

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 you 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 wit in 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 25^t 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. 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 MOTION BY 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, an 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