

AT A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD IN AND FOR GADSDEN COUNTY, FL ON OCTOBER 18, 2011 AT 9:00 A.M., THE FOLLOWING PROCEEDING WAS HAD, VIZ.

Present: Sherrie Taylor, Chair, District 5
Gene Morgan, Vice-Chair, District 3
Eugene Lamb, District 1
Doug Croley, District 2
Brenda Holt, District 4
Debra Minnis, County Attorney
Arthur Lawson, Interim County Administrator
Muriel Straughn, Deputy Clerk

Invocation, Pledge of Allegiance and Roll Call

Chair Taylor called the meeting to order then led in a prayer and the pledge of allegiance to the U.S. flag.

Deputy Clerk Muriel Straughn called the roll and recorded the attendance as noted above.

Amendments and Approval of Agenda

DELETE: ITEM 3 Bike/Pedestrian Plan Update

ADD: as Item 3 - Discussion of Economic Development Agreement with National Solar.
Attorney advised that no action can be taken, added only for discussion.

Attorney Minnis advised that the matter could be discussed, but no action should be taken because it was not noticed as an action item.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB TO APPROVE THE AGENDA AS NOTED ABOVE.

AWARDS, PRESENTATIONS AND APPEARANCES

1. United States Special Operations Command

Jeff Mason addressed the board.

Mason:

The reason I am here this morning is to request written approval from the commission to conduct military training in Gadsden County as part of the Emerald Warrior-12. This is called Realistic Urban Training. This is training that we conduct outside of DOD on managed or controlled

property. So, we are actually going onto private properties using licensing agreements and leasing agreements with private land owners. If you want, I can go through the briefing that really addresses out number 1 concern when we do this type of training and that is the safety for our soldiers and the citizens of Gadsden County.

Taylor:

It sounds like a mock training that you all stage in the event of some kind of terrorism or –

Mason:

Ma'am, this is actually training to prepare our forces to go into Iraq and Afghanistan.

Taylor:

Thank you very much.

With that being said, are there any questions for Mr. Mason?

Holt:

What are the locations where you are going to do this?

Mason:

Overall, we are using eight counties, Leon, Gadsden, Jackson, Calhoun, Liberty, Bay and Gulf counties. For you county in particular, we will be basing out of the Florida Public Safety Institute as we did last year. The only area right now that we have identified that we will be using for the exercise is the Wallwood Boy Scout Camp.

Holt:

The reason for that question is that there are residents out there that might be hampered by the noise and that type of thing. They would need to know in advance.

Mason:

As part of our public affairs effort for this thing, we will actually put out an announcement prior to the exercise kicking off and then when we actually do any type of operation in an area, we go door to door and if the resident is not at home, we will leave a brochure there saying that we are conducting this training for this time and this time and if they have questions, who they can contact.

Holt:

If possible, just let us know because this is on television. So, that way, they will know. If they happen to miss getting the information, they will understand what is happening. Thank you.

Lamb:

Madam Chairman?

Taylor:

Yes.

Lamb:
Besides the Public Safety Institute, did you say the Boy Scouts?

Mason:
The Wallwood Boy Scout Camp, sir.

Lamb:
I am trying to think where that is.

Holt:
It is down at Lake Talquin.

Mason:
It is

Lamb:
Oh yeah. Thank you.

Taylor:
Be sure to let them know down in District 5.

Croley:
Madam Chair, if there is no discussion, I move approval of whatever we need to do.

Holt:
I will second it.

Taylor:
There is a motion and a second on the floor. Are there any other questions?

Morgan:
What are we approving?

Taylor:
You are approving the authorization to allow this military training to move forward.

Mason:
A letter of invitation, sir.

Taylor:
A letter of invitation

Croley:
To be signed by the Chair.

Taylor:

That is approval of a letter of invitation for this training to go forward in Gadsden County. Is that the content of this matter?

Mason:
Yes, Ma'am.

Taylor:
Thank you. There is a motion and a second on the floor. Are there any others?

Holt:
One other question right quick. What about artillery?

Mason:
No live ammunition will be used. Anything that you hear go "bang" will be all pyrotechnics and it is set up and executed by licensed pyrotechnics.

Holt:
No problem. I am good.

Taylor:
Are you sure?

Mason:
Yes, positive.

Holt:
I don't want anybody getting shot.

Mason:
Any time we do these, ma'am, if we are going to simulate a raid, that target will be cordoned by a Sheriff. We coordinate with all LEA and there will be a car right on the spot to prevent anybody from coming in.

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

All:
Aye.

Taylor:
5 – 0. Thank you very much.

Mason:
If you wouldn't mind, I would like to read this to the audience.

This is presented to Gadsden County, Florida in appreciation to the hospitality you have provided to the men and women of the United States Special Operations Command and in support of the joint training exercises Emerald Warrior 2011. The training you allowed to be conducted in your county was instrumental in the preparedness of our nation's special operation warriors and it reflects great credit upon all the citizens of Gadsden County, Florida.

(Applause)

Mr. Mason presented a Plaque of Appreciation to the chair.

2. National Solar Power's Plans for Gadsden County

Williams:

Good Morning, my name is Eric Williams, Vice-President of National Solar Power Partners. I will be doing the presentation. The company was founded in early 2010 in Melbourne Florida by John Broughton and James Scrivener. We are a utility scale integrator providing alternative solutions to utilities across the southeast. Our co-founders have a combined 30 years' experience in the solar industry. Our business model is a paradigm shift away from traditional solar models due to our ability to integrate solar power at market prices.

Our goal is to be a low cost renewable energy provider to utility providers throughout the southeastern U.S. selling at or near what utilities (inaudible.) This is made possible by making strategic alliances and innovative finance techniques and recent decline in the prices of land solar panels and construction cost.

National Solar has contracts in place with Progress Energy of Florida to sell energy produced by our solar farms. Our EPC Partner is Hensel Phelps Construction and they will operate and maintain the farms for the life of our contracts. The panels that we will be using are called polycrystalline solar panels. They are on a fixed tilt ground mounted structure. The racking products will be made and assembled here in America. We are working on some deals to get that done locally as well.

The County Proposal: We are seeking to purchase 4,000 acres here in Gadsden County and have some contracts already in place. NSP will construct 20 20 megawatt solar farms representing a \$1.4 billion total capital estimate generating property tax revenue estimated at \$300,000 per year per 20 megawatt farm over a 30 year life. We will create about 140 jobs during the construction with local subcontract opportunities in a ten year build out in total. This would have a net of 120 maximum permanent full time jobs. We will break it down into each single 20 megawatt solar farm. Basically 5 – 6 full time jobs on average with salary of about \$40,000 per year. That will be an engineering position, maintenance and grounds keeping positions to cut the grass and clean the panels, etc., and security. Each one will be its own special purpose entity. Each solar farm produces enough power to supply power to about 2,000 homes.

We will also have some educational benefits through internships with local colleges, mainly TCC. The panels are already mounted on a fixed Axis rack composed of aluminum steel. The height is estimated right now, depending on the specific racking, but we estimate that the maximum

height of the racking will be about seven feet. The panels will stand about seven feet off the ground with basically Byhalia grass underneath the entire rack. The permanent fencing will be about eight feet high chain link fence with pre-trimmed barbed wire on top. There will be warning signage posted throughout the surrounding facility. It will be set back from the property boundaries to allow for access roads, drainage easements or storm water runoff. All natural buffers will be left in place wherever possible for as long as they won't affect the performance. In some cases, if there is something outside the property, we will shift the farm further in to make sure that it doesn't get shaded by the tree line or building obstruction.

Solar farms are built on low index rural land within two miles of transmission lines or substations.

All lighting will be self-contained solar powered and pole mounted. Again, trying to be as friendly to the environment, the lighting will be interior and I think the max height on the lighting is about 20 feet. They are not really high, it is just enough to light up the facility a little bit.

The wetlands, wildlife habitats are reviewed as part of the site due diligence so we go through DEP and studies are done on each site to make sure there are no endangered species or anything on there that we need to deal with.

All contracts with Progress Energy are 30 year contracts with options for 30 additional years. NSP will update technology to extend the life of the farms definitely should that technology become available and is economically viable.

The security consists of cameras that are monitored 24 hrs. a day from a central location within the county.

The required economic incentives that we are looking for in order to help this move along are an 83% county property tax refund/rebate for 20 years. This is commiserate with the competitive markets in the U.S. We are also seeking expedited permitting and inspections and expedited zoning and land use changes that it will required. Additional request would be refund or rebates of the permitting fees.

The timeline: Basically once the agreement that we are going to discuss next –once we get that signed, it begins the process for us. Due diligence might actually start a little bit before that, but ideally, we want to have the agreement in place, but that would be 120 days of site due diligence that is engineering design and the interconnection phase. Finance due diligence is about 90 days and that does run concurrent with the site due diligence. The construction per farm – right now, we will start out and the first one is going to be probably close to seven months per 20 megawatt farm. As we get rolled out and get a little more efficient that should come down to as little as five months per 20 megawatt farm. The construction of all twenty farms – we estimate about eight to ten years. The O & M – there is a thirty year contract with them with an option for an additional thirty years. That is operation and maintenance which will be performed by Hensel Phelps Construction. Again, they will be hiring local people to help with that.

I am going to invite John up here and let him do the Hensel Phelps part of the presentation.

Fisher:

My name is John Fisher and I am the project manager for Hensel Phelps Construction company. Just to go ahead and address some of the questions that come up about us as being National Solar's partner. I will run through this and give you some background on this.

Hensel Phelps was established in 1937 in Colorado by a man named Hensel Phelps. He was one person who started out building some one room basic cabins as housing. Since then, we have now spread from coast to coast with seven district offices. Our annual volume is about \$3 billion per year. We are a large governmental and private industry contractor. We do a little bit of work overseas, but primarily, we are a domestic company here in the U.S. We are U.S. based.

A couple of our rankings as to where we fall for green contractors. We are a very sustainable contractor with a lot of green accredited professionals. We ranked number four out of the top 100. In terms of government offices and greening of the U.S. government, we are the number one contractor and a couple of others in there and with general contractors, we are number ten. In building and design work, we are ranked number nine in the nation.

A couple of projects that we have done previously, to share our experience, – we have done some numerous photos (inaudible) building facility. We did the Quam at the nuclear laboratories at Los Alamos as well as well as the William J. Clinton Presidential Library. These are just a couple of photos just to let you see a little bit of what we have done. At the Pentagon we did our first green project which was a remote delivery facility that you see there in the foreground. We also did Renovation 2 – 5 of the Pentagon post 911. Also, the integration of the (inaudible) Technologies, which is another project at Los Alamos where we did the ground work for the nuclear laboratories there.

High Tech: We do a good bit of work at the Space Center in Florida for the next generation manned space flight projects as well as the ELVs with the Atlas V rockets. We have done work on both coasts.

The first project that you see up there is actually the William J. Clinton Library. That is when we did a photo (inaudible) on the roof of the building which supplies about 15% of its power as a LEED rated facility. The city hall is also a LEED gold facility and we have some photo (inaudible) and then the Air and Space Museum was one of our projects.

We also do a little bit of theme park as well as resort tiles. Sampro was initially a building that wasn't supposed to be a LEED rated facility, but by the time we were done, it was a LEED Gold facility.

That is it for us.

Taylor:

Are there any questions of Mr. Williams with regard to the presentation?

I will say this. Since the announcement, this county has been on fire; a lot of positive, a lot of

upbeat citizens have embraced this concept and we are feeling pretty good about you all. This feeling is throughout the Big Bend Area. We are going to embrace you and bring you forward as expeditiously as we can.

Again, thank you for selecting our county and let's see if we can move forward. One of the most important processes of all is that first shovel of dirt that is being turned. Our job is to try and get you there as soon as possible while staying within our guidelines. So, again, just let me say thank you for selecting us. Someone said and I don't know who, but they said, "Let's go to work."

Williams:

Yes, ma'am. I am looking forward to it.

Morgan:

Thank you, Madam Chair. We really appreciate the presentation and you all coming to share it with our community. I would just ask a couple of things.

Is there any way that we can get a copy of you PowerPoint that you just shared with us?

Williams:

Absolutely.

Morgan:

I was wondering if perhaps you all were planning to go to each of our different municipality meetings and sharing it with those local boards so that it can get into the cities throughout the county. I think that was very informative.

Williams:

Yes, sir, we can certainly do that.

Morgan:

That would be great. And I don't know if you all would do it or maybe Mr. Gardner as the Director of the Economic Development arm of the Chamber of Commerce. But it would be well received.

Williams:

We can work it either way. We have someone that can do it. He has already visited Havana. One of staff can do it. I could do it myself.

Morgan:

That would be very well received.

Then, also, I see that Mr. Scrivener is here and we appreciate you all coming. Thank you for that. Can you touch on how you all will be a part of our community not so much as an employer, but as a new member to our community and how that might benefit the folks you are going to employ, but also our current business owners, our future leaders in the community, our school system and things of that nature?

Williams:

Yeah, I mean, our plans are to set up an office here in the area within Gadsden County. We will have a joint office with Hensel Phelps. So, we will set up an office here. We plan to become a member of the Chamber of Commerce and we intend to be good stewards to the community of Gadsden and participate. Obviously, we want a relationship with Tallahassee Community College and develop a small project there. We can be a training facility for the school and that is going to be at the Public Safety Institute. WE will develop a small project on that campus. Again, that will be training aspects to that. So, we are going to do everything we can do to integrate into the community.

Morgan:

I really appreciate you touching on that. I know our school superintendent is here and we are moving in the right direction in our public school and I know that he has embraced this. We also have private schools here in our community and I am sure they will benefit with your presence in the county also.

Williams:

Absolutely. Each one of the farms or at least one of the major farms will have a learning center on site which will be assessable to the schools. We will have a classroom there and we will be able to do presentations for the schools. That would be public or private. So, there are plans in place for that in order to add to the community. We are trying to come up with creative ways to insure that we impact the community positively.

As part of our incentive request, the school board taxes are not touched by this request. The full amount of the school board tax burden is paid. So, I think that will have a huge impact to the Gadsden County School System, which will help to give benefit to the students.

Morgan:

I know Superintendent James and we also have a school board member here, and I know they will all be embracing that as well. Thank you very much and I appreciate your presence here tonight.

Taylor :

Commissioner Holt?

Holt:

Thank you. Thank you very much coming and giving this presentation. These incentives – are those your request from your company?

Williams:

Yes.

Holt:

Thank you.

Taylor:

I have two questions and then I think we will be finished unless I hear something our colleagues. We will now hear from Mr. Croley

Croley:

Thank you, Mr. Williams, for your presentation. We do sincerely welcome you to Gadsden County and the contributions that you are in a position to make. I don't know if this is the appropriate time to ask some questions about your presentation, but one question I do want to ask. This is on behalf of a lot of citizens who have some general questions, no specifics. I think they want to know about your project. Will you be offering other public meetings so that citizens can come and make their inquiries about your program or is this the extent of what you plan to do right now?

Williams:

You know, I don't know that we have discussed that. Are we having another public hearing to answer questions?

(Unidentified person from National Solar)

We had not planned to conduct another hearing. We have planned to go into the communities.

Taylor:

Excuse me, sir. Would you mind coming to the microphone?

Scrivener:

I am James Scrivener, CEO of National Solar. What we have intended, Doug, was, depending the approval of our developer agreement, so that we have an agreement in place, we were planning on coming back to Gadsden County and having an event that the public could attend. We will have representatives from our company there available to deal on a one on one basis with the community and discuss the questions or concerns that they had; have some hot dogs and sodas to celebrate our, hopefully warming up to our first shovel turn.

Croley:

Well, that is good and I think that is something that needs to be done. But to seize the moment, there are a couple of questions that I just want to ask regarding the presentation. You mentioned a special purpose entities – the formation of those. Explain to me how you intend to use special purpose entities as a mechanism in your project.

Scrivener:

Special purpose entities are utilized in solar project financing and other renewal project financing. The reason that we utilize these is the tax credits that it generated when you invest in renewable energy – we don't have a large enough tax appetite or the project doesn't have a large enough tax appetite to be able to monetize those federal tax credits. So, what we do is create a project company and we engage investment partners; large U.S. commercial banks that have a large tax appetite. They invest in the project and they become a part owner of the project and they are entitled to take tax losses out of that project and monetized that U.S. tax equity. That is the reason that we use special purpose entities so that we can raise capital on a project level; bring in

an investment partner such as a large U.S. commercial bank. There are about 18 buyers right now in the U.S. market for effective tax equity. This is a common methodology employed in project finance. This is the methodology that was employed for many years to leverage low income housing investment tax credits. So, it is a similar methodology of tax advantage investing. Each farm, while we will own them, we will ultimately be the owner of these assets, for the first five years of each project, we do have investment partners who participate in project finance for the sake of monetizing that U.S. tax equity. That is the extent of the use of the special purpose entities. We anticipate aggregating the projects from a tax and financing perspective. Once we have a number of them up and operating, it is a lot easier to do that. But, for the sake of focusing on each individual project, the fastest way to completion is to finance them individually. That is why we have taken that modular approach.

Croley:

The second question: You mentioned lighting in these facilities. What type lighting are you contemplating? Are you referring to lighting around your inverter or are you referring to lighting across your whole farm?

Scrivener:

That is a good question and we just addressed that yesterday in a design meeting. We plan on lighting the main entrance to each farm and then lighting the inverter locations. We do not plan on having a lot of perimeter lighting. We didn't think it added anything to the farms and being that we are building in rural areas, we didn't think that additional lighting was necessary or wanted by our neighbors. So, we were going to try to keep the facility lighting to a minimum and just light those areas that are really needed. The security cameras can see at night so we don't need lighting for the sake of security. We had a concern about safety to make sure that the fence was adequately illuminated from a safety perspective, so we didn't have kids wanting to climb inside the facility. They are power generation facilities and obviously at night, the sun is not shining and we are not generating a lot of power, but we still consider them to be utility scale facilities. For safety reasons we would try to keep people out. So, the lighting is to accommodate operation and maintenance, which is beneficial to be done at night. When you don't have power running through the system, it is easier to swap out components. But right now we are in the process of evaluating the design from a perspective when it comes to lighting, less is better. We are trying to minimize the lighting on the facility.

Croley:

That is good because to people in rural areas often times view that too much lighting as light pollution and it interferes with their ability to watch the stars.

The last question I have for you: You mentioned the 300,000 per farm per over a 30 year period, which works out to be about \$10,000 per year. Is that \$10,000 per year you are contemplating for Gadsden County?

Scrivener:

That is \$300,000 per year. That is the average generated by each farm.

Croley:

Maybe I misunderstood it. What I am trying to ask you though if this, the way it was presented, it made it appear as though you were talking about \$300,000 over thirty year period. Maybe I misread it.

Scrivener:

It is an average of \$300,000 per year per 20 megawatt farm.

Croley:

Now, is that based upon the tax credits that you are proposing under your development agreement?

Scrivener:

Yes, it is.

Croley:

O.K. How much would that translate though from the school board?

Scrivener:

The majority of that would go to the school. I think our analysis should over thirty years, we generated approximately over \$200 million in taxes in Gadsden County.

Croley:

Assuming that all of them are built?

Scrivener:

Correct. My assumption was maybe \$120 Of \$130 million of that would go to the school board. The majority of that would.

Croley:

When do you need this economic development agreement acted on?

Scrivener:

Today would be great.

Croley:

Well, as soon as possible? I don't think that is going to happen.

Scrivener:

Well, we have contracts in place right now in Gadsden County on enough land to build 12 farms right now. So, we are waiting on you. When we have the green light and we can start spending money in development, we are going to do so. We are ready to march.

Croley:

O.K. That helps to give us a time frame.

Scrivener:

We hope to be turning dirt by the second quarter of next year if everything goes well.

Croley:

Now, one thing that you mention in this agreement and I think that it is important since this is the first time that you, as you said, that you imply here that this needs to be a real fast track and I certainly agree with moving things forward.

Taylor:

Mr. Croley,

Croley:

Wait a minute; I want to finish asking this one question.

Morgan:

Point of order. Madam Chair, point of order.

Taylor:

Excuse me. Just a second. Just a second.

Commissioner Croley, here is what we are saying and then we will allow you to proceed after you hear this statement. The very next item on the agenda will be discussion of the agreement, which I believe you have gone into at this particular point. That is the agreement. So, the very next item is where we want to take up your agreement issues or contents. So, this is what we are asking - Accept the presentation at this time, then we will get to the point where your questions will be entertained.

Croley:

Well, let me withdraw the question about the agreement by asking this: You have referenced a need to move forward and this would imply a fast track type arrangement. This is of course the agreement that we will be talking about as the point or order was stated as being the next order of business. But, the fast track that you are trying to encourage us to take, is it going to, in any way, in your opinion, deny the public the right to ask their questions?

Scrivener:

No.

Croley:

O.K. That is all I needed to hear you say. Thank you.

Taylor:

Alright, let's move forward. Again, this was for presentation only and before I close this section, I think Commissioner Lamb has a comments. Then, there are two citizens that wish to speak on this particular item then we will move forward.

Did you have a comment?

Scrivener:

I did. Just thanks for inviting us.

Taylor:

You just continue to stand right there.

Commissioner Lamb?

Lamb:

Welcome to Gadsden County, sir. That is it.

Scrivener:

Thank you.

Taylor:

Michael Dorian? Mr. Dorian is it at this point that you wish to speak or is it during the agreement process?

Dorian:

To tell you the truth, Ma'am, I am a little bit vague about what you are talking about.

Taylor:

O.K. There are two items on the agenda for the National Solar Power Plants. One is the presentation that we have just seen. Another is about the agreement that they are presenting to the board. That is Item 3. So, your request to speak did not tell which item you wished to address. Is it both or is it just one?

Dorian:

Probably both.

Taylor:

Well, we will give you the opportunity to speak at this time, sir. State your full name and your current address.

Dorian:

O.K. Are we going to go through a planning and zoning hearing?

Taylor:

Excuse me, sir. I need your full name and your current address.

Dorian:

Oh, excuse me. Michael Dorian, 145 Alligator Lane, Quincy.

I guess my first question is – is this going to go before Planning and Zoning?

Taylor:

We want to entertain this on the very next item that is up for discussion.

Dorian:

Then I will save my question for later. I just wanted to say real quickly that I am very much for this project. I do have questions and I want to thank you, Ms. Taylor, and my commissioner, Doug Croley, from District 2 and Ms. Holt, Commissioners Lamb and Morgan for being so cooperative in bringing this to our county. I want to thank Mr. Gardner and the liaison committee and the Chamber of Commerce. I would like to thank National Solar Energy and I also want to thank folks like James Malloy and some others for asking the hard questions. I think that once that all these questions are answered; everybody is going to be happy with this project.

Taylor:

Thank you, sir.

There is a Ms. Marion Laslie that wishes to speak.

Laslie:

Yes, Ma'am, if I could do so at Citizens Requesting to be Heard after your discussions about the agreement.

Taylor:

We will be sure to call you both back.

Mr. Lawson?

2A. Discussion of Proposed Economic Development Agreement with National Solar Power

Lawson:

The next item is discussion of the Economic Development Agreement that was added to the agenda.

Taylor:

Is there someone representing National Solar that would wish to come up and speak on behalf of this agreement?

Scrivener:

James Scrivener, CEO of National Solar Power, at your service.

Taylor:

Do you have a copy of it?

Scrivener:

I don't, but I am pretty familiar with it. If you have questions, I can answer them.

Taylor:

Let me say this. As you heard from the attorney, obviously and I have had a chance to read over this agreement and there are some contents that we are going to have a look at seriously this evening. If this the board has the authority to move forward. Otherwise, we can certainly give directions on what is within our ability and what is not. We did get this, but not through the traditional process. Obviously, it first would originate with our administrator and then it would be disseminated to the attorney and then the board members. In that way, we are able to get staff on the item. When I say "staff", I mean in (inaudible). "We," meaning the board. At this particular time, we have not had that, but this board realizes and appreciates the fact that this needs to be processed and moved forward as presented by Commissioner Morgan. We will entertain it being put into the proper process and then move forward and brought back so this board can entertain its contents expeditiously. So, I guess what we are doing now is just setting it straight to move forward so that we don't create a precedent in just doing it the way we want. Let's do it the right way then the next business that comes in after you, we can say that we have a process and the process will be adhered to.

So, what I am going to do now is defer to the attorney because I think she must have a preliminary review of it. Did she give you her synopsis of number 1? How long it will take to get it back to you. Number 2; maybe from taking a look at this, some issues or areas will lead to discussions around the board. But, before we have discussion from the commissioners, let us go ahead and entertain the public input first then we will have discussion from the commissioners. But, I am going to defer to the attorney to give us some facts based on a preview of this agreement.

Minnis:

Thank you, Madam Chair.

Taylor:

I hate to put you on the spot, but, I hope you are prepared.

Minnis:

I did have the opportunity to do a very broad preview of the agreement and what I understand the procedure to be is that the board would have to follow in order to get to the point of executing an agreement or negotiating an agreement and there is a process that the Statutes have put into place and I have had conversations with Mr. Gardner and he is doing some additional background checking to see what other counties have done, but the process that I believe has to be in place (and I am open to review other statutes of laws if someone has theirs that they want me to look at) is a referendum process, and application process, an ordinance process and an agreement process.

Normally, there is a referendum to authorize this type of tax abatement, basically. Then after the referendum, there is the ordinance that the board creates for the particular entity. The entity then submits an application for the tax exemption, which is reviewed by the property appraiser and the board. Then if the application is approved, there is the agreement that is executed at that point in time. That is the process that the FL Statutes have laid out for this.

Other counties have done projects of this type. We are investigating and contacting those other

counties to see if there is something different that they were able to do. But, those are the processes as I understand them today. There are some other issues in the agreement that would come in during the negotiation phase as to whether certain things were going to be debatable or not such as Comp Plan issues and zoning issues. I think some of that will depend on whether, you know, as National Solar gets into the land purchases, they may not need as many Comp Plan Changes or land use changes as they initially thought. So, there are a lot of areas that are still yet to be vetted so to speak. But, I am planning to move as expeditiously as possible in coordinating with Mr. Gardner to look at what other counties are doing to bring you back a process to put forth. The board did have a referendum on the books back in the 80s I believe. It was passed in 1981, but that referendum expired in 1991 and it was not renewed. Unfortunately, that is where we are at this point in time.

Taylor:

AS I said earlier, we will hear from the attorney. Then if any of us has questions, we will address those questions as well based on the synopsis given to us by the attorney.

Mr. Dorian?

Michael Dorian?

Madam Commissioner, I am assuming

Taylor:

Excuse me, sir. Excuse me, sir. I don't mean to cut across you, but will you please remove your shades.

Dorian:

I have macular degeneration and I have doctors orders to wear them under florescent lights.

Croley:

He always wears those glasses, Madam Chair.

Taylor:

You can put them back on since you have doctor's orders.

Dorian:

I can take them off.

Are we going to have or is the public going to have a chance to ask questions and have the representatives from National Solar. When we had the Citizens Rights committee and all due respect to Mr. Matheny, all we got was a lot of "I don't knows."

Taylor:

Your question is well received. As the attorney said at the top of the meeting, before entering into this agreement, we will have a public hearing so that we can get input from the public. Then you will also have an opportunity to review this document. As you well know, we have 7 – 10 days to advertise anything that this board will entertain at some point during our meetings. So,

yes, sir, you will have an opportunity to have input.

Dorian:

Then I am going to save my questions for that occasion. But, I will take just one minute to say that I am really impressed by the innovative and well intentioned progress that ya'll have made in bringing this project to Gadsden County. Solar energy is just an amazing thing. You are taking protons out of the air and capturing them in a little tiny square box. When the proton hits the little box, it creates a little spark of electricity. The electricity runs down wires to another chip. All these chips are in a panel and they run through another panel then a bunch of panels and all of sudden you've got electricity. You don't have that much side effects. It is nothing like a biomass plant or a coal powered plant or a nuclear powered plant. There are very few side effects and I feel sure that if some of the folks from National Solar will be present with their input on the codes, this project is going to go forward and it is going to be a good thing for Gadsden County. I will say once again, I appreciate the citizens that have the hard questions and I appreciate ya'll allowing us to ask those questions. Thank you.

Taylor:

Thank you so much, sir.

Ms. Laslie?

Laslie:

Again, I would like to reserve my comments until the three minutes for Citizens to Be Heard.

Taylor:

We will entertain you at that time.

Commissioners, I apologize. I am going to recognize the school superintendent and ask him to come forward. Mr. Reginald James.

James:

Good morning. To the honorable chairwoman, Ms. Taylor and esteemed commissioners, Ms. Holt, Lamb, Croley and Morgan. I am certainly pleased to be with you this morning. Did I say you, Mr. Croley?

Croley:

Yes.

James:

I certainly want to take this opportunity this morning to certainly welcome the Solar Farm officials on behalf of our board members and our 6,000 public school students. We are certainly excited and pleased to have them with us. As Commissioner Morgan stated and many others, we are rapidly improving the school district. This will be just the boost we need to get us over the top. We just recently posted five "A" rated schools and probably everybody knows in north Florida and we have one school in our district that I want you all to know that one of our magnet schools is ranked number 5 in the state in mathematics. We are certainly pleased with the

direction and we think that this is just the thing to take us over the top. Just wanted to express my appreciation to this Board for what you are doing for the young people of our community. Thank you so much.

Taylor:

Mr. Superintendent, just let me share with you real quick. I can appreciate you being here and want to say to National Solar that this is the first time that he has ever sat in on a meeting.

James:

You know I have enough meetings. I have a board and I don't come to these meetings often, but I felt it necessary to come this morning just to thank you. We have a couple of people here that are educators. We actually have three people. The persons here and all the board members realize the importance of it. When it comes to education, you know, we have been here through the dark times and it certainly have had a big push upwards and we certainly think that this couldn't come more timely in terms of helping us push up. I am just so appreciative that I couldn't resist the temptation to come and be a part of this discussion.

We plan to be good partners and do whatever we can do. We have already been contacted by the Department of Education in their effort. To show you how widespread this interest is, they want to come in and help us form a solar energy program at the high school level to allow us to articulate with TCC and have a connection to what they are doing. Everybody has a part. TCC and Dr. Murdaugh and I have talked and everybody is excited about this. I think it will have a tremendous benefit for the students and the county in general.

Thank you so much for having me.

Taylor:

Of course, as the superintendent has said, the funding that will be coming forward will certainly be well received and well needed to take our education to the next level.

Mr. Board Member Eric Hinson, I will yield to you for just a moment if you have a word.

Hinson:

Thank you, Madam Chairman. First, I just want to thank you for doing the things that you guys are doing. I was the first to sit at your public meeting in Havana Middle School. I think you have the next one at Shanks Middle School and another at West Gadsden High School. We want to assist you guys as much as we can.

Taylor:

Thank you very much now that you have set our agenda. (laughter)

We will move on with this particular item.

Now we will entertain the board. This item is for discussion. Board members, I know that you have had an opportunity to take a look at this. If you wish to give some direction to the attorney on issues that you have seen on an item or one that you can appreciate in the agreement, now is

the time for about six minutes of discussion at the most about some components that you may want to share with us or National Solar as well.

We will start with the commissioner on the right, Commissioner Croley.

Croley:

Again, do misinterpret any questions as being anything less than a very strong positive support for you, but, I am going to make it clear that anytime somebody gives me an agreement, I want to give you what you need. It might not always be what you want, but I want to give you what you need to be able to carry forward positively and successfully and do all the things you have set out to accomplish as we said at the Capitol.

The citizens do have concerns. Obviously, you've got to be able to work with your neighbors. So, these are some of the questions that are immediately coming to mind when I look at Section 4 about County obligations and representations. Obviously, again, we want to do what is necessary to help you to move this forward.

At the same time, some of this wording is almost like a blank check. I don't mean that in an improper way, I am saying that you have called for the County to "administratively initiate expeditiously the processes that require changes in the Comprehensive Plan." Well, some of these changes may not be appropriate in certain parts of the county. When we look at our map, with all its deficiencies, we do note that when this was originally discussed, that there was a lot about the silvaculture lands, especially (inaudible) silvaculture land that would be near the transmission lines. These farms could go there with a minimum interference in the more residential areas or the more settled areas. I think that is my primary concern – making sure that we don't circumvent any processes. I want to identify the type land that you need to be on and as we initially said, I think I brought this up, about some sort of accelerated permitting process when you go on those lands. But, now if we are going to get into other category of properties then maybe we would need to slow down and take a different look at that.

I would like to hear your comments about it and hear your reaction and then let you work with the staff and attorney on how to accomplish this.

Scrivener:

Good question, Commissioner Croley. I would respond by saying that this agreement is our asking list. What we want and what we are hoping to arrive at is a win/win. I don't want to be given an exoneration of your requirements. I just want an expedited consideration of those requirements. That is it. We still want to meet all the criteria and answer any questions that anybody has. This is a win/win project. WE have nothing to hide. We will answer what questions you have. I will show you everything you want to see. I will take you down to see a couple of solar farms if you like. We want to be completely transparent about what we are doing and how we are trying to do it. This is a great thing for Gadsden County. It is a great thing for us as a company. We are excited about it. So, we are not asking for a blank check or a free pass. I just don't want to get caught in a situation where my company and my capital resources are tied up on, forgive my terminology, but on a bureaucrat's desk for 60 days at a time. So, that is what we are basically asking for. Work with us and be our partners and let's work together to achieve

the goal. We want to meet the criteria. I don't want to build next to someone who doesn't want us there. We want to be transparent and positive about how we do this. I am ready to answer any questions that anybody has about what we are trying to do.

Croley:

I want to close and this is really going to conclude my comments about it. I want the public to know that any inquiry I have had about National Solar, and I do sometimes ask a lot of questions, and they have been very forthright. I have had no concern about the type of response being fully open and I feel like the citizens should take some comfort. If we are getting this kind of response from these folks, I think that their concerns will be properly addressed as we go through the process. As long as you will work with our staff and coming back with a good fair agreement, I don't think there should be any problems.

Thank you.

Taylor:

Commissioner Morgan.

Croley:

Thank you Madam Chair.

Mr. Scrivener, thank you again. We really appreciate you investing your time with us to go over this and Mr. Williams and your folks that are here.

First off, I want to echo what Commissioner Croley just stated. We have had very thoughtful questions that have been asked in different meetings that I have been a part of and heard about and we have always gotten nothing but complete answers to our questions and also the willingness to provide additional information if necessary. I think that I something we should lean forward and understand the importance of it and give some appreciation of that. We haven't always had that in the past. Not just in Gadsden County, but a lot of governments and entities when they approached us about how to proceed with an investment in our community. The important thing that I want to stress right here for the public is the value that we place on the importance of abiding by State Statutes, going through due process, understanding that information is accurate and complete is critical and deserving of those who have those questions. I think those are things that we expect personally, as boards, as members of the community, families and we look forward to having those positive productive conversations. I think that will do nothing but help us to become better partners and see this grow in the future in very positive ways.

So, I have ready this agreement. I think what Mr. Scrivener is asking for from this board and from our community is that if there is a way to expedite this process so we can begin moving forward quickly and see some of the benefits that we are going to benefit from that we are going to receive. I think he is just saying, I don't want to quote him, but, I think he said, "I don't want it sitting on a bureaucrat's desk for 60 days. I can understand that. While following proper procedure, we need to prioritize this particular project, in my opinion, ahead of everything else from our legal staff reviewing it, from whoever else needs to be involved as far as a part of

moving this forward. In my opinion, there should be no other project that has a higher priority. I think today, we need to best determine how to move this forward as quickly as possible and to provide time lines as a courtesy to the public, but also Mr. Williams, National Solar and all those involved – Hensel Phelps. I think that is what we can accomplish today.

Madam Attorney, as you move forward in this process, I hope the board will give you the ability without having to come back to us for approval. Go ahead and use some common sense. If there is something that needs to be addressed or reviewed or presented to the board, not only via email or hard copy, but let's go ahead and deal with that. I think that those are things that make sense when you are entertaining any project, particularly something of this size.

I do have a question for whoever can touch on it and help me clarify it, I would be grateful. I am looking in here and Madam Attorney, I will address to you initially and then maybe Mr. Scrivener can comment on it. I want to know about any existing agreements that are similar to this that might already be in place. Is anybody aware of that? I am looking at Section 4.6 of the agreement. It says to me that National Solar will be paid. The taxes will, in fact, they are asking for us to refund a percentage of those taxes. So, my question is, **Is a refund the same as an abatement? And, will it require a referendum?** As you know, I have asked several times **and will ask again that the board move forward in putting a referendum to the public for additional projects that we may offered to us. As we sit right now, is there a difference in a refund versus an abatement? Are we boxed in because of that? Has somebody already jumped this hurdle by not following completely the State Statutes? Have they been successful in accomplishing an agreement of this nature?**

Minnis:

Let me answer the question this way. From a very technical point of view, to answer your specific question, the answer is Yes, there is a difference between a refund and an abatement. However, I will say that under FS 125.045, which is the statute that gives the authority to deal with tax issues, it does not authorize refunds for property taxes. It authorizes abatements or assessments for property taxes. The procedure for abatements and assessment reduction is under FS 196.1995. The only statute that I am aware of that allows for a refund, allows it for the Department of Revenue and the Tax Collector. But, you have to understand that refund is after they have taken the money in and they have based their budget and distribution on that and then they try and give it back. So, FS 125 does not authorize counties to do that, but it does authorize for doing abatements and assessment reduction. So, the Tax Collector knows what he is getting in when he gets it and then he can move forward with it. So, that is where I am coming from.

As I indicated, I talked to Mr. Gardner. He and I both are contacting other counties to see what they have done in this area. My understanding of the Law, as I have read it, is that the County is authorized for Abatements and Assessment reductions.

Morgan:

O.K. Thank you. And, I would just ask, Madam Chair, under my time, if there is anybody here who would like to provide additional comment that may have some input that would be helpful. Now is the time that might help us as we move forward. That will conclude my comments.

Thank you, Madam Chair.

Taylor:

(To Mr. Scrivener) Stay still.

Lamb:

Madam Chair, I am not going to take that much time. What I have to say and I want to be specific and again, I thank you for coming this morning. I glanced through your agreement. There is a lot of stuff in here. Our attorney has well stated some of the Statutes. I think that she is looking over it and she still needs more time to get back to us on some of this as well as our administrator. I am willing to wait until they get back with us. There are some things that they can just go forward on, but that is a decision that you all are going to have to make. You probably are going to want to bring it back to us. I don't think you will want to take that much responsibility on yourselves to do something of this nature, but you might want to bring it back to us – whatever you have, and let us decide as a board what to do. Don't get in too big a hurry. We are going to expedite this as quick as we can, but don't overdo it. Bring it back. Let us use common sense in doing what we are doing. It is better to do it right the first time than to make a mistake and have to come back. You might not have to come back once you sign a contract.

I am willing to just wait until we review all of this and she brings it back to us and we can make a decision that we need to make to go forward on this.

Holt:

Thank you. Thank you greatly for being here. I have been in favor of solar power. David can tell you that I have talked about it for years. I am interested who generated the contract.

Scrivener:

That was our attorney. (Inaudible)

Holt:

O.K. David, I can't throw a rock at you today. I am usually the one that asks the tough questions, so that is what I am about to do. 83% abatement for 20 years to be very excessive. The 20 years is too long and the 83% abatement for the county is excessive. We do have people in the county who do not have children in the school system and they are looking for benefits also. I am a school teacher. I worked under Mr. James and under the Board Member here, Mr. Hinson. But, I do think it is a bit excessive. I think, if I am not mistaken, Mr. Manager, the Water Management District, the school system and the county receive taxes from ad valorem taxes. Those three entities should give an abatement. They should be willing to give up part of their percentages for this project. The School Board, Water Management District and the County. So, if you are looking for 83% return, board members and for everyone here, it should be done by everyone. As I said before, it should be a community effort. I teach school and I believe that the school system needs help, but I do believe that it should be done by all three entities.

Madam Chairman, I think that should be part of what the attorney looks at for that. I think the 20 years is excessive. I need a bit more clarification on if we give the abatement and you are not going to go bankrupt like the company in the news the other day, that solar company, you are

not doing that, but I am using it as an example. If we give the abatement and you go bankrupt and you are gone, when does the property owner come back in and start paying ad valorem taxes. That needs to be looked at. You cannot say it is a blanket job and that is it. So, we would need to go back and start collecting taxes from somewhere in order to pave roads and fix stuff.

Scrivener:

May I make a comment on the property taxes?

Holt:

Sure.

Scrivener:

If you look in the U.S., there are about 40 of the states in the United States of America currently have at the state level and exemption for solar equipment under property taxes. California is 100% exemption. North Carolina is 80% exemption for both the school, county, everything – 80% reduction for lifetime on solar equipment. What happens in the utility market, when you charge the utility, which is what we are, we will be an independent properties, when you charge me property taxes, if I were a regulated utility, I would be charging my rate payers for those property taxes. So, I would be submitting a bill to the county for property taxes and then charging everybody I sell power to those property taxes. So, it is sort of a loop, so to speak. That is what happens now. That is what happens with regulated utility companies in the state of Florida. They build an asset. They pay property taxes to the local county. On your power bill, you will see a franchise fee. Well, that is the property taxes. You are paying them. The rate payers are the ones that use the power. So, adding additional taxes to emission free fuel, fuel free, renewable energy is counter productive.

In the State of Florida, Governor Crist passed 100% exemption in 2007 or 2008, but the Department of Revenue never implemented it because the State Legislature did not enforce it. So, it is still on the books today, but it is not enforceable. You can call the Department of Revenue and they will say, “Yes, it is exempt. There is a law in the State of Florida for 100% exemption for property taxes for solar.” So the offering of incremental dollars, which is the way that we view it – “Hey, I am going to take land that is generating zero dollars now and I am going to generate \$300,000 a year with it.” You had zero. Now you have \$300,000. Rather than looking at the piece of the pie we are trying to carve out to make it viable, economically viable, we sort of view it as a required prerequisite to being able to build the facility in the first place. Without the property tax incentive, I wouldn’t be able to sell the power to the power company at a market price. Then there would be no development.

Holt:

I don’t have a problem with what you are saying because I know there is charge anyway for any service. But, what I am saying is this – If it is to be offered by the State, I don’t see a problem with it being offered. I am just saying how the pie is cut up. If the School Board, Water Management and the County decide that you get 83% abatement, then it should come out of all three pots. I don’t have a problem with that, Commissioners. But, I do have a problem with someone trying to get their road paved when we are not getting anything, but the other two entities are. They are not going to call the School Board to get a road, they are going to call us.

We work for the citizens that don't have anyone in the school system. I am for the School System getting money, but I want to see that pie cut up equally and look to see if it can be done.

The megawatts – you are saying how much per megawatt?

Scrivener:
20 per farm.

Holt:
20 per farm and that is how much money?

Scrivener:
It is about a \$70 million investment.

Holt:
No, I am talking about how much we will have to pay for the permitting, the studies, that type of thing.

Scrivener:
We would pay all of those things. We are asking for consideration, I believe, in the form of a tax credit for those expenses.

Holt:
That is what I am saying. We will have to pay you back. That is what I am saying, Commissioners, if you are looking at permitting, you are talking about permitting for 20 areas and it is about how much per property?

Scrivener:
I think we asked to have the permitting fee capped at \$15,000 per farm.

Holt:
That is \$15,000 times 20 farms. If they are done in one year?

Scrivener:
\$10,000 is that the number?

Holt:
That is what I have. When you said \$15,000, I was getting really worried.

Scrivener:
It will take us about eight years, maybe 10 years to build, but, you are in the neighborhood. So, \$200,000 over 10 years.

Holt:
The studies. The county has to pay for the studies. How many studies are we talking about there?

Scrivener:

Once again, we are asking for simply consideration of our expenses in the form of a tax credit.

Holt:

All of these items, we need to look at and make sure. If you are saying one study per property, then it is o.k. But, if you are talking about several studies and if they are going to be \$1,000 each, we want to look more closely.

Scrivener:

On a single facility, a single 20 megawatt farm, we have about \$2 – 3 millions of development expense that we invest. Most of that is done in the local community where we are doing surveys, environmental studies, geo-technical testing, interconnection studies, permitting, - our business model is focused on being able to assemble many projects, not just one. So, when we look at the expenses associated with a single site development, we are looking for a partnership with the County willing to share some of those expenses with us given the long term benefit.

Holt:

We are coming back to this because from what I am hearing, the contract I mean. These are some very general questions. I am really stating them also for the attorney, not just me trying to put you on the spot. So, are all of these charges out of the 83%? Or are they additional?

Scrivener:

It would be in addition to the 83%.

Holt:

O.K. Come on, now. We are talking about 100% here. The county would almost foot the other 17%.

Scrivener:

No, it is actually – I think if you do the numbers, you will see that you are cash positive in year one. The county is cash positive in year one.

Holt:

To who?

Scrivener:

From us. If we are paying the county taxes and asking for a refund of a portion of those county taxes, paying the school taxes and paying the water or special district taxes, what we are asking for is help in leveling the playing field between these competitive markets.

Holt:

I want to help you. That is why I am asking. I am not saying that you need to answer that.

Scrivener:

I think that the numbers even at the farm basis are still heavily in favor of the county. I don't

think that at any time in our scenario is the county out a penny. I think it is a cash positive scenario from day one from us to the county.

Holt:

As I said, I am not debating that. I am debating where that 83% comes from.

So, that is not for you. That is for us.

Scrivener:

Understood. I will leave that at your feet. I can tell you what the numbers are and where we need to get in order to make it work. That is what I am looking at. When I looked at the overall scenario and we were faced with coming up with a strategy approaching the counties about how we go about requesting this. The idea of infusing capital into the school board is something that we felt strongly about. We believe in it and we wanted to pursue that as a way of partnering with the county. Let's make it about education, about the schools and focus on paying that burden completely. But, then we are asking the money to come out of the county pockets. If there is a difference in those, you guys will have to guide us.

Holt:

Thank you. That is where I am. I am concerned about the schools, too. But, I really am concerned about the county, too. We are county commissioners. Commissioners and Madam Attorney, I am very interested in seeing if this can be divided up to make sure that it comes out fairly among the three entities. Maybe Water Management District would like to know and see if there is anything there. They may want their money. They may not. Maybe they want to give some type of incentive for the companies. As far as Planning and Zoning issues, I think those issues have to come up, but we will see if we can fast track them, but I think they have to go through the process. We don't want problems later on. They are there for some reason.

I am looking at this 20 year abatement. I am just like, "20 years?" I know you have to make money and I know that we want this company here. I just think we have to hammer it out.

Commissioners, I think we need to look at this closely.

Taylor:

Thank you. I think we have heard from everyone and we are going to move on with this.

Obviously, as you said, you presented this to us. This will help the axles moving. We are going to entertain it and just ask the attorney how quickly she can get this back to us. Obviously, there are some issues in the contract that will not allow us to move as expeditiously as we would like. That is the referendum. That is the only thing that I can see that is sticking out like a sore thumb at this time. It is going to have to get on a ballot and so forth. That is what we are trying to not happen. I am sure, as she mentioned, you all now are looking at some other counties that might help us to avoid that particular situation.

With regards to the agreement, one issue that I saw was that you are going to put up the farms, but you didn't cap as to how many. You said 20 in your presentation, but your agreement does

not elude to 20. That concerns me. We don't want to see them all over because one thing this county has done is reserve our natural habitat. We would like for a good portion of that to stay in tact. So, something of a moratorium as to how many farms need to go in. At this point, let me say again, it will not stay on some bureaucrat's desk for 60 days. However, as Commissioner Lamb said, we need to move it along, but stay within our guidelines, rules and statutes.

We all know that if the education system does well, it brings in economic development. We all know that, so investing in our education should be paramount for all of us around this dioceses We all know that if our health system is strong, again, it brings in economic development. As well, our county structure brings in economic development.

I am going to ask that staff look at this along with our Property Appraiser. Again, I don't want to begin by telling you who to talk with because I don't have authority over other constitutional officers, but I am sure, Mr. Lawson, you know who all the players are on this that need to come together and have a round table so that we can get the nuts and bolts taken care here and that it stays on our desk no longer than it has to and that we move forward.

I want to keep that smile on your face. I want to keep the intensity in your heart. To Mr. Gardner, again, I want to appreciate you for working as hard as you have done and as well, your staff and the Chamber board for your enthusiasm and your sticking with this project, your dedication with absolutely no pay for them. But, I want to also thank the Board and the staff and National Solar.

These are just questions that the board is going to ask and you would rather hear them now. You would rather hear what the issues are now on Day 1 of the agreement being presented to us. It gives you a roadmap to follow and not a trap.

Scrivener:

I will say this, we, at National Solar Power are delighted to work with you guys. We will work with you on this agreement and the county attorney along with our attorneys from Orlando. I am sure we can carve out an agreement that is a win/win for everybody and meets everybody's needs.

Taylor:

Commissioner Morgan asked for something and I agree with him. He asked that we do a timeline. But, out of respect for the unknown at this time, we couldn't do a timeline right now and be fair and concrete on it because there are some things that are extenuating that we can't control. So, to give you a timeline now would certainly not be fair. But, I will say this, at our very next meeting, we will have a timeline for you as to what we can circumvent. The referendum – we will know that by then. AS to what other issues might be there in front of you and then, we may have to have a special meeting so that we can have just this particular item to discuss. One where the citizens can come in as well and we can sign off on this agreement and move you forward. I don't think we can get it at the next meeting because there are so many unknowns here, but we are certainly going to use this as our road map.

Again, thank you so much to all the stake holders. Thank you so much for coming this morning.

Let's go to work and get it done.

Let's move on.

Holt:
I am ready.

(applause)

Taylor:
I let you get away with it one time and I just broke the rule. We are not allowed to clap in the commission chambers.

Croley:
Madam Chair, I just wanted to ask a question of you.

When you said a "special meeting," would it be possible for you to consider a follow up to your comments about a special meeting?

As soon as they are ready, have a workshop on this so that we could talk about this item? That is just a request to you.

Taylor:
I have no problem with that. I think it is a great idea. A workshop/special meeting.

Croley:
Whatever you want to call it, but a workshop according to the ordinances.

Taylor:
Let's do it that way with a special meeting so we can go ahead on and entertain the agreement and vote on it. That is the reason I want to have the "slash." (workshop/special meeting)

Mr. Lawson,

Croley:
May I ask a question as a follow up?

If we have a workshop and you are saying a special meeting, I think you are going to have to have a public hearing on this. Of course, if it is appropriate to do a special meeting, that is fine, but all I am saying is it would help to expedite this thing if we could have the workshop as soon as they are ready and then – I don't know if you have to have a public hearing or not.

Lawson:
We will make that determination.

Taylor:

Again, I agree with Commissioner Morgan, Commissioner Lamb, I am ready to get out there and get the dirt turned. I am with them 190%.

Croley:

Well, we are all ready to that.

Taylor:

I am with Commissioner Holt; I am with Commissioner Croley; I am with my board.

What I was about to say is that Commissioner Holt and Commissioner Croley have very valid concerns and we need to address them and get it answered. We have two commissioners that are ready to get it going. So, if we could get those questions asked and get it going. That is why I want a workshop slash special meeting so we can do it all in the same night. Now, we will make amendments if need be and we will vote upon this agreement based on those amendments from the workshop. Sounds a little confusing now, but we will get staff and make sure that it is advertised and properly noticed.

Holt:

Madam Chairman, may I right quick?

Taylor:

Yes.

Holt:

I am trying to figure out what Commissioner Croley is saying. He makes a valid point. If you have a workshop and you make any decisions in that workshop, you have to advertise for a special meeting in order to take a vote in a special meeting.

Taylor:

Well, when you advertise, you are going to advertise that this particular agreement will be entertained and voted on. And that it will be a public meeting for discussion. So, whatever discussion that will be made and whatever amendments that will be made, will be heard by those who are interested and come in to give their opinion.

Holt:

If I may say this. Whatever the law says is what we should do.

Taylor:

There you go. That is exactly right. Alright. That being said, we are getting to ready move. Is that clear as mud, Mr. Lawson?

Lawson:

Yes.

Taylor:

Very good. Are you clear?

Straughn:

Yes.

Taylor:

Very good again. Our next meeting will depend on what we need from you (to attorney) and as well establish a time line.

Are you clear? (to Commissioner Morgan)

Morgan:

Yes, I am clear.

Taylor:

Everybody is clear.

3. ~~Bike/Pedestrian Plan Update~~

This item was deleted from the agenda.

3. DISCUSSION OF ECONOMIC DEVELOPMENT AGREEMENT WITH NATIONAL SOLAR

(This item was added to the agenda to replace the above item.)

CLERK OF COURTS' AGENDA

4. Presentation of County Finance and County Clerk Issues

Clerk Thomas had nothing to discuss.

CONSENT AGENDA

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

5. Approval of Minutes

August 2, 2011 Regular Meeting
August 16, 2011 Regular Meeting

6. Ratification of Approval to Pay County Bills

| | |
|----------------------------------|--------------------|
| Accounts Payable Vouchers dated: | September 16, 2011 |
| | September 23, 2011 |
| | September 30, 2011 |
| | October 7, 2011 |
| Payroll Vouchers Dated: | September 2, 2011 |
| | October 6, 2011 |

7. Approval of Workforce Plus Interlocal Agreement

The Board approved the establishment of a Jobs and Education Regional Board in 1996 along with Leon and Wakulla counties that would serve as the workforce Development board for the region. An Interlocal agreement was also approved at that time. The agreement describes the responsibilities of each County Commission.

The Workforce plus must adopt a one-year Workforce Services Plan which includes planned action to reach objectives and strategies. They also emphasize a plan to address the needs of the business community through the development of strategies that serve a good business climate.

The Workforce Services Plan was approved by the Gadsden County Commission on September 201, 2011. An updated inter-local agreement serves only to ensure the document is updated to coincide with the services plan.

8. Approval of Signatures for Special Assessment Liens and Rehabilitation Contracts – State Housing Initiative Partnership (SHIP) and Florida Home Opportunity (FHOP) Program

Mary Kelly, 1395 High Bridge Road, Quincy, FL
Walter Byrd, 22 MLK Blvd. Chattahoochee, FL 32324
Peggy Stokes, 424 9th St. Chattahoochee, FL 32324

CONSENT AGENDA ITEMS PULLED FOR DISCUSSION

No items were pulled from the consent agenda for discussion.

CITIZENS REQUESTING TO BE HEARD ON NON AGENDA ITEMS

Marion Laslie, 5 Dante Court, Quincy, FL

“We are still waiting for more data dealing with the Comprehensive Plan and Land Development Code and I guess the items that are in the agreement that you folks have been handed. I am wondering what the role of Planning and Zoning Commission in this whole process. I personally would like to see this presentation made to the Planning and Zoning Board, but slowed down quite a bit or with a handout. There was quite a lot of information presented. I would like it to appear as an agenda item on the Planning and Zoning Board so that the public can speak on the issue in that forum. I think we would get a lot of questions on the table and sort of find out what the concerns are. That is just a suggestion.

I am also fairly confident that any changes to the Land Development Code or the Comprehensive Plan have to go through the Planning and Zoning Board first. So, that is another forum where the public could be involved. I just want to make sure that those things happen.

There are quite a few questions that have not been even addressed and I am sure that these will

come up in time. What are the water needs of each of these sites? What is the life of a plant? One of my big concerns is the 2-mile limit is the eminent domain issue. I want to look at that real carefully because I know that people lose a lot of rights when eminent domain is invoked under the umbrella of a utility even though this is a “for profit” company.

The last thing I have is to ask is, “Is there a video of this meeting?” If so, where is it available? Is Mr. Southerland still making a copy and giving it to the Clerk? Is it in the Library anywhere?

Taylor:

These are very valid questions. Is that your last question?

Laslie:

Yes, we are just waiting on the ability to ask more questions.

Taylor:

Number 1, the process here is that we normally ask citizens to get with the interim administrator with their issues and concerns.

With regard to the video taping, I think the interim can give you directions as how to obtain one, if that is what you wanted.

The questions and your concerns are very valid. Again, as you sit here, you have observed that we will bring this back for a public hearing and for public questions. I think that at that time, you will be able to get a lot of your questions answered.

With regard to Planning and Zoning, again, that is an issue that I hope you will speak with the administrator on. He has authorization over that department. Giving this presentation and allowing Planning and Zoning to be able to listen to it or look at it is a discussion that I certainly hope you will have with him. But, that is a judgment call from him as well as the director.

All your questions are very valid. I will implore you to please speak with him before the week is out. To Mr. Lawson. See if we can get your concerns moved from that note pad to his note pad and then we can get some traction. I appreciate you coming and I certainly appreciate your patience.

Thank you.

GENERAL BUSINESS AGENDA

9. Approval of the Distribution of the 2% FRS Offset for the BOCC Employees

During the 2011 Florida Legislative Session, the Legislature revised the Florida Retirement System by having employees to contribute 3% to their retirement. Many local governments throughout Florida helped their employees by offsetting the required deduction by increasing the pay by 1 – 3%. During the budget process the BOCC approved sufficient funding to increase the pay of the

county commission employees only by 2%. Subsequent to the budget approval, more discussion ensued and it was proposed that the increase would only apply to those employees making less than \$40,000. Staff brought forward the data and analysis to the board at the last meeting as to how the increase would affect the budget at various percentage increments.

This agenda item was brought back to the board for a vote on how to proceed as to the proposed increases. The options listed are as follows:

1. Keep the 2% currently in the approved budget all eligible county employees.
2. Keep the 2% currently in the approved budget for all employees making \$40,000 and under (including eligible part timers) and authorize staff to advertise a public hearing and budget amendments deleting the 2% for all other employees.
3. Other board directions.

Staff recommended Option 1.

A MOTION WAS MADE BY COMMISSIONER HOLT TO APPROVE OPTION 1. COMMISSIONER LAMB SECONDED THE MOTION. THE BOARD VOTED 5 – 0 IN FAVOR OF THE MOTION.

10. Approval of Agreement with [Gadsden County Chamber of Commerce for Economic Development Services Fiscal Year 2011-2012](#)

This agenda item presented the board with an agreement for economic development services to be provided by the Gadsden County Chamber of Commerce during the year 2011-2012. This is an annual agreement that is submitted by the Chamber for the money that has been allocated by the board for economic development. The amount of the contract is \$60,760.00.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE AGREEMENT AS PROPOSED.

11. Discussion and Consideration for Approval Additional Economic Development Funding

This agenda item was presented at the request of Commissioner Morgan to provide additional funding for economic development. The Board approve \$60,760,000 in the 2011/2012 budget, which was a decrease of \$9,240.00.

Morgan:

Thank you, Mr. Administrator. I appreciate you letting me agenda this item for discussion and action here this morning. As we have seen from the discussions we have had prior that the importance and focus on economic development could lead to great things for our county. We currently have in our budget \$9,240 less than what we had budgeted for economic development for last year. What I am asking the board to do is to approve an additional \$9,240 for funding the economic development arm of the Chamber of Commerce so that we can keep our engine going, so to speak, as we continue to move forward and look for growth that makes sense to our county where we can keep bringing jobs for our folks here in Gadsden County and the surrounding

counties.

Secondly and within that request we now, as you all know, have a very active and successful small business development center that operates out of the Chamber as well in conjunction with our economic development group. What they have been very successful in doing is having a very positive impact on small business owners and those wishing to understand how to be successful and move forward to open a small business in our county. We heard during our budget discussions from individuals throughout our county as well as the young lady that actually taught the class to the students and those who currently work in the small business development center. What I am requesting is an amount to fund this for the upcoming year of \$25,000, which is a very reasonable budget. What that would do is bring the total request to \$34,240.00. So the public can understand, I appreciate these screens being up here. What we are asking is to fund the economic development at the same level as we did in the prior year so we can keep this moving forward. That would require an additional \$9,240.00. In addition to that \$25,000.00 to be used by our small business development center to continue the educational and other benefits that the other folks in our county will receive. That will bring the total request to \$34, 240.00.

Now, that will have that fiscal impact on this year's budget. Staff is coming to us to get our approval on whether or not we want to use money to fund this or whether or not we see that as a top priority for those without a job in our county as compared to the other items that we looked upon. So, according to the recommendation that I am seeing put together by the administrator, is to move these funds from our "reserve for contingency" or if there is a better request, we can certainly move it from there. That is my request. I hope that I can get some support from the board. I will leave it at that.

Thank you, Madam Chair and Mr. Administrator for putting this on the agenda.

Lamb:

Madam Chairman, does he want to put this together or does he want to separate it?

Morgan:

Yes, I am asking for it to be put in the same motion that we fund, and I know there will be further discussion, but at the appropriate time, I would like to put forth a motion. Thank you.

Taylor:

What I did a moment ago, I asked the attorney to give an opinion as to whether or not you can approve this particular item now pending an amendment to the budget. I will lend to her to give her interpretation at this time.

Minnis:

Basically at this point in time, as I indicated at a prior meeting, in order to change these amounts, there would have to be a budget amendment, which would require a public hearing. So, at this point in time, my belief is that you can instruct staff to bring back a budget amendment, but you cannot amend the budget with your vote today.

Taylor:

With that being said, this is open for discussion so that we can give staff directions as to whether or not we are going to do this. I think that they should be separate issues; whether you want to bring them to \$75,000 and do we want to give them the additional \$25,000 for the entrepreneurship program that they have implemented. I think that would bring them to the full \$100,000 that they were looking for initially.

Staff did indicate that there are some other unfunded items that we need to look at for this upcoming year which is going to have to come out of that contingency. So, we will open this up at this time for discussion. We live in a democracy and we will see however the board goes.

I will start with the commissioner to my far left, Commissioner Holt.

Holt:

Madam Chairman, I think this needs to be revisited and we really need to look at this. We have already budgeted it. I think there are questions about the Solar Farms because when the Chamber was making these negotiations, the board itself needs to be included in some of those meetings. I am not talking about "if you wanted to come." We should have been there and it would have cleared up a lot of our questions. I am sure that I would never have agreed to those large numbers going to the school system when we have other needs in the county. What I am saying is when I look at productivity, that is what I want to see; the inclusion. Not whether you are doing a good job. You are doing a good job if everybody knows what you are doing. We just need to know what the plan is. Where is the plan? Like I said, I am willing to give them the money for production. This is no offense to anyone, but when C.W. Roberts was leaving, I needed to know from the Chamber, "What do you think about that?" If we are losing jobs on that end and picking them up on this one, they should be telling us something. What are you saying on these things? So, I am looking for that. I am not opposed to funding them. Maybe they need more money. But, where is the plan? How do you weigh in on issues when they are heavy weight issues? I need to see that before I can really say, "Give them the money."

Another thing is the budget process. How do we go back to those other groups and say that we are either going to fund you or not fund you. And don't start saying that you will do it on an individual basis. We always say that when we want to fund somebody and we don't want to fund somebody else. Don't start that. Let's have a consistent program. Now, those other groups are going to come back and ask for money and what are we going to say? What is the plan? If there is a business leaving, we need to know about it and see what we can do to keep them. If we have one that wants to come and it may not be Solar, it may be someone that we don't even like, but we may never hear that that company was trying to come here.

The training for small businesses – that is fine. I don't have a problem with funding it. I just need to see the plan. That is what I need to see. Like I said, when it comes to contracts and the contract shows up a week before, we need some input on that from the hammering out stage. That is where I am with it.

Thank you, ma'am.

Lamb:

Madam Chairman, I have already asked the question that I was concerned about – will we do them separate or are we going to vote on them together. I think Mr. Morgan is the one that presented it to us and he said he would like to do it together. Unless you ask for a vote, I don't have any other comments on it.

Morgan:

In response to some of the remarks, this is simply about prioritizing your money. Yes, there are going to be others that come that may want funding. It is just a matter taking the responsibility of saying, "We choose this as a top priority and we say yes to it. Other things we will have to say no for right now and hope that we can say yes later." It is not an all or nothing that you have to "yes" to everything or "no" to everything. It is just a matter of identifying and focusing on your priorities.

Now, I do want to make one quick comment. When it comes to discussions that the economic development arm of the Chamber is having these private companies or any other entities – that has to go through stages. All of that information does not come to the Board of County Commissioners at once and there are reasons that it has to go through those certain steps. It is done so that it is done in the correct manner. That is what is important to keep in mind. But, if there is no further discussion, I would just -

Holt:

I do have another question.

Taylor:

We need to go around the board.

Morgan:

I am sorry, I thought we did.

Croley:

My question was how much money is in the reserve for contingency? Mr. Lawson, do you have that information?

Lawson:

At this point \$202,000.

Croley:

And that is in the budget that has already been approved?

Lawson:

Yes, sir.

Croley:

Well, on that basis. Here is the thing. The Chamber is the economic arm. We've got to support economic development if you want to have any opportunities of getting jobs. The other thing is that the Small Business Development Center. Here is the deal with it. As they say, "You can give

people fish or you can teach them to fish.” As far as I am concerned, anything that is providing an education to help these people operate a business and step forward and put people to work is a good thing.

Yeah, there are always other groups asking for money, but this is really an investment in the job and employment market. AS long as we can afford it, I am for doing it.

Commissioner Morgan, whenever you get ready to make your motion, you will have my support.

Thank you.

Holt:

Madam Chairman, I would like to ask the manager a question.

What are some of the other items that may need to come to be funded that may have to be funded out of the reserve for contingency.

Lawson:

Commissioner, we put money each year into reserve for contingency because we don't know what type of items may come up. That is the purpose of putting it there so the items we haven't funded that come up. We usually look at the reserve for contingency before we look at trying to find the money anywhere else.

Taylor:

I will share one with you. Mr. Administrator, help me here. One was the transportation that is being used by Gadsden Express. That was not a budgeted item. That is something that we indicated that we wanted to take a look at. It is also an economic development tool because it gets people to and from work and school and medical attention. That is one item to the tune of \$50,000 and \$80,000.

Lawson:

Madam Chair, we have learned that we are fully funded with our current transportation system through February of 2013. However, in order to alleviate some of the congestion on the bus, we are looking at adding an additional van during the peak periods, which will bring that funding down by a month or two. But, we will need to identify funding for next year in the next budget.

Taylor:

The congestion as well as additional routes. We are going to need additional funding for it as well. I know that each commissioner would like to have an extended route to their district; stops in Gretna, Chattahoochee, and Havana so that we can get people moving.

Holt:

Madam Chair, I was not finished.

Taylor:

I am sorry.

Holt:

Thank you. I am glad you brought Gadsden Express up because that is one of the items that I had jotted down the last time; I didn't this time. That bus is running full and overcrowded when it leaves Winn-Dixie. The problem comes when you go to pick up at the hospital and Midway. If they are already standing up at 8:00 o'clock here (I know because I have been dropping someone off up there every morning.) and the problem becomes where the other people will sit. So far they have been sitting on the floor or standing in the aisle while the bus driver is trying to drive. So, if you are looking at running another van, Mr. Lawson, you need to purchase that out of this funding – is that what you are saying?

Lawson:

No, Ma'am. Big Bend Transit runs the service for us as you know. We are waiting on Mr. Walters to get back with us and tell us what the additional cost will be. They've got extra vehicles; we wouldn't have to purchase a van at this point in time. But, then there is the cost of the transportation and that is what we are waiting for him to get back with us.

Holt:

Thank you. On the other items that were brought up, I do understand economic development quite well. I have dealt with it since 1999 with this board, this County Commission, so I don't have a problem with that. I do have a problem with not being included on items. Now, to give you a great example and I am going back to the development in Marianna. The same scenario was brought. Well, you have to have all these things signed, so we signed forms and did everything, or at least they did everything, we didn't do anything. They got all the development and the reason they got it - I got in my little pickup truck and I drove over there. I found that the School Board, the County Commission, the City Commission, the NAACP and the Chamber were all in the same room. They were going over and trying to get the Dollar General parent company. They had a big sign over US 90 that said, "Project Raven, We are Waiting on You." We were back here and everything was so secretive. Of course it was a secret to us, but over there they had a big banner across US 90. It couldn't have been a secret because you have to get a permit from DOT two weeks ahead of time in order to put the banner up. We missed that project because we were told by our Chamber that we were not "camera-ready."

My example is to say to you that unless you include the board in economic development plan, we are going to continue to miss projects because you are depending on one group whereas Marianna was getting together and depending on a lot of folks. They are better informed. I asked one of the city commissioners there, "How did ya'll get to this point? All of us are in separate rooms and separate buildings." He told me, "You have to have some expensive funerals and good elections. They either have to die off or you have to vote them out."

So, we are not looking at the process. We are looking at just funding. If it is a good process, I am willing to fund it. That is all that I am saying. I am saying as I said before, I am using C.W. Roberts Company as an example. Our economic development people should have weighed in on that one way or the other. Are we going to lose 100 jobs or are we going to lose 50 jobs? Are we going to lose 200 jobs? How does it affect our economy? You save economic development, yet no one weighed in on that.

I am going to support this and if it needs to be brought back I am going to bring it back. I want to see some accountability and I want to see it laid out. That is all I am asking for. I want that from the Chamber and also, Madam Chair, I think it ought to be voted on as two separate items. The reason I am saying that is because if the Small Business Development Center is separate to the Chamber, it should be funded separately. If the Chamber gets an increase, then it should be funded separately because you are talking about two separate entities.

Thank you.

Lamb:

Question, Madam Chairman, just quickly cause I've got somewhere to go.

I believe we have, and Mr. Lawson can verify this, I think we have more than one truck or one van that is taking citizens over to Tallahassee – the Gadsden Express. I think we've got two or three of them.

Lawson:

The Gadsden Express is the one that makes one route, but Big Bend Transit has several vehicles that go to Leon County in addition to the Gadsden Express Bus.

Lamb:

My concern is that Mr. Waters needs to come up with a procedure that we can let the citizens know that this is his procedure that he has come up with. Standing up or sitting down – there is nothing we can do about that. He can let just so many on and then they will have to wait until the next one comes by. All can't get on one bus.

Taylor:

That is not exactly how it happens.

Big Bend will pick up from the door to take citizens to certain designation, but it has to be kind of (inaudible) in order to ride.

The bus that we are talking about is that anybody that gets on with a \$2.00 fare can ride. That is the only bus that does that. But, Big Bend will take on doctor visits and special needs visits. That is the bus that runs. But, the one that we are talking about that needs additional funding – I do sit on that Transportation Board. We are going to need additional funding in April of the year coming. WE are going to need that because I have the discussion. As a matter of fact, a letter is being drafted as we speak to be sent to the City of Quincy and to the County letting them know that additional funds will be requested. This is something that I know for a fact. It is on its way.

Lamb:

The last question I have - This Small Business Development – Who oversees that?

Morgan:

Those two people in front there.

Lamb:

Who oversees them? Who do they answer to:

Taylor:

David Gardner.

Lamb:

Mr. Gardner, would you come to the microphone. This is a question that I need answered before I vote on this.

So, you see over the Small Business Development?

Gardner:

Yes.

Lamb:

Is it worth it? Is it working as far as you are concerned?

Gardner:

We have been overwhelmed with the success of this program. We are getting calls, walk-ins, and the support that Mike and Pam give is unprecedented in this county. From entrepreneurship to Specific small business questions and guidance about how to develop a business plan, there is a tremendous demand in this county.

Lamb:

In the future, if this passes, can the board be given some type of information and updates on what they are doing?

Gardner:

Absolutely. We will do it quarterly along with our economic development report, which we will also be doing orally as well as written.

Lamb:

Thank you.

Croley:

Madam Chair, again, I move the question.

Taylor:

Excuse me sir, we do have just like you have had an opportunity for discussion. When you finish you questions, they were answered and everyone else has that same right. When a question is called we need to respect each other moving forward.

Lamb:

That is it for me.

Taylor:

Thank you very much.

Now, I didn't have a chance to make a comment and I am going to say this and I am going to be done with it and we will call the question.

I certainly am not in favor of amending this budget. I would like to entertain them separately as presented by another commissioner, however it is agendaed with both items on it. Commissioner Morgan has indicated that he wanted to see them both entertained. WE went through painstaking time entertaining this budget and we need to adhere to it as best as possible. We can come back in 3 – 6 months later to look at doing some additional funding. Obviously, the Chamber cannot spend all of this money right now. According to this agreement that we just voted on stated that they would pull their money down quarterly. So, all the dollars that they are needing, they don't need all of the \$100,000 today. They can certainly get underway and get started.

What is the cost of the entrepreneurship program? Here is what happens. We get them to the program and they get all the training, but at the time they start using what they have learned, there are no dollars in place to fund them. That is where we drop off. You've equipped them with a vast amount of knowledge, but you are not funding them so that they can take their concepts to the next level. That is what I was looking to hear. I was waiting to hear about some funding process. I know that when I went to the graduation, that was a concern that was laid out by some of the graduates. So, I am not really in favor of doing it right now. I don't think I am going to give it my support to it of either of the two simply because we agreed to come back in 3 – 6 months and look at it and work our way through this budget, get some projects under tow. We might even have more money to help some of these people to launch their projects. If you would give this budget a chance to process itself, there might be even more money to help that gentleman who wants to do lawn service or that lady who wants to do catering or that other family that wants to do an inhouse program. There might be some opportunities.

Now this particular program was funded by Rural Development before and that is how it got off the ground. It was not funded by this board. It came through rural development dollars. You are being a bit premature here in setting out these dollars and not giving our budget a chance to work. We are already adding and changing it and this is not good. This is not how you want to do your business. Set a plan, stick with it and move forward with that plan for 3 – 6 months, come back, look at it, make some adjustments if need be then continue on down the road. Remember that I said that yesterday. It is not good to bother this budget at this time.

I call for questions to approve this item.

Morgan:

I would move that the board would agenda an item at our next public hearing to amend the 2011/2012 budget to include an additional \$9,240 for funding in the economic development arm of the Chamber of Commerce and then a separate budget amendment to approve the \$25,000 to fund the Small Business Development Center.

Lamb:
Second.

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

Holt:
When is this to be brought back? When is the draw down on those accounts?

Taylor:
Quarterly.

Holt:
Is it possible to vote to approve and then rescind?

Taylor:
You can always come back, but you would need a majority to rescind. We will ask that of the parliamentarian.

Holt:
The reason I was asking is because I had not thought about the draw down being quarterly. But, I am expecting some literature and I am not just saying, "Report on what you have done." I need some information about what is going on so we can help and get out there and do some things to help.

Taylor:
There is a motion and a second to approve having this brought back for a public hearing and a budget amendment, I assume at the next meeting.

Lawson:
We've got to have time to advertise.

Taylor:
There is a motion and a second for it to be brought back at the appropriate public hearing meeting. All in favor of this motion, let it be known by saying, "Aye."

Holt: Aye.
Lamb: Aye.
Morgan: Aye.
Croley: Aye.

Taylor:
Opposed?

Taylor: Aye.

The motion carries 4 – 1.

12. Approval of Revised Hours for the William A. “Bill” McGill Library

In 2006, the Board increased the library operating hours at the Bill McGill Library from 56 hours per week to 68 at the additional cost of \$57,686. The operating expenses are paid from the State Aid grant, which has declined considerably and is now 37% less than when the Library opened. It was noted that grant fell \$125,000 short of covering the operational cost in 2010/2011. The budget for 2011/2012 was based on a reduction of hours at the main library in the effort to make certain that the grant revenue was sufficient for operations. Reduction of 12 operating hours at the main library will serve to keep the Library System within its approved budget.

Two proposals were presented for the reduction. Dr. Carolyn Poole, Library Director, and Interim County Administrator Arthur Lawson recommended Proposal A: Close the library one hour earlier on weekday nights; open earlier on Wednesdays; close three hours earlier on Friday and Saturday nights; and close on Sunday afternoon.

Public Input: Ms. Emily Rowan, 1200 Little Sycamore Road in Sycamore. As a member of the Library Commission, she reported that extensive investigation went into the recommendation of Proposal A. She requested that the board approve Proposal A.

There was some discussion about whether the library should close on Sunday afternoon since the statistics show that it is actually used more on Sunday afternoon than on either of the week-end nights. There was also discussion about performing surveys to determine how the public would react to closing on Sunday. If the survey results confirm a need to be open on Sunday, the matter could be revisited.

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO REDUCE THE OPERATION OF THE WILLIAM A. MCGILL LIBRARY AS STATED IN PROPOSAL A ABOVE.

Mr. Lawson reported that they would advertise the new hours in the newspaper and post signage at the library with appropriate information. He also told them that the proposed hours are reflected in the approved budget and it would be necessary to budget additional money if the board should determine that the matter warranted extending the hours.

13. Discussion of RFP Number 11-1 for Roadside Mowing

Public Works Director Charles Chapman reported that when the bid committee met to consider the bids received, they realized that a significant error was made in the pricing. He recommended that the board reject the bids and authorize staff to rebid the roadside mowing. Commissioner Croley noted that the public works equipment is wearing out and this privatization

possibility arose out of the concern that the equipment needs were greater than the funding available for those purchases. He said, "This is not to replace people. It is to avoid having to replace all those tractors and mowers."

Chair Taylor suggested that perhaps they could negotiate with multiple vendors and spread them out in the districts.

Commissioner Holt asked the administrator if it would be possible to recruit local people to give those jobs to.

Mr. Lawson replied, "You could add a local preference to your procurement policy, but we don't have one currently. The only other thing is (especially for something like this) if you put a local preference, it could cause the county's cost to be higher because they would have to go out and purchase the necessary equipment."

Commissioner Croley replied, "I have learned from the State DOT is the fact that most of the contractors would be local, you would be getting some local folks here that would have an opportunity for employment if this thing were to move forward under their bid procedure." I thing that would cure what you are suggesting. "

Commissioner Holt reiterated that she would like for it to become a part of the local procurement policy as a part of the routine process.

Commissioner Morgan asked, "When we are looking at these RFPs, how are we ensuring a level of service for the tax payers since we are the ones funding it? Is this (level of service) going to be secondary criteria to who is actually doing the work or is the standard of service going to be prioritize before whether or not it is a local firm? How would you see the standard of service we are receiving now changing, if at all?"

Mr. Chapman answered saying, "There are about five answers to that minor stem. When we are looking at this from our approach, our primary concern is that we have five rounds of mowing per year. One round will give up about six weeks. There is no way that we can get ahead of the weather and ahead of the grass with the current situation with four mowers, four batwing decks and one maintenance worker truck. It is logistically impossible for us to stay ahead. Understand?

So, when we are approaching this RFP, the idea is now when we go back and refine it is to put in what we would like to see as an acceptable level of service based on conversations that I intend with DOT district 3 here in Midway as well as Chipley. What would be reasonable? They have engineers coming out their ears. They have the experience and they have been doing this a lot longer than we have. They are a good source of knowledge.

In answer to you question, we are going to be looking at standard of service. To insure that the standard of service is met, there is always a performance bond and a cancellation for convenience clause and a breach incurred clause in any contract that would perform for this kind of work.

Anybody that wins this RFP moving forward will have to legally adhere to the acceptable standards, bond themselves, know that we have a breach incurred policy and understand that at any point in time, Gadsden County can be unhappy with their service and we could cut our loss with a reasonable notice.

Morgan:

Would the term of the RFP – would it be 1 year, 3 years, 5 years?

Chapman:

We would address not address that at the RFP level. We would probably address it when we get into contractual negotiations with the selected vendor. It would be at the discretion of the Board. This board has had a history of liking to go in one year terms. It is very rare that we move beyond a one year term unless it is a long standing and long term provider that we have really good relationship with.

Morgan:

Back to the level of service. How are you going to insure the standard of service? Do you see that improving, remaining the same, not as good?

Chapman:

We are kind of flying into a dark room. I can't insure what we are going to see from the contractor because we have never done this before.

Morgan:

Based on the comments that you made earlier, the fact that you don't have enough funding or resources to provide the level of service that you would like to see. I don't want to put words in your mouth, but I believe that is what you were eluding to. Would you agree that we may, in fact, have to invest a some additional funds in order to make sure that we are providing a good and quality service to the public? Again, going back to prioritizing and also the comments that Commissioner Croley made that I completely agree with – shifting the cost from equipment -

Chapman:

I think I see where you are headed - Shifting from the actual in house expenses versus paying out to a private vendor. I think you may see an increase. The potential is there. I am not going to say that you will or you will not. I will say there is a potential there that you will see an increase in annual cost, but understand that you may be getting a greater frequency and be getting a better benefit for the expense. We will not know that until we get the responses back after we refine this bid package to really drill it down. We are going to be dealing with folks on the outside like HB Hirt and JSM Services that do this for a living with FDOT all across the state. They are well equipped to do it. Whether they are interested in us or not, we don't know. I have not received a bid from them. We will just have to figure that out. I do know that currently in the county, they run about 150 miles of eight arterial roadways and they are very uniform and they get it done in about a 30 day cycle. They are cutting two weeks off of what we are performing currently.

Taylor:

Alright, let's move this one along.

A MOTION WAS MADE BY COMMISSIONER CROLEY TO APPROVE THE RECOMMENDATION TO REJECT THE BIDS; REFINE THE BID DOCUMENTS AND READVERTISE THE RFP FOR ROADSIDE MOWING. COMMISSIONER LAMB SECONDED THE MOTION. THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE MOTION.

14. Adoption of 2012 Legislative Program

The attached legislative platform serves as a guide to provide direction and goals for a successful 2012 Florida Legislative Session. It was constructed from previous platforms as well as a review and inclusion of the Small County Coalition 2012 Legislative Program.

Mr. Lawson reported that the Legislative Delegation has scheduled a public hearing for the county. In view of the fact that the Legislature will convene in January this year, the document should be provided to them as quickly as possible.

Commissioner read a portion of the Preface into the record, "The issues and comments reflected in the 2012 Legislative Program for Gadsden County are intended to protect, promote and benefit programs and areas of funding that are important to providing services to the citizens of Gadsden County. "

Commissioner Croley stated, "I am not very sure that this legislative program is going to track very well with the governor's office nor with the Florida Legislature majority. It is at odds in many different areas with what I know having heard the Governor's sixth legislative priorities presented last week. I don't think this is going to fly very well, but please move it forward."

UPON MOTION BY COMMISSIONER LAMB AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0 TO APPROVE AND ADOPT THE PROPOSED 2012 LEGISLATIVE PRIORITIES.

15. Approval to Pay Preble Rish Engineering for Services Rendered in the Design of Attapulgus Creek Bridge and Swamp Creek Bridge

In response to questions by Chair Taylor, Mr. Chapman stated that he had been unable to determine who authorized the work to be done, but it was done during a frenzy to get projects shovel ready and in a position to compete for federal stimulus grants. Under ordinary circumstances, the discussion for such a project would begin at the staff level, but before any work could be done, there must be a task order approved by the Board of County Commissioners.

Commissioner Lamb supported paying these bills because the work was done and in the end the design work benefits the county. However, he was quick to say that he would not approve another one that has not been done by the procurement policy.

Commissioner Holt contended that the board still needs to find out what happened and why it happened. She was in favor of paying Preble Rish, but she asked to continue the in-house

inquiries to determine how these bills came about.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE OPTION 1 AS RECOMMENDED BY STAFF TO WIT: APPROVE PAYMENT OF INVOICE 79835 AND 79834 TOTALING \$91,497.00.

16. Approval of Local Agency Program (LAP) Agreement for the Town of Havana – Landscaping and Scenic Beautification Project FPN: 428098-1-38-01

The Town of Havana embarked on an initiative to apply for funds to design and landscape SR 63 (US 27) and 12th Ave. Gadsden County is the only LAP certified agency in the County and as such is the executor of the grant agreement. Florida Department of Transportation has funded the project. The grant amount is \$11,396.00. Gadsden County has been asked to enter into a Joint Participation Agreement with FDIT to release the federal funds for the project. No Gadsden County funds will be expended.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE LAP AGREEMENT WITH DOT FOR THE TOWN OF HAVANA FOR THEIR BEAUTIFICATION PROJECT.

17. Approval of Proposed Distribution of Indigent Tax Funds from 2008/2009

The indigent sales tax referendum passed in Gadsden County in 2008 to assist with reopening the hospital and providing indigent care for the citizens of the County. After all required hospital monetary obligations were met, Clerk Thomas indicated that there was approximately \$400,000.00 left from the 2008-09 sales tax collection. About \$127,000 has been disbursed leaving a balance of \$273,324.57.

The Gadsden County Health Council made a request for 200,000 to purchase a medical mobile unit. Gadsden Hospital Inc. requested the money be left in the bank to use to renovate additional space at the hospital when warranted.

None of the funds were allocated for a specific purpose and staff requested direction from the board.

Mr. Howard McKinnon, Chair of the Gadsden County Health Council, made a plea to the board for the mobile unit. He asked the board to give them more time to work with GHI and come back with a better plan.

Mr. Craig McMillan, Chair of the Gadsden Hospital Inc., addressed the board. He pointed out that the hospital has been open for 15 months and the economy is not good and no one is presently looking to expand the services at the hospital. However, the time will come when they will look at expansion possibilities again. He asked the commission to hold on to the money in anticipation of a need that will surely come.

Commissioner Croley supported letting the two entities work it out between themselves.

Commissioner Lamb agreed, but did not want to spend the money now until a greater need arises.

Commissioner Holt suggested that they look at building satellite units in the rural community instead of a mobile unit.

Mr. McMillan reminded them of how the funds can be used and that it must be approved by the legal counsel.

There was a consensus that GHI and the Health Council should have some collaboration and come back to the board at a later time with a plan.

18. Renewal of Contract for State Lobbying Services

The BOCC retained the firm of Christian B. Doolin and Associated for the past five years to assist in developing and implementing a state legislative effort to enhance state-level funding and services to Gadsden County. The previous contract for State Lobbying Services expired on 09/30/2011. During the 2009/2010, staff rebid for the lobbying services and ultimately recommended the bid be awarded to Mr. Doolin again.

The BOCC approved \$10,000 in the current budget for lobbying services.

Mr. Lawson asked the board for direction without making a recommendation.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 3 – 2 TO APPROVE RENEWING THE CONTRACT FOR \$10,000. COMMISSIONER CROLEY AND COMMISSIONER TAYLOR OPPOSED.

19. Approval to Renew the Contract with Southerland Enterprises, Inc. for Video Recording Services of the County Commission Meetings

Mr. James Southerland originally agreed to provide the video recording and broadcasting services for \$600.00 per meeting. That contract expired on 09/30/2011, but there is an option to renew it for an addition year. Since that time, Mr. Southerland has agreed to a reduced rate of \$500.00 per meeting for the 2011/2012 year. The fiscal impact will be the \$11,500 per year.

While Commissioner Lamb was in favor of continuing the contract with Mr. Southerland, he said he was going to watch very closely how the board uses the video services. He suggested that some commissioners tend to prolong the meetings because of the presence of the cameras. He encouraged them to be direct and speak clearly to the issues and not prolong their input because the meeting was being televised. He commended the product that Mr. Southerland provides.

Commissioner Morgan agreed with Commissioner Lamb in that Mr. Southerland does a very good job, but reminded them that a recording is available on the Clerk's website at no cost. He could

not support the expenditure or the contract.

Commissioner Croley noted that the broadcast is not shown countywide and is only available for some people. He could not support it.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 3-2 BY VOICE VOTE , TO APPROVE RENEWING THE CONTRACT WITH SOUTHERLAND ENTERPRISES FOR \$500 PER MEETING. COMMISSIONERS CROLEY AND MORGAN OPPOSED.

20. Request Board Approval to Use the Commodity Building as a Cold Weather Shelter

This agenda item sought the board's approval to use the Commodity Building as a temporary cold weather shelter for homeless individual, elderly and low income person in the event temperatures drop below freezing. A community group made up of churches has preliminarily worked out a system to provide the services needed to run a temporary shelter in the event of cold weather. The only fiscal impact to the county would be the utilities.

The building is leased to Gadsden Men of Action until January 2011 and staff notified them of the expiration of the lease. As of this date, nothing has been received from them about exercising the renewal clause in the contract.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0, BY VOICE VOTE, TO APPROVE THE USE OF THE COMMODITY BUILDING AS A COLD WEATHER SHELTER.

Commissioner Croley suggested that the county consider selling the building to a non-profit group.

COUNTY ADMINISTRATOR'S AGENDA

21. Update of Board Requests

The administrator had no report.

COUNTY ATTORNEY'S AGENDA

22. Update on Various Legal Issues

Ms. Minnis had nothing to report.

DISCUSSION ITEMS BY COMMISSIONERS

23a. Commissioner Lamb, District 1

Commissioner Lamb had no report.

23b. Commissioner Croley, District 2

Commissioner Croley reported that he met with Mr. Reed at CRTPA on October 7 with the Florida Secretary of Transportation and Secretary Barfield from the District.

- He said he got a firm commitment and a hand shake from him that the Quincy By-Pass was being funded. They are expecting to let the work in July of 2012.
- There are safety enhancements that affect Gadsden County – Shady Rest Road and Salem Road due to the number of fatalities that have occurred on them.
- He will attend a district workshop for the four counties
- He gave the five year work plan for Gadsden County to Mr. Lawson and asked that he file it with the clerk when finished.

23c. Commissioner Holt, District 4

Commissioner Holt reported the following:

- Local preferences in the procurement policy

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER LAMB, THE BOARD VOTED 5 – 0 TO AGENDA AN AMENDMENT TO THE PROCUREMENT POLICY TO GIVE LOCAL PREFERENCES TO RFPS AND ALL BID AWARDS, CONTRACTS, ETC WHEN THEY MEET THE SPECIFICATIONS.

- Issue dealing with Preble Rish – Find out what happened and how to correct it.

A MOTION WAS MADE BY COMMISSIONER HOLT AND SECONDED BY COMMISSIONER MORGAN TO HAVE THE STAFF LOOK INTO THE ISSUES SURROUNDING THE UNAUTHORIZED BRIDGE DESIGN WORK THAT WAS PERFORMED BY PREBLE RISH AND REPORT THE FINDINGS TO THE BOARD.

DISCUSSION FOLLOWED.

THE BOARD VOTED 5 – 0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

- EMS investigation of allegations

She suggested that the director of EMS be removed until the investigation ongoing at the EMS department has concluded. Such a move would remove any possibility of partiality. It would just be good housekeeping.

24d. Commissioner Morgan, Vice-Chair, District 3

- He referenced the wording in the Legislative Priorities Page 3 of 14 .

A MOTION WAS MADE BY COMMISSIONER MORGAN TO AGENDA AN ITEM TO INCREASE THE LOBBYING SERVICES BUDGET BY \$15,000 BRINGING THE TOTAL FUNDING TO \$25,000.

The motion died for lack of a second.

Commissioner Taylor, Chair, District 5

Chair Taylor had no report.

RECEIPT AND FILE AGENDA

- 24a. Letter from the Florida Department of Health Regarding Emergency medical Services Grant Award**
- 24b. Letter from Senator Montford Congratulating Gadsden County Board of County Commissioners' Leadership Regarding Solar Farm**
- 24c. Letter from the Department of Community Affairs Regarding Florida Disaster Recovery CDBG On-Site Monitoring on August 9, 2011**

November Meetings

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

ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, CHAIR TAYLOR DECLARED THE MEETING
ADJOURNED AT 12:05 P.M.

Sherrie Taylor, Chair

ATTEST:

Muriel Straughn, Deputy Clerk