, number of sales, assessed values of single family homesteads and taxes based on that median assessed value.

In 2007 the median single family sales price was \$150,000. with 598 single family residential sales. The County had 10,840 homestead parcels and the median assessed value of those homestead parcels was \$54,606.00 which was after 'Save our Homes' went into effect. The median taxable value was \$28,974.00. That disparity was a direct result of the 'Save Our Homes'. The annual taxes on the median taxable value was \$254.00, "But, do not think that is the average value or the average tax bill of everybody in Gadsden County, this applies to homestead properties only." The gross county taxable value was a little more than \$1.4 billion and the millage rate at that time was \$8.75 per thousand. The gross possible tax collections was \$12.5 million and there was 27,090 parcels on the tax roll in 2007.

In 2008 there was a \$10,000.00 increase in the median single family residential sales price which went to \$160,000.00 and 447 single residence sales. The homestead parcel count was increased to a little over 11,000 with a median assessed value up to a little over \$58,000. The median in taxable value was \$25,000 and the taxes went down to \$223.00. Almost \$1.4 billion in gross taxable value and a millage rate of \$8.91 per thousand. Gross possible tax collections was \$12.4 million with 27,289 parcels on the tax roll.

In 2009 there was a significant drop in the median selling price of the single family residential sales, down to \$151,700.00 and only 251 sales which is evidence of the market crash showing up in Gadsden County. Homestead parcels had a slight increase up to

11,135 and the median assessed value increased even though the median sales price of a home decreased and this is a direct result of "Save Our Homes". The median assessed value increased to \$34,188.00 for an annual tax on that value of \$304.00. Gross taxable value was \$1.397 billion with a millage rate of \$8.79 per thousand. Gross possible tax collections were \$12.4 million with 27,478 parcels on the tax roll.

This year the median sales price is down to what it was in 2007, \$150,000.00 and only 157 single family home sales. There are 11,157 homesteads with the assessed value continually increasing and the CPI is 2.7%. All single family homesteads in the County that have the qualifying value will increase in value by 2.7% which is per the State of Florida and not the Gadsden County Property Appraiser. Median taxable value is a little over \$36,000 and based on that amount and the current millage rate the taxes will be \$321.00; they're going up a little bit. The County taxable value came down this year to \$1.37 billion, and with a millage rate based on last year's \$8.90 per thousand that will bring in \$12.2 million in Ad Valorem taxes and the tax roll parcels continue to increase, currently at 27,510.

Mr. VanLandingham said in dealing with the current (2010) year the preliminary taxable value is \$1.372 billion. If there is no change in the millage rate; if it stays the same, the County should collect \$12,220,000.00 which is a difference from last year of \$226,847.00. The roll back rate figured at \$9.22 per thousand gives the County \$12.65 million in taxes which is a \$204,000.00 increase in taxable value over last year. There is a provision for a majority vote by the County Commission to raise the millage rate and if they raise that rate it then goes to \$9.43 per thousand which would bring in \$12,945,000.00 in collectible taxes which is almost a one-half million dollar increase. Maximum rate allowed for Gadsden County is 10 mills and should the County do that they will have \$13.7 million collected in taxes for a \$1.2 million difference from last year. In summary of the power point presentation Mr. VanLandingham said the values are decreasing as far a median sales price and the assessed value is increasing over the last couple of years because of the CPI which is at 2.7% this year, and last year it was .01%. He said that was a big jump and he doesn't know what it will be next year. Next year in 2011, based on the market data right now the median single family sales price for a house in Gadsden County is \$128,000.00, down from \$150,000.00 this year for a 15% drop in value. There have only been 75 qualified sales of single family residences so far this year. Qualified sales, according to the guidelines of the Department of Revenue, the Property Appraiser

cannot include foreclosure sales or short sales in the determination of fair market value for residential or any other properties in the preparation of tax rolls. He also said there seems to be a fire sale by lenders for homes they have foreclosed on because they are not in the business of owning property; they don't want to hold a house because they would have to pay County taxes, etc. He stressed the need that the Commission, as the governing body that sets the millage rate and works with the budget, to be aware of this 15% drop in single family residential properties; there will also be a similar drop in raw acreage prices and single family lot prices, and a smaller drop in commercial prices for the coming year.

When asked what Mr. VanLandingham's recommendation to the Board would be, he said "spend little, save a lot", and Commissioner Croley responded that sounded like a good policy to follow and he felt sure Clerk Thomas would agree with that.

In response to questions from Commissioner Croley as to the last year (time wise) the County would have had the same or equivalent revenue projection, assuming the millage rate was \$8.91 per thousand, Mr. VanLandingham said based on this year's gross taxable value and the current millage rate, the possible gross taxes collected this year were \$12,220,000.00 and it has not been that low since just prior to 2007. In 2007 it was \$12.5 million, so about three years ago.

Commissioner Morgan thanked Mr. VanLandingham for the presentation as well as information he brought to the Board several months back as a 'heads up' for them as to what was coming; the down turn in revenue force this year. The Board not only heard that, but also knew how important it was going to be in investing and spending taxpayer's money wisely. He said the County is moving forward in the right financial direction by being fiscally responsible and that it is important the citizens understand they have increased fund balance and lived within their means this past budget year, and this Board has not raised taxes based on the millage rate. He said "I want the citizens to understand this has been done without this Board raising taxes; I understand property tax changes, but the fact of the matter is our budget was adhered to and funds are growing without raising taxes, and unless I am misunderstanding what the Property Appraiser has said, the Board better be 'tight with the pennies' and prepared for what is coming in at least the next year."

Mr. VanLandingham said that would be his recommendation. He also said the TRIM notices his office send out each August will be

going out in a couple of weeks. This is a new form and consists of four pages as opposed to one page in the past and may be difficult to understand so he encouraged the citizens to call his office or come by and his staff will assist them with any questions they have. He briefly defined the roll back rate column shown on the form which has traditionally been a lower millage rate every year to generate the same amount of money for the taxing authorities to spend. However, in this reverse real estate market where values are falling, it is really known as a roll up rate because they will have to increase the millage rate based on current values to generate the same amount of money that they raised last year. A roll up rate is, by definition, an increase in taxes that not only applies to the County Commission, but also the School Board and The Water Management District and any other city, town or other taxing authority that you may be subject to taxation by.

Chairman called for action on the proposed millage rate.

Commissioner Croley said his only concern is that "we are in a downward economy" and everyone is hurting; he hears it constantly. He said "I appreciate the fact we may not have had this same projected revenue at the present millage rate of \$8.91 per thousand, but I can't believe the public will us to raise their tax millage rates in the face of the present economy because everyone else is having to get by on less and I would think County government should be no exception."

Chairman Lamb "I just can't agree with you more."

Commissioner Croley made a motion to approve the tentative millage rate at the current millage rate of 8.9064 and Commissioner Taylor seconded the motion.

Chairman Lamb called for questions.

Commissioner Morgan asked weren't they also approving the date and time for the public hearing and Mr. Williams responded that was correct.

Commission Morgan recommended the motion reflect that.

After a brief discussion Commissioner Croley amended his Motion, and Commissioner Taylor amended her second as follows:

UPON A MOTION BY COMMISSIONER CROLEY TO APPROVE OPTION ONE FOR APPROVAL OF TENTATIVE COUNTYWIDE MILLAGE RATE OF 8.9064 MILLS TO BE INCLUDED ON TRUTH-IN-MILLAGE (TRIM) NOTIFICATIONS AND AUTHORIZE

STAFF TO SCHEDULE THE FIRST PUBLIC HEARING FOR ADOPTION OF THE TENTATIVE MILLAGE LEVY AND BUDGET FOR FISCAL YEAR 2010/11 ON SEPTEMBER 8, 2010, AT 6:00 PM. AND UPON A SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

UPON A MOTION BY COMMISSIONER TAYLOR TO APPROVE THE SECOND PUBLIC HEARING FOR ADOPTION OF THE TENTATIVE MILLAGE LEVY AND BUDGET FOR FISCAL YEAR 2010/11 ON SEPTEMBER 21, 2010, AT 6:00 PM. AND UPON A SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4-0, BY VOICE VOTE IN FAVOR OF THE MOTION.

~~Item # 7 Removed- General Business Item # 7, Approval to Donate a Surplus Ambulance to the City of Quincy Fire Department to Become a Mobile Urban Search and Rescue (USAR) Unit for Countywide Deployment---~~

Item # 8 Approval of Health Insurance Rates/Options increase of 8% over current premium - Mr. Arthur Lawson, Assistant County Administrator

Mr. Lawson reviewed the information that had been reviewed by the County's insurance committee both their current plan "Premier Plus Selection Co-Pay and the alternative plan "Capital Selection Co-Pay". The Premier Plus option would increase the monthly premiums by approximately 8% and the prescription endorsement would remain at \$15/30/50. The Capital Selection option would increase the monthly premiums by approximately 4% and the prescription endorsement would also remain at \$15/30/50. He explained there are significant differences between the two plans as it relates to covered services and co-pays for some services. Mr. Lawson said one thing the insurance committee paid special attention to in making their recommendation to the Board was the fact that out-of-pocket expenses for the employees would be much greater if the County chooses to go with the Capital Premium plan.

Based on all of the information as shown in the attached agenda packet, the insurance committee unanimously recommended the Board remain with the Premier Plus Selection Plan.

Commissioner Croley asked what the deadline is for making a decision on this renewal proposal - what the effective date or renewal date is and Mr. Lawson said they have August 9, 10, 11, 2010, set up for open enrollment and would need the Board's decision prior to that time. He explained they must have their renewal rates in place one month prior to, because the County's

employee deductions are done one month prior to. He said there is a lot of work in preparing for open enrollment and any delays will hamper them being able to have open enrollment in an expeditious time. He said the Board has had the information and hopefully had time to review it and digest it, and they would like to have the Board's decision tonight either way they decide to go.

Commissioner Croley asked when the proposed rates were received as this is the first time the Board has seen this. He said he had inquired last year as to why the County was paying 70% of the dependent coverage and that Mr. Lawson had told him it was so the employees could afford family coverage. He said he also had emailed Mr. Lawson as to whether or not these rates could be broken out for employees such as rates for a single mother with one child or a family with no children possibly having a lower rate as opposed to a family with children; if these rates were requested from CHP so employees could look at it and some possibly enjoy a savings or if they were all blended.

Mr. Lawson said the rates were received in July and this is the earliest date they could get it on the agenda. The effective date of coverage will begin October 1, and rate information requested from CHP was based on the same level of tiers the County now has. Mr. Lawson also referred to an email from Commissioner Croley that he received today. He presented information that his staff had been able to obtain in reference to comparisons from surrounding counties on health coverage and the percentage the different counties pay. Mr. Lawson said surrounding counties may have a different financial status than Gadsden and gave the following comparisons -

Gadsden County pays 90% of single rate, 70% family coverage and has a 2-tier rate

Jackson County pays 100% of single rate, 72% family coverage and they have a 2-tier rate just as Gadsden County has.

Leon County pays 90% across the board - single or family

Jefferson County pays 100% of single rate and they have a 4-tier section - 52% for employee and spouse, 61% for employee and children and 40% for family. He also noted Jefferson County is a smaller county.

Commissioner Croley said he understands the hardship on employees and he wants to give the employees as much benefit as the County

can reasonably afford. On the other hand that additional 4% has an impact on the County's budget the Board wasn't expecting. He then asked for Clerk Thomas' opinion as the Chief Financial Officer on this matter; if the 8% increase something that he feels the County is in a position to absorb?

Clerk Thomas said he would first ask the County Administrator if he had included 4% or 8% of the increase in his budget and Mr. Williams said 4% was included in the first draft. Clerk Thomas said the Board has adopted the millage which will bring in less money but he believes that was taken into account. So it actually comes down to whether the Board wants to pay the additional \$68,000.00 for their employees to have basically the same plan that they now have (Premier Plus Selection Co-Pay) with the same co-pay and meds, or to go with the Capital Selection Co-Pay plan where the employees will have to pay additional for some of the specialty care services. He said it really becomes a matter of what the Board wants to do for their employees taking into account that the County isn't giving any raises; so maybe consider possibly giving them a little more on their insurance.

Mr. Lawson said every Constitutional Officer has the same insurance plan as the Board.

Commissioner Morgan said he appreciated Commissioner Croley's points on this item because it is such a tight budget year. He said he had also spoken with some of the insurance committee members, spoke with Mr. Lawson today and it sounds like the County is in line, if not underneath the benefits being provided with some larger counties and some of the rural counties as well. He said health insurance is going up everywhere for everybody and that is a trend he thinks will continue. Commissioner Morgan said the fact that no raises are being given, even though times are tight, that he would still like to see the Board go ahead with the recommendation of the insurance committee which is also the recommendation of the County Administrator. He said at the appropriate time he would move forward to approve the County Administrator's Option 1 which is to approve the insurance committee's recommendation.

Commissioner Croley said he would like to clarify that Mr. Lawson had done a good job and there was no criticism on his part towards Mr. Lawson or CHP; the main thing was for a clear understanding of how this was going to work and the timeframe. He said for the record he has no problem under the circumstances with the County employees supporting this but asked that the

Board be given as much of a timeframe as possible next year for consideration.

UPON A MOTION BY COMMISSIONER MORGAN TO APPROVE THE COUNTY ADMINISTRATOR'S OPTION 1, WHICH IS TO APPROVE THE INSURANCE COMMITTEE'S RECOMMENDATION, AND UPON A SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

County Administrator - No items to discuss

County Attorney gave a brief update that counsel is moving forward with the nuisance abatement changes. She apologized for it not being on this agenda but said she ran a little late in meeting the advertising deadline; however, the notice has been sent to staff for publishing as a public hearing and it will be on the agenda for the first meeting in September.

Commissioner Morgan Confirmed time for 2nd public hearing on budget as being 6:00 PM, September 21st. He also asked that the Commission consider establishing a committee that would consist of some qualified Gadsden County citizens to discuss, analyze the current jail situation and make suggestions or recommendations to the Board on how the Board may want to proceed with necessary improvements and have a plan in place to move forward. He asked that if everyone is in agreement that this be added to an agenda very quickly so they can see who those citizens may be and the Board be able to move forward.

Commissioner Taylor Reiterated the need of an investigative report to determine if the jail doors need to be placed on an emergency bid; make sure the Board doesn't go longer than they need to because it has been publicly said there are some locks that do not work effectively, so they don't need to wait on the normal bid process for something like that.

Mr. Williams said he would get with the County Attorney and see exactly what the criteria is and if they meet the criteria or not.

Commissioner Taylor referred to the EMS investigation by the Sheriff's Office and said if no one has it in hand, that a status report be given as to where it is, when it will be available and what the Board's plans are with the report so that information can be given to the public - that's transparency. She asked the status be given at the next Board meeting. She addressed the lengthy discussion on insurance and said she pities the Board

sitting and debating giving \$68,000.00 to a group of people that provide services day in and day out, and that she just wants to be certain the funding source for the \$68,000 has been identified.

Commissioner Croley Explained he may have belabored the insurance issue, but felt questions needed to be asked about where the money is coming from, especially with their tight budget situation. He asked that Mr. Presnell come forward to clarify an operational responsibility which has been brought to his attention concerning the exceedingly rough railroad crossing at Jamison Road and that Public Works has no jurisdiction as far as the crossing is concerned. Mr. Presnell said that is correct, Public Works can't touch it; they have written the Jacksonville CSX Office requesting maintenance be done on the crossing. He said CSX does maintenance at their discretion and when it is done, they bill the County for the work and yet the County has no input whatsoever. Mr. Presnell further explained that the County budgets for signal maintenance every year and yet they are billed by CSX for that as well. He said the County was double billed for every crossing in the county.

Commissioner Croley asked if the County Engineer could assist by communicating with CSX about improvements needed at that crossing and Mr. Presnell said they could do that, but explained he has been told the County can request special 'off schedule' maintenance. He said CSX likes to do this type of maintenance as they come through on the rail, but if the county pushes hard or demands exceptional maintenance then they will be billed for the total amount which could be up to \$25,000.00. He said the County can request special maintenance and get it but then you get a bill for the services above your annual maintenance. Mr. Presnell said he will check with CSX again because the County is about due their two year CSX scheduled routine maintenance date.

Commissioner Croley said he brought this up because it does have a financial impact on the County for any of the crossings and he felt like the Board should know how it works.

Chairman Lamb Said he would yield to the County Attorney as she would like to go over some issues with the Roberts Rules of Order.

Ms. Minnis said it is important to note that the County does have specific policies and procedures in its Ordinances dealing with Board Meetings and presentations at Board meetings. One thing that needs to be noted is that in the section Citizens To Be

Heard, there is normally by policy and generally for the most part no debate is supposed to be allowed during that period of time. That is for citizens to bring forth requests for information. That request is then to be given to the County Administrator or through him to the County Attorney and they come back later with the information for the citizens. The other thing to remember is the Roberts Rules of Order comes into effect only if the Commission does not otherwise have a policy or procedure to cover that particular situation and there is a specific and detailed policy and procedure in the Ordinance for citizen input and it goes through how that is to occur and it does give the Chair the authority to limit the time and duration of comments from the public. It does limit the comments from the public on non-agendaed items to three minutes and it does not allow for time sharing in that procedure, so under those circumstances Roberts Rules of Order would not be applicable because there is a set procedure in the Ordinances of the County dealing with those sorts of issues.

Chairman Lamb asked that everyone on the Board be mindful of what the County Attorney has told them and as Board members to not let themselves get into heated debates on items with the public. He again thanked the Board for the manner in which they conducted business tonight.

RECEIPT & FILE

For the record - Letter to FDLE regarding the Sheriff's Area Drug Taskforce

For the record - Letter to the U.S. Department of Education regarding Support of the Boys and Girls Club of the Big Bend - Grant Application

For the record - Budget Amendments - Approved by the County Administrator

For the record - DOT Consultant Procedure

For the record - Letter from the Clerk of the County Court Regarding cash report

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD AT THIS TIME, THE MEETING WAS ADJOURNED AT 8:20 PM.

CHAIRMAN EUGENE LAMB

Muriel Straughn, Deputy Clerk

As transcribed by Deputy Clerk Jean Chesser