BOARD OF COUNTY COMMISISONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
JUNE 14, 2005
DRAFT

The Board of County Commissioners of Leon County, Florida, met in regular session at 3:45 p.m. with Chairman Thaell presiding. Present were Commissioners DePuy, Grippa, Proctor, Rackleff, Sauls, and Winchester. Also present were County Attorney Herb Thiele, County Administrator Parwez Alam, Deputy Clerk Bill Bogan, and Secretary Jennifer Meale.

Invocation was provided by Rev. Foutz. It was followed by the Pledge of Allegiance to the Flag led by Commissioner Grippa.

Awards and Presentations

- Commissioner Proctor presented a Resolution to Carmen Johnson, Valedictorian of Godby High School's 2005 graduating class, recognizing her achievements and 4.64 GPA. He stated that Ms. Johnson served as Godby's Senior Class President, Vice President of the National Honor Society, a member of the National Spanish Honor Society, Co-Chair of the School District Advisory Council, and she is a National Achievement Commended Scholar. She will attend the University of Miami on a full academic scholarship, the Ronald A. Hammond Golden Drum Scholarship, where she intends to major in Microbiology.

- Ms. Julie Lovelace, President of the Friends of the Library, and Ms. Rhonda Schaeffer, on behalf of the Friends of the Library, presented a check for $150,000 to the County, which was accepted by the County Administrator. The funds will be used to purchase a new Bookmobile. The Friends of the Library has donated $1 million to the Leon County Public Library System.

- Mr. Billy Holder outlined the proposed plans for Celebrate America 2005. Sponsors of the July 4th event include Triangle Sales, United Healthcare, City of Tallahassee Utilities, Bank of America, and Anheiser-Busch.

Consent

Commissioner Grippa moved, seconded by Commissioner Sauls and carried unanimously, 5-0(Commissioner Winchester was Out of Chambers and Chairman Thaell recused himself from the vote due to Consent Item #9), to approve the Consent Agenda.

1. Approval of Minutes: April 21, 2005 Special Joint City/County Meeting on Cycle 2005-1 Comprehensive Plan Amendments; May 10, 2005 Special Meeting; and May 24, 2005 Regular Meeting

   The Board approved Options 1, 2, and 3: 1) Approve the minutes of the April 21, 2005 Special Joint City/County Meeting on Cycle 2005-1 Comprehensive Plan Amendments; 2) Approve the minutes for May 10, 2005 Special Meeting; 3) Approve the minutes for May 24, 2005 Regular Meeting.

2. Approval of Bills and Vouchers Submitted for June 14, 2005 and Pre-approval of Bills and Vouchers Submitted for June 15 through June 27, 2005

   The Board approved Option 1: Approve payment of bills and vouchers submitted for approval for June 14, 2005, and pre-approve payment of bills and vouchers for the period June 15, 2005 through June 27, 2005.

3. Approval of Budget Resolution and Associated Budget Amendment Request Realizing Revenue for the House District 7 Special Election in the Amount of $101,000

   The Board approved Option 1: Approve the Budget Resolution and associated Bidget Amendment Request in the amount of $101,000 to realize revenue for the sepcial Election, House District 7.

4. Authorization to Submit a 2005 Edward Byrne Memorial Justice Assistance Grant (JAG) Application

   The Board approved Option 1: Authorize the submittal of the 2005 Edward Byrne Memorial Justice Assistance Grant (JAG) application.

5. Adoption of Proposed New "Leon County Smoking Policy"

   The Board approved Options 1 and 2: 1) Adopt proposed new "Leon County Smoking Policy"; 2) Repeal Resolution No. 15.

6. Approval of a Budget Resolution and Associated Budget Amendment Request for Acceptance of Department of Children and Families Reimbursement for Drug Court Urinalysis Testing

   The Board approved Option 1: Accept the Department of Children and Families Purchase Order and approve the Budget Resolution and associated Budget Amendment Request.

7. Adoption of Proposed Resolution Setting Forth the Membership of the Leon County Research and Development Authority

   The Board approved Option 1: Adopt proposed Resolution setting forth the membership of the Leon County Research and Development Authority.

8. Request to Schedule a Public Hearing to Adopt an Ordinance Amending Chapter 11, Article XIII, "Towing Services," of the Leon County Code of Laws, for Tuesday, June 28, 2005 at 6:00 p.m.

   The Board approved Option 1: Schedule a public hearing for June 28, 2005 at 6:00 p.m. to adopt a proposed Ordinance, amending Chapter 11, Article XIII of the Leon County Code of Laws, "Towing Services."

9. Approval of Request by Commissioner Thaell for Reimbursement of Attorney's Fees and Costs Pursuant to Policy No. 03-02, "Reimbursement of Attorneys Fees and Costs"

   The Board approved Option 1: Approve Commissioner Thaell's request for reimbursement of attorney's fees and costs pursuant to Policy No. 03-02, Reimbursement of Attorneys Fees and Costs.

10. Acceptance of the Tourist Development FY 2005 First Quarter Status Report

    The Board approved Option 1: Accept the First Quarter, FY04/05 Status Report for the Tourist Development Council.

11. Acceptance of the Tourist Development FY 2005 Second Quarter Status Report

    The Board approved Option 1: Accept the Second Quarter, FY04/05 Status Report for the Tourist Development Council.

12. Acceptance of Professional Engineering Salary Study

    The Board approved Options 1 and 2: 1) Accept staff report on Professional Engineering Salary Study, and 2) Approve Human Resources recommendations based on the study findings.

13. Acceptance of Report Regarding Revisions to Policy No. 01-10, "Travel"

    The Board approved Options 1 and 2: 1) Accept staff report regarding Policy No. 01-10, "Travel" and take no further action to revise the Policy, and 2) Direct staff to prepare an agenda item, for the Board's regular meeting on June 28, 2005, to approve a Board "Travel Schedule" for the remainder of calendar 2005.

14. Approval of Agreement with George Henry George Partners for Comprehensive Innovation Park Study in the Amount of $25,000

The Board approved Options 1 and 2: 1) Waive the bidding requirements to the County's Purchasing Policy for the engagement of consulting services relating to Innovation Park, and 2) Approve the proposed Agreement with George Henry George Partners (including a partnership with Dilks Consulting) for consulting services related to improvements at Innovation Park in the amount of $25,000 and authorize the Chairman to execute.

15. Approval of Agreement Allocating Funds to the Leon County Expanded Driver's Education Program for FY 04/05

The Board approved Option 1: Approve the Agreement with the Leon County School Board allocating FY 04/05 funds in the amount of $114,000, for the Leon County Expanded Drivers' Education Program and authorize the Chairman to execute.

16. Approval of Enabling Resolution Establishing the Woodville Community Center Board of Directors

The Board approved Option 1: Approve the Enabling Resolution and Bylaws establishing the Woodville Community Center Board of Directors.

17. Ratification of May 24, 2005 Workshop on Leon County Jail Population Management and Request to Schedule a Follow-up Workshop on Tuesday, August 30, 2005 at 12:00 – 1:30 p.m.

The Board approved Option 1: Ratify Board actions taken at the May 24, 2005 Workshop on Leon County Jail Population Management.

18. Authorization to Submit Application for Department of Health Primary Care for Children and Families Challenge Grant

The Board approved Option 1: Authorize staff to submit a Primary Care for Children and Families Challenge Grant Program application.

19. Request to Schedule a Workshop on a Proposed Ordinance Amending the Land Development Code to Provide Development Incentives for Affordable Housing for Tuesday, August 30, 2005 at 1:30 – 3:00 p.m.

The Board approved Option 1: Schedule a workshop regarding consideration of a proposed Ordinance amending the Land Development Code to provide development incentives for affordable housing on Tuesday, August 30, 2005, 1:30 – 3:00 p.m.

20. Acceptance of $150,000 Donation from the Friends of the Library

The Board approved Option 1: Accept $150,000 donation from the Friends of the Library and adopt the attached Resolution and associated budget ammendment.

21. Approval of Continuing Supply Agreement with Jacksonville Sound and Communications, Inc. for Courtroom Sound System Materials and Installation

The Board approved Option 1: Approve the Agreement awarding bid to Jacksonville Sound and Communications, Inc. for sound system materials and installation and authorize Chairman to execute the agreement.

22. Approval of Agreement Awarding Bid to Air Ideal, Inc. in the Amount of $422,813 for Replacement of the Main Library Chiller

The Board approved Options 1 and 2: 1) Approve an Agreement awarding bid to Air Ideal, Inc., in the amount of $422,813 for the replacement of chiller system equipment at the Main Library, and authorize the Chairman to execute, and 2) Approve the Resolution and associated Budget Amendment Request in the amount of $77,193.

23. Approval to Award Bid to C & L Associates for Custodial Services at the Leon County Courthouse

The Board approved Options 1 and 2: 1) Approve Agreement awarding bid to C & L Associates, Inc. for custodial services at Leon County Courthouse in the amount of $340,951, for a 15-month period and authorize the Chairman to execute, and 2) Authorize the continuation of custodial services by C & L Associates, Inc. for Group 2 and Group 4 County buildings until a new custodial services provider is selected.

24. Approval of Draft Agreement Bid Award for Relocation of the Historical Bradfordville School Building

The Board approved Options 1 and 2: 1) Approve the Agreement awarding bid to Concrete Services, Inc. in the amount of $209,900 for the relocation of Historic Bradfordville School building and authorize the Chairman to execute, and 2) Approve the Resolution and associated Budget Amendment Request in the amount of $92,918.

25. Approval of Agreement with the Florida Department of Agriculture and Consumer Services for Arthropod/Mosquito Control State Aid

    The Board approved Option 1: Approve the Agreement with Florida Department of Agriculture and Consumer Services for Arthropod/Mosquito Control State Aid, and authorize Chairman to execute.

26. Approval of Agreement Awarding Bid to Council Contracting, Inc. in the Amount of $255,325 for Construction of a Chaires-Capitola Comfort Station

    The Board approved Option 1: Approve Agreement awarding bid to Council Contracting, Inc. in the amount of $255,325 for the construction of a comfort station at Chaires/Capitola Community Park and authorize the Chairman to execute.

27. Approval to Award Bid to Landfill Solutions Corporation in the Amount of $38,774 for the Purchase of a Landfill Hydro-Seeder

    The Board approved Option 1: Award the bid to Landfill Solutions Corporation for the purpose of the Landfill Hydro-Seeder in the amount of $38,774.

28. Approval to Award Bid to Ring Power Corporation In the Amount of $404,087 for the Purchase of Landfill Waste Disposal Crawler Tractor

    The Board approved Option 1: Award bid to Ring Power Corporation for the purchase of the Landfill Waste Disposal Crawler Tractor in the amount of $404,087.

29. Adoption of a Resolution Authorizing Waivers of Solid Waste Tipping Fees and Establishing Eligibility Criteria

    The Board approved Option 1: Adopt the Resolution authorizing waiver of the Solid Waste Tipping Fees to eligible organizations.

30. Request to Schedule a Public Hearing Regarding Approval of the Annual Disposal Charge for Solid Waste Non-Ad Valorem special Assessment for Tuesday, July 12, 2005 at 6:00 p.m.

    The Board approved Option 1: Schedule the Public Hearing on the establishment of the special assessment rate for the Solid Waste Non-Ad Valorem Special Assessment for Tuesday, July 12, 2005 at 6:00 p.m.

31. Request to Approve Travel for Commissioner Jane G. Sauls to Attend the Florida Association of Counties (FAC) Annual Conference in Tampa, FL, June 21-23, 2005

The Board approved Option 1: Approve travel request.

32. Request to Approve Travel for Commissioner Ed DePuy to Attend the Florida Association of Counties (FAC) Annual Conference in Tampa, FL, June 21-23, 2005

The Board approved Option 1: Approve travel expenses.

The Board continued discussion of FY 05/06 Budget Workshop

Mr. Alan Rosenzweig, OMB Director, stated that Budget Tab #7the following Budget Items will be concluded prior to entering General Business of the Regular Meeting: Item #14, one-time bonus funding, and funding of the Woodville Library for $850,000. County Administrator Alam and Mr. Rosenzweig verified that this is the appropriate time to make motions, to debate, to make cuts, or to raise millage rate.

Mr. Alan Rosenzweig, OMB Director, explained that the Board currently levies three countywide millage rates: General Countywide, Emergency Medical Services (EMS) MSTU and the Primary Healthcare Program MSTU. As part of the budget process the Board must establish the maximum millage rates to be levied.

Commissioner Rackleff requested that the following be included in Budget discussions:

- Sidewalk budget, which does not have to do with a net increase and would involve reallocating Capital Transportation Funds from other categories.
- Small business center in the library, which the library has requested $26,000 to improve the databases and collection of materials.

Chairman Thaell recognized Commissioners to add items to the budget discussion.

Commissioner Rackleff initiated discussion of the Library Services Increase in Small Business Resource Center at the amount of $26,124.

Commissioner Rackleff moved, seconded by Commissioner Grippa, to fund $26,124 for the Increase in Small Business Resource Center Budget.

The Board entered discussion of the motion as follows:

- The library is requesting the funding.

- The library went through a staff budget process, it was turned down, and Commissioner Rackleff pulled the item.
- Commissioner Grippa stated that he would support one-time funding
- County Administrator Alam clarified that they receive a base amount between $15,000-$25,000

Commissioner Grippa withdrew the second.

Commissioner Proctor seconded the motion on the floor.

Commissioner Grippa moved a substitute motion, seconded by Commissioner Winchester, to bring the funding to the total level of last year's funding of $25,000.

Commissioner Sauls suggested that the substitute motion include a mid-year review.

The maker of the substitute motion accepted.

The substitute motion to Increase Funding for the Small Business Resource Center by $15,000 and to revisit the balance mid-year passed unanimously, 7-0.

Commissioner Rackleff initiated discussion of the "Community Safety and Mobility" budget of $500,000.

Commissioner Rackleff stated that the Community Safety and Mobility is primarily sidewalks, but it is also traffic calming. He stated that the current money is inadequate—as is the money programmed in out-years. Commissioner Rackleff explained that the $500,000 comes out of Blueprint 2000, the Penny Sales Tax. He stated that prior to the Penny Sales Tax, sidewalks were funded out of the gas tax and other transportation taxes. He stated that the Penny Sales Tax began to substitute the existing money rather than supplement it.

Commissioner Rackleff moved, seconded by Commissioner Winchester, to increase the FY 2006 Community Safety and Mobility budget to $750,000 with the $250,000 margin coming from reallocation of the Capital Transportation Budget.

Board discussion ensued on the following topics:

- Questions of whether $750,000 could be spent in a year and level of current funding
- Mr. Rosenzweig stated that out of $1.4 million, the County has currently spent $81,000

- Mr. Rosenzweig stated that in the out-years, staff has identified increasing the number to $750,000 in the year 2012
- County Administrator Alam stated that the money they have for sidewalk funding is their 10% share of Blueprint 2000.
- County Administrator Alam stated that under FY 06, there are only 7 items funded. If the Board decides to go to $750,000, he suggests allowing staff to look at other resources.
- Commissioner Rackleff stated that sidewalks are a part of the Transportation Program and any reallocated funds should come from that program's budget.
- County Administrator Alam stated that the 10% from Blueprint 2000 also goes toward Parks & Recreation, so it is the same funding source
- Commissioner Proctor supported allocating the money now, since $750,000 will not have the same worth in 5 years
- Commissioner Grippa asked what they would cut in order to get the money, since road improvements are necessary.
- Commissioner Grippa stated that a better method would be to work through MPO to resolve the issue with the City to create a comprehensive solution.
- Suggested workshop on sidewalks

Commissioner Rackleff moved, seconded by Commissioner Grippa and carried unanimously, 7-0, to workshop Community Safety and Mobility and the funding of sidewalks with the Capital Transportation Program.

Commissioner Winchester initiated discussion of St. Francis Wildlife Refuge funding

Commissioner Winchester stated that he would like the St. Francis Wildlife Refuge budget fulfilled to the requested amount of $35,000.

County Administrator Alam and Mr. Alan Rosenzweig stated that the Refuge's total budget request is $75,000 and they already have $45,000, so the additional allocation of money should be for $30,000.

Commissioner Winchester moved, seconded by Commissioner Grippa and carried unanimously, 6-0 (Commissioner Rackleff was Out of Chambers), to increase the St. Francis Wildlife Refuge funding by an additional $30,000.

Commissioner Proctor initiated discussion of Mothers in Crisis funding

Commissioner Proctor moved, duly seconded by Commissioner DePuy, to reconsider the allocation of $50,000 to Mothers in Crisis.

County Attorney Thiele opined that the Board will need to vote to reconsider whatever tab item Mothers in Crisis falls under because inclusive in the motion was the exclusion of that additional money.

Commissioner Proctor moved, seconded by Commissioner DePuy and carried 4-3 (Commissioners Sauls, Grippa, and **Rackleff** opposed), to reconsider Budget Tab #6.

Commissioner DePuy stated that there were two items on that motion: Mothers in Crisis and TEAM Child. He asked the Parliamentarian whether it would require a separate motion to include TEAM Child or should that be included at this time. County Attorney Thiele responded that it is up to the maker of the motion.

Commissioner Proctor moved, seconded by Commissioner Grippa, to place Mothers in Crisis under line item funded "Agencies" in Item #14 for $50,000.

Commissioner DePuy asked how much contingency exists this year and is it possible for this one-time funding.

Commissioner Proctor clarified the motion to specify that the $50,000 of funds for Mothers in Crisis would come out of contingency. The seconder of the motion accepted the clarification.

The Board entered lengthy discussion of the following:

Commissioner Winchester asked Mr. Rosenzweig whether a portion of CHSP awards was from Leon County. Mr. Rosenzweig stated that Mother in Crisis received $80,000 total—$46,000 was given from the County and $36,000 was given from the City of Tallahassee.

Speaker, Ms. Rosalind Thompkins, 1500 Lake Avenue, explained that the funding Mothers in Crisis is seeking is for a much-needed pilot-project. Ms. Thompkins stated that it is necessary due to the high recidivism rate among female inmates: 40% return to jail within 6 months and 60% return within a year. Ms. Thompkins stated that with this money Mothers in Crisis is asking for, Leon County can invest approximately $834 per female inmate per year to break the cycle of incarceration and drug and alcohol usage. Two women who have been in and out of the Leon County jail were present in support of the Mothers in Crisis project.

Commissioner Grippa withdrew the second.

Commissioner Grippa stated that he would like more information on the pilot program.

Commissioner Grippa moved, seconded by Commissioner Winchester, to remove $50,000 from this year's contingency and place it in an Escrow account, to have Mothers in Crisis present data and structure on how the program would reduce recidivism among female inmates in the County jail, and to have the Public Safety Coordinating Council review the program.

The Board entered the following discussion:

- Will schedule a meeting in early July for the presentation and Council's recommendations
- Commissioner Proctor stated that he does not know why women's programs' efforts are getting these extra hoops.

Commissioner Sauls requested that her vote be recorded in the affirmative, and she left the Chambers at 5:05 p.m.

Commissioner DePuy stated that if Ms. Thompkins can validate the information provided and bring it to the Public Safety Council in the beginning of July, he will make a recommendation to release that money to the program in July.

Commissioner Proctor stated that, for the record, there is a double standard for women.

Chairman Thaell asked what the $78,000 from CHSP was used for. Ms. Thompkins responded that that funding is directed toward different programs such as Parents and Partnership and Kids in Partnership.

The motion carried unanimously, 6-0 **(Commissioner Sauls recorded her vote in the affirmative and was Out of Chambers).**

Commissioner Grippa initiated discussion of Budget Cuts from Budget Tab #14:

- Line Item #14: Consultant to Review/Revise County Land Development Regulations; $50,000
- Line Item #20: County Attorney New Receptionist Position; 37,678
- Line Item #70: Late Night Media; $50,000
- Line Item #65: Increase Employee Cost to Park at Courthouse from $30 to $50

Commissioner Grippa moved, seconded by Commissioner Winchester, to place the four cuts on the table: Line Item #14: Consultant to Review/Revise County Land Development Regulations at $50,000; Line Item #20: County Attorney New Receptionist Position at $37,678; Line Item #79: Late Night Media at $50,000; Line Item #65: Increase Employee Cost to Park at Courthouse from $30 to $50.

Commissioner Winchester added Line Item #69, Reduce custodial at County facilities from daily to Mon., Wed., Fri., to the items on the table for budget cuts. The maker of the motion agreed to include Item #69 in the motion.

Commissioner Winchester stated that in regard to Line Item #79: Late Night Media children need somewhere to go after school until a library is built in Canopy Oaks.

The Board discussed the following:

- Commissioner Grippa stated that the School Board needs to come forward and the only way to get their commitment is not to fund it.
- Commissioner Winchester stated that if need be, he will make another motion to continue to fund Media Night.
- Mr. Rosenzweig explained that they are funding 5 sites at $10,000 per site currently.
- Commissioner Sauls stated that if the Board takes away Late Night Media, the citizens will be upset—the schools serve a purpose.
- Commissioner DePuy asked for clarification on Line Item #25: HR Audit & Market Review. Mr. Rosenzweig answered that it is comparable to the Sheriff's study to make sure that the County's pay ranges are still competitive in the market with their existing positions. Commissioner DePuy asked what impact this has, if any, on what the Board has already voted on in regard to the 5% raise. Mr. Rosenzweig responded that it would not impact the vote on the raises and it would be in addition to those raises.
- Commissioner Sauls stated that she is opposed to increasing employee cost for parking.

The Board recessed for 15 minutes for dinner and reconvened at 5:40 p.m.

Chairman Thaell summarized that the following Items are included in the motion for a cut: Line Item #14, Line Item #20, Line Item #65, Line Item #69, and Line Item #79.

- Commissioner Sauls opposed reducing the custodial services in the courthouse.

Commissioner Sauls moved, seconded by Commissioner Thaell, to deny Line Item #65: Increase Employee Cost to Park at Courthouse from $30 to $50.

- Commissioner Rackleff suggested increasing the cost from $30 to $40.

Chairman Thaell passed the gavel for the vote, and Commissioner Rackleff assumed Chair.

The motion failed, 1-5 (Commissioners Rackleff, Grippa, Winchester, Thaell, and DePuy opposed; Commissioner Proctor was Out of Chambers).

Commissioner Winchester moved, seconded by Commissioner Sauls, to keep Line Item #79 in the budget.

- Commissioner Winchester supported the Late Night Media.
- Commissioner Rackleff stated that he was skeptical about the program because it is not much for the money they put into it.
- Commissioner Grippa stated, for the record, that if his position did not win the vote, he would not pack the Chambers.
- Commissioner Grippa stated that this is a service the School Board needs to provide

The vote carried, 4-2 (Commissioners Rackleff and Grippa opposed; Commissioner Proctor was Out of Chambers).

The Board discussed Line Item #20: County Attorney New Receptionist Position

Commissioner Grippa moved, seconded by Commissioner Rackleff, to cut Line Item #20: County Attorney New Receptionist Position.

Commissioner Grippa directed staff to look at having Human Resources receptionist transferred to County Attorney's office.

County Attorney Thiele explained that the County Attorney's office has a significant amount of confidential information. He stated that presently the County Attorney's office is using people who are performing their community service work and those people are only present for 1-2 weeks. County Attorney Thiele stated that the office needs someone to let people into the facility and to answer the phone.

The motion to cut Line Item #20 failed, 3-3 **(Commissioners Winchester, DePuy, and Sauls opposed**; Commissioner Proctor was Out of Chambers).

Chairman Thaell stated that the Board will put Line Item #20 into abeyance for the time being until the Board has addressed the Public Hearings.

The Board entered Public Hearings.

Citizens to be Heard on Non-Agendaed Items (3-minutes limit; non-discussion by Commission)

General Business

33. Adoption of Proposed Revision to Policy No. 01-06, "County Commission Projects Requiring Commitment of Staff Time"

County Attorney Thiele summarized the item that the Board requested that staff put together a revision to the policy regarding the use of staff time and it is before the Board for consideration. He stated that the new policy is reflected as Option 1 of the agenda item.

Commissioner Grippa moved, seconded by Commissioner DePuy, to approve Option 1: Adopt the proposed revised Policy 01-06, "County Commission Projects Requiring Commitment of Staff Time."

Commissioner Sauls asked the maker of the motion to include, on page 3 from the agenda item, "The Board may also want to consider adding a criteria that no such assignments be contrary to the majority's position on a given issue or matter."

Commissioner Grippa amended the motion to include including the aforementioned phrase. The seconder of the motion agreed.

Commissioner Rackleff asked if he wanted to ask someone in Public Works for a list of current sidewalk projects, whether he would have to come to the Board.

County Attorney Thiele stated that routine requests are still permissible under paragraph three.

The Board entered the following discussion:

- County Attorney Thiele responded that a "matter" is projects or assignments.
- County Attorney Thiele explained that routine requests for information are not prohibited by the policy. He stated that requests of staff to discuss or do projects that are consistent with the Board's position are also permissible. County Attorney Thiele stated that what is not permissible is when discussions or projects are not a part of Board direction.
- Commissioner Rackleff stated that there will be times when the Board needs to reevaluate policies and it will take a preliminary look at things. He stated that he has been sparing in asking staff for information.
- Commissioner Grippa explained that this item derived from the County Attorney having been involved in a contentious issue where he had to write and argument for and an argument against the position per two Commissioners' requests.

Speaker, George E. Lewis, 203 N. Gadsden St. #6, stated that the Board needs to consider delineating their intention with respect to who the staff is that can be asked. He stated that a tight reading of the draft would say direct employees of the County Administrator and the County Attorney. Mr. Lewis stated that he would inquire where that fits in respect to Planning Department employees, Blueprint 2000, MPO, and other people who do work on behalf of the County who may not be considered solely under the jurisdiction of the County Administrator or County Attorney. He stated that if the Board is going to adopt the policy, they need to be specific on where the line stops on who the Commissioner can ask for assistance. Mr. Lewis asked what position it is in if it is on something that is pending. He stated that the Board has not taken a policy position on that. Mr. Lewis stated that that event could arise frequently and needs to be dealt with in the policy.

- Commissioner Winchester opposed the motion and stated that it would add more red tape to deal with issues such as fixing a pothole or drainage problems.
- County Attorney Thiele stated that nothing in the policy would prohibit employees of the County Attorney or County Administrator's Offices from performing their job functions. He explained that if a Commissioner brings to their attention a pothole or flooding issue, those employees would be required to attend to it.
- County Attorney Thiele responded that if a Commissioner were to request the research and preparation of a memorandum seeking a particular regulation to be adopted by the Board that has not been taken to the Board in advance for authorization that request would be prohibited. Likewise, it would apply to a request of the County Administration to prepare a letter for your signature, which opposes a particular position of the Board, and has taken the research by staff of the necessary background information that a Commissioner wishes to include in the letter.

<u>Commissioner Proctor moved a substitute motion, seconded by Commissioner Winchester, to approve Option 2: Do not adopt the proposed revised Policy 01-06, "County Commission Projects Requiring Commitment of Staff Time."</u>

- Commissioner Proctor stated that he does not know how to get work done if they cannot have staff work on something prior to bringing it to the Board. He stated that by adopting this they are about to be forced to talk to each other to find out "who will walk with me" to request staff to do the research. He stated that he would like to vote to reconsider the raises for senior staff and that his district gets minimal time from staff.

- Commissioner Grippa stated that, for the record, this item has nothing to do with Killearn Lakes.
- County Attorney Thiele stated that, regardless of this policy, staff is not supposed to spend time on individual Commissioners' issues.
- Chairman Thaell asked whether he would have to get his own podium and power, if he wanted to have a press conference that is critical to his district. County Attorney Thiele stated that if the Commissioner is talking about a place that is off-site that would require significant use of the staff's MIS time, then the Board would have to authorize it.
- Commissioner Rackleff stated that he supports the substitute motion because they are elected to advocate their constituents' positions and part of their responsibilities is to come up with better policy solutions, which will sometimes involve staff.

The substitute motion carried, 4-3 (Commissioners Grippa, DePuy, and Sauls opposed).

34. Reconsideration of Proposed Settlement Offer Resolving Jeffrey S. Phipps, Joanne E. Kowal, C. Tomoka Brady and Patrick M. Wright v. Leon County, Mary B. Sellers, and Arbor Properties, Inc. (Case No. 04-CA-2801) and Lake Jackson Alliance, et al v. Leon County (Case No. 04-CA-2800)

County Attorney Thiele stated that it is staff's recommendation to reject the proposed settlement offer.

Commissioner Winchester moved, seconded by Commissioner Grippa, to approve Option 1, as amended: 1) Reject the proposed settlement offer resolving both lawsuits numbered 04-CA-002800 and 04-CA-002801, with the addition to schedule a mediation.

County Attorney Thiele stated that a meeting has been scheduled for 8:00 this Friday and all three parties have agreed to meet. All parties have agreed on Carlos Alvarez to act as mediator. He asked whether the Board would like to designate a Commissioner or staff member to be "The County" for purposes of the mediation and stated that right now he is that person.

The motion carried unanimously, 7-0.

County Attorney Thiele was designated to represent the County in the mediation. He stated that his position is going to be the majority position of the Board.

35. Consideration of Adoption of New "Flooded Property Acquisition Program Policy," and Adoption of Resolution for Relief for Owners of Flooded Properties

County Attorney Thiele summarized that this item is to assist the Commission in more properly administering the Flooded Property Acquisition Program. He stated that staff has run into significant difficulties with regard to implementation of the Board's direction because they could not get accurate appraisals of the property. County Attorney Thiele stated that staff believes that the new policy addresses all of those issues by putting forth how they are to do the appraisals, how the comparables are determined, and dealing with relocation funding. He stated that, for the record, it does not affect the lists that have been approved by the Board—they exist and will be taken in the same sequence.

Commissioner Grippa moved Options 1 and 2, duly seconded by Commissioner Sauls: 1) Adopt the proposed new policy to supersede Policy 03-10, "Flooded Property Acquisition Program, and 2) Adopt the Resolution of Relief for Owners of Flooded Properties.

Chairman Thaell asked if a property owner might use the flooded property appraisals to sell homes at a higher value to an unsuspecting future buyer and whether there was anything in the language to help the potential buyers. County Attorney Thiele responded that if he were the buyer, he would request a copy of the appraisal and the appraisal will set forth what the circumstance were under which the appraisals were obtained. Chairman Thaell asked what the likely outcome of future prospects of additional flooded properties occurring without the implementation of an effective volume control ordinance in Leon County. County Attorney Thiele opined that the Board will see more flooded properties. Chairman Thaell stated that the Board is taking $1 million per year to help people with flooded property due to decisions made by local governments over the years. He stated that this is a vote that does not rectify the problem and subsequent commissioners will have to deal with the problem. He stated that the Board needs to rectify the underlying conditions causing the flooding since the Board is not controlling the volume that runs off of newly developed properties and restraining that volume to what was the predevelopment volume amount.

Commissioner Grippa stated that they dealt with the volume ordinance at a Commission meeting where they decided to go toward regional ponds and further investigate it. Commissioner Grippa suggested that staff bring back what happened in the meeting regarding the volume ordinance.

Speaker, Christell Wood, 8350 Avalon, urged the Commissioners not to delay action. She stated that before they changed the list last time, there was one person before her, the Board changed the list and she became number 19, and now she is number 2 to be bought out. She stated that the conditions of her home are bad, and she could not sell the home since she was honest with the potential buyers. She stated that she has been calling county works since January and they say that the County Attorneys are delaying it.

The motion carried unanimously, 7-0.

36. Consideration of an Interlocal Agreement Regarding the Construction and Maintenance of Sidewalks on County Roads Located Within City Limits

County Attorney Thiele summarized that this item is the report that the Board requested that the County Attorney's office prepare with regard to the maintenance of sidewalks of County roads within City limits. He stated that there is a disagreement in the interpretation of reading of the statutes in the case law by the City Attorney's Office and the County Attorney's Office. County Attorney Thiele explained that the County Atttorney's Office has listed numerous options and suggested that they begin with a Mayor/Chair meeting and work into a negotiation to come up with another City/County Interlocal Agreement that will address the issue.

County Attorney Thiele suggested that the County Attorney's Office prepare a document that gives the Chairman specific discussion points.

Commissioner Grippa moved, seconded by Commissioner Rackleff, to authorize Chair to have a Mayor/Chair meeting to discuss County Roads Located Within City Limits and to work into a negotiation to create another City/County Interlocal Agreement addressing the issue and to have staff draft a document with speaking points for the Chairman.

The motion carried unanimously, 7-0.

37. Acceptance of Report on the Leon County Jail Medical Services Provider and the summary of the Recent Deaths in the Jail

Commissioner DePuy moved, seconded by Commissioner Rackleff and carried unanimously, 7-0, to continue the item.

38. Approval of Public Information Initiative Regarding Cablecast (Channel 16) Programming; Adoption of "Cablecast Programming" Policy; and, Approval to Issue a Request for Proposals for Public Information Video Production Services

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This item seeks Board approval of the Public Information Initiative regarding Cablecast programming; adoption of a "Cablecast Programming" Policy (Attachment #1); and, approval to issue a Request for Proposals (RFP) for public information video production services (Attachment #2).

Commissioner Grippa moved, duly seconded by Commissioner Winchester, to approve Options 1, 2, and 3: 1) Approve Public Information Initiative regarding Cablecast programming; 2) Adopt proposed "Cablecast Programming" Policy; and, 3) Approve issuance of a Request for Proposals for public information video production service on a continuing supply basis.

Commissioner Rackleff stated that this looks like the Board will get into the script approval business. He stated that he does not think that there is a demonstrated problem yet, and he is not sure there ever will be. He stated that it is important for Commissioners to be interviewed on their channel and to express their points-of-view.

Commissioner Rackleff moved, seconded by Commissioner Thaell, to approve Options 1 and 2, as amended, and Option 3: 1) Approve Public Information Initiative regarding Cablecast programming; 2) Adopt proposed "Cablecast Programming" Policy, as amended to delete the final sentence that reads, "Prior to producing an appropriate and advantageous public information video with an individual Commissioner, the PIO will draft and Agenda Request for Board consideration;" and, 3) Approve issuance of a Request for Proposals for public information video production service on a continuing supply basis.

Commissioner Proctor assumed Chair.

- Commissioner Thaell agreed with Commissioner Rackleff stating that the language proposed for deletion is unnecessary language.
- Commissioner Grippa stated that staff recommends that process because staff would otherwise be in the untenable position of fielding individual Commissioners' requests.
- Mr. Vincent Long answered that the City has target-issue Commissioners appointed, and it is relatively easy because they have a Commissioner designated prior to doing a production of this type. He stated that, other than that, the Communications Director for the City has broad instructions.

The substitute motion failed, 3-3 (Commissioners Grippa, Winchester, and DePuy opposed with Commissioner Sauls Out of Chambers).

The original motion failed, 3-3 (Commissioners Rackleff, Thaell, and Proctor opposed with Commissioner Sauls Out of Chambers).

Commissioner Grippa called a point of order and stated that Options 1, 2, and 3 failed, so the Board of County Commissioners does not have a program.

Commissioner Thaell stated that they will let staff sort it out. County Administrator Alam stated that there is no program. The Board decided to let the item go.

39. Approval of Procedures and Criteria List Regarding Outstanding Liens on Code Enforcement Board Cases

Commissioner Winchester moved, duly seconded by Commissioner Grippa, to approve Option 1: Approve the Procedures and Criteria List to Remove Old Outstanding Liens on Code Enforcement Board Cases.

Commissioner Proctor asked about the criteria for reduction of fines.
Ms. Emma Smith, GEM, responded that in order for the person to be considered for the reduction, the property must be in compliance for at least five years. She explained that the criteria listed in front of the Board then goes to the Code Enforcement Board and they use that list to determine if that property owner will be given the opportunity to have the fine reduced.

Commissioner Proctor made the following points:

- Voiced concern and has circled properties that are in compliance and asked whether they will be grandfathered in because they are in compliance and have been for five years (in regards to the last page of the attachment: 1988, 1989, and 1997)
- Referring to page 1 of 9, Attachment #3, Commissioner Proctor stated that he found it interested that when a particular bank filed foreclosure, the Board ordered a partial release of lien for the reference property to the particular bank for selling purposes. He stated that then the Board shifted and ordered a judgement lien against a respondent for the lien amount. He stated that it was his thought that the Board did not lift liens unless the Board lifted these liens. He stated that this seems uniquely different from other cases. He asked why the Board should lift liens for banks that are foreclosing on properties, but the Board is not willing to lift liens for property owners who may have a sale to sell.
- County Attorney Thiele stated that he does not remember this case specifically, but his recollection is that the Board received a partial payment out of this. Ms. Smith stated that she does not recall either, but they did receive a partial payment. County Attorney Thiele stated that in every instance the County Attorney's office files an answer and

take the position, to the extent that they are able to, that the County's lien is superior and they try to get them paid.

- Commissioner Proctor stated that he likes the reduction that is occurring. He stated that they need a policy that when an individual owner of property has a contract and can sell the property, but-for this lien, the Board has a lifting process.
- County Attorney Thiele recalled several years ago when that issue was brought to the Board about whether the Board would allow their liens to be subordinated. He stated that the Board voted no, so the Board does not subordinate to the existing mortgages.
- Commissioner Proctor stated that he believes that policy was driven by the County Attorney's Office and that he does not believe that the Board had an active or particular passion toward the matter. He stated that he believes that it is a double standard for the Board to lift a lien for a bank that forecloses, but will not allow for property owners to sell their property.
- County Attorney Thiele stated that it has been their instruction to collect the debt whenever possible.

Commissioner Proctor moved a substitute motion to adopt this policy and direct staff to bring back a situation where a property owner, who is undefined, has a lien and if they have a sale contract, the Board should be able to lift that with the understanding those proceeds have to work out to pay the County their money.

The substitute motion failed for a lack of a second.

- Commissioner Rackleff stated that he does not think that Commissioner Proctor's understanding of the lien is accurate. He explained that the lien is not a problem for the buyer; it is a problem for the seller. He stated that the buyer can buy the property and pay the purchase price and, later, the seller has to settle with the lien holders from the proceeds of the sale.
- Commissioner Rackleff stated that there is nothing in the policy that outlines that the Board should recover legal expenses. He stated that the Board needs to recover the legal expenses, which were the result of the protracted proceeding.
- County Attorney Thiele responded that the Courts and the Attorney General's office have ruled that the Code Board is limited and they cannot tack on the administrative costs to the lien. He stated that the second aspect of that is that the Code Board generally takes the position that they will not acknowledge the reduction in blanket form. They take into consideration how much staff time was spent on the project. County Attorney Thiele explained that on the mortgage foreclosures, when they are in court, they try to seek all of their costs.

- Commissioner Rackleff asked if the Board approved Option 1, there is a list on Attachment 4, page 1, would it forgive all of those $48,750 in fines. County Attorney Thiele opined that that is what staff is recommending. Ms. Smith answered that staff would initiate the process to have it recorded in the Clerk's Office. Commissioner Rackleff stated that he could not support the motion.
- Ms. Smith explained, in response to Commissioner Proctor, that staff sends three letters to the property owners prior to sending the case to the County Attorney's Office. County Attorney Thiele explained that the County forecloses the Code Enforcement Board lien. Ms. Smith explained that once the Code Enforcement Board gives the order and it is filed in the Clerk's Office, it usually gives the property owner a set amount of days to bring that property owner into compliance. She explained that once they do not bring the property into compliance, staff continuously contacts them. Commissioner Proctor asked if Leon County is foreclosing on people for $1,000.
- Commissioner Rackleff stated that on page 1 of Attachment 3, the on the first two cases the County is attempting to recover $1,000 of the fine amount. He stated that in both cases, where the fine was greatly reduced, the fine was unpaid. He stated that these are serious infractions. He clarified that in voting for this, only three fines will be forgiven.

The motion carried, 6-1 (Commissioner Proctor opposed).

40. Acceptance of Status Report on the Rural Waste Service Center Permit Program

County Administrator Alam summarized that the Board wanted a status report on the County's Rural Waste Service Center Permit Program. He stated that they issue the permits to ensure that the people who come to the Rural Offsites are residents of Leon County and not other Counties.

Commissioner Winchester moved, duly seconded by Commissioner Sauls, to approve Option 1: Accept the Status Report on the Rural Waste Service Center Permit Program.

Commissioner Grippa stated that he had received some complaints regarding the amount of information to obtain a sticker. He asked what the County requires.

Mr. Norm Thomas, Director of Solid Waste, responded that they require a driver's license and utility bill, but they have accepted a voter's registration card in lieu of a driver's license.

The motion carried unanimously, 7-0.

41. Consideration of Proposed Voluntary Annexation of Four Parcels on West Lakeshore Drive Near North Monroe Street

This agenda item requests Board consideration of the voluntary annexation proposal from the City of four parcels consisting of 6.5 acres, located on West Lakeshore Drive, near North Monroe Street (Attachment #1).

County Attorney Thiele stated that he received e-mail from the City Attorney's Office late this afternoon indicating that the other property that caused the concern is going to be coming through for an annexation. The City Attorney requested that the County Attorney request that the item be continued for two weeks in order to process that other property, which would cure the County Attorney's concern.

Commissioner Winchester moved, duly seconded by Commissioner Grippa, to approve Option 1: Object to the voluntary annexation proposal based on County Attorney concerns that the proposed annexation creates an enclave and initiate the mediation process required by the Comprehensive Plan.

Commissioner Winchester stated that this property is in the Lake Jackson Watershed. He asked Mr. David McDevitt, GEM, what the standard is for stormwater if this area is redeveloped. Mr. Nawfal Ezzaghi, - Environmental Compliance Supervisor, responded that the County has more stringent regulations for stormwater in Lake Jackson. He stated that if it goes to the City and they decide to develop that parcel for anything, besides single-family, it will not meet the same stormwater standards that the County requires. County Attorney Thiele stated that under the Comprehensive Plan, as it is now, the County's options are limited to objecting to those that do not meet the criteria for Chapter 171.

Commissioner Winchester clarified that the County can object to this annexation and schedule it for mediation. He stated that there have been times when the City has agreed to do a higher level of treatment and he would like to pursue that. Commissioner Winchester stated that this is another loophole in the County's lake protection provision. He stated that if one is in the lake protection zone, could not make the standard, and wants to do a high intensity use, the owner could just annex the property to the City.

Commissioner Proctor supported the motion.

Commissioner Rackleff asked the County Attorney if the Board decided not to object with the stipulation that the City apply the County's stormwater standard, would the City be in its legal authority to do that.

County Attorney Thiele opined that the City would have to attempt to get the property owner to voluntarily do that. Commissioner Rackleff stated that he could support the motion.

The motion carried unanimously, 7-0.

The Board entered discussion of Add-on Item #47.

Scheduled Public Hearings, 6 p.m.

42. First and Only Public Hearing to Adopt a Proposed Ordinance Amending Chapter 7, Article II of the Code of Laws of Leon County, Relating to Court Costs to Operate and Administer the Teen Court

Pursuant to legal advertisement, a public hearing was conducted.

County Attorney Thiele summarized that the item relates to the teen court funding. He stated that with the 2005 Legislative session having ended, there were modifications made again to the funding mechanism under Article V. He explained that this allows the County to levy the $3.00 fee to help fund Teen Court and it would reestablish it effective July 1, 2005. County Attorney Thiele stated that staff recommends Option 1.

Commissioner Sauls moved, duly seconded by Commissioner Grippa, to approve Option 1: Conduct the first and only public hearing and adopt the proposed Ordinance amending Chapter 7, Article II, of the Code of Laws of Leon County, to provide for court costs to operate and administer the Teen Court.

The motion carried unanimously, 6-0 (Commissioner Proctor was Out of Chambers).

43. First and Only Public Hearing on Adoption of Ordinance Amending Chapter 10, Article VII, 10-314.1, Leon County Land Development Code, Adding Silviculture Exemption for Compliance with the Florida Right to Farm Act, 823.14, Florida Statutes and the Agricultural Lands and Practices Act, 163.3162, Florida Statutes

Pursuant to legal advertisement, a public hearing was conducted.

County Attorney Thiele summarized the item as an amendment to the Silviculture Exemption to clarify the manner by which Silviculture permitting would be utilized. He stated that Sivilculture is generally exempt otherwise, and in this instance to provide a bona fide agricultural land, they would not be required to obtain the permit. He stated that staff's recommendation is to accept the proposed amendment. County

Attorney Thiele reminded the Chairman that there is a card for informational purposes. Mr. Phil Gornicki, 402 E. Jefferson St., of the Florida Forestry Assocation, opted not to speak.

Commissioner Grippa moved, duly seconded by Commissioner Sauls and carried unanimously, 6-0 (Commissioner Proctor was Out of Chambers), to approve Option 1: Conduct first and only public hearing and adopt the Ordinance Amending Chapter 10, Article VII, 10-314.1 of the Leon County Land Development Code Adding a Silviculture Exemption for Compliance with the Florida Right to Farm Act, 823.14, Florida Statutes and the Agricultural Lands and Practices Act, 163.3162, Florida Statutes.

44. First and Only Public Hearing on a Proposed Ordinance Amending Official Zoning Map to Change the Zone Classification from R-1 (Single-Family Detached Residential) District to PUD (Planned Unit Development) District and Adopting the Associated Gardens at Westlake PUD Concept Plan

Pursuant to legal advertisement, a public hearing was conducted.

County Administrator Alam summarized that the item is the first and only Public Hearing on a zoning change from R-1 to PUD.

Mr. Tom Osteen, 805 N. Gadsden St., a lobbyist for Linderland, Inc. stated that the first recommendation in the agenda materials came through the normal process. Mr. Osteen explained that when they reached the planning commission, there was one conditional approval that the planning commission placed on the application. That condition was to change the process for future components of the PUD to go through a different type of site plan review process than originally had been requested. He stated that he asks that the Board approve the staff recommendation and leave the application as it was originally submitted.

Mr. McDevitt, GEM, stated that staff recommended that the subsequent final PUD plans come under the Type A.

Commissioner Grippa moved, seconded by Commissioner Sauls to approve Option 1: Conduct first and only public hearing and adopt the proposed Ordinance amending the Official Zoning Map to change the zone classification from R-1 (Single-Family Detached Residential) district to PUD (Planned Unit Development) district and adopt the associated Gardens at Westlake PUD Concept Plan, subject to the conditions of approval recommended by the Planning Commission and Development Review Committee, based on the findings and recommendations of the Planning Commission, provide within this report.

Chairman Thaell voiced support for the concept and encouraged it. He stated that it is a new thought for Leon County, and it is already successful for many places countrywide.

County Attorney Thiele asked the maker of the motion whether it was his intention to include or exclude the Planning Commissions' condition. He clarified that Option 1 would include it. Mr. McDevitt stated that Option 2 is indicative of staff's recommendation.

Commissioner Grippa clarified that he wanted staff's recommendation and changed his motion to approve Option 2: Conduct first and only public hearing and adopt the proposed Ordinance amending the Official Zoning Map to change the zone classification from R-1 (Single-Family Detached Residential) district to PUD (Planned Unit Development) district and adopt the associated Gardens at Westlake PUD Concept Plan, subject to the conditions of approval established by the Board, based on the findings made on the record at the Board's public hearing.

The seconder of the motion accepted the ammendment to approve Option 2.

Commissioner Sauls stated that she met with individuals in her district this week regarding the development and it looks like a nice development with water, sewer, and a four-lane highway.

Commissioner Rackleff asked for clarification since the agenda materials indicate that Option 1 is staff recommendation. Mr. Tedder, Director Planning Department, stated that the recommended Option is what the Planning Commission recommends. He explained that if the Board intended to remove that one condition about the development review process, the Board needs to approve Option 2 with the findings that establish that it goes through the Type A process, which was originally recommended by staff. Mr. Tedder stated that Option 2 accomplishes the DRC recommended conditions of approval that establishes the process recommended by staff, which was to take the final development approvals through the Type A approval process.

The motion carried unanimously, 5-0 (Commissioner Winchester and Proctor were Out of Chambers).

45. Public Hearing to Impose Special Improvement Liens and Adopt a Non-Ad Valorem Assessment Roll for Beech Ridge Trail Sewer Utility 2/3 Project

Pursuant to legal advertisement, a public hearing was conducted.

County Administrator Alam summarized the issue that the liens are based on a total cost of approximately $73,355.67, which equates to $6,668.70 per lot. He stated that normally this is financed over eight years; however, they received a request from the neighborhood to finance over twelve years. County Administrator Alam stated that staff recommends approving the twelve-year financing.

Commissioner Grippa stated that he would like to give Beechridge Trail people the same savings that every other resident of Killearn Lakes is enjoying. He would like the savings to come from the current money, so there is no additional money from the County. He stated that he is asking that Killearn Lakes share in the County's portion.

County Administrator Alam stated that in this case, the property owners are paying for the main line. He asked what that cost is. Mr. Joe Brown, Engineering, answered that it costs approximately $20,000. He explained that the County also prepaid their connection fees, which is not the way the County is doing it for project. He stated that they could reduce the amount that is being assessed. The Blueprint 2000 monies for Killearn Lakes I & II will pay for design, permitting, and the construction totalling $27,485.

Commissioner Grippa moved, seconded by Commissioner Winchester, to approve Options 1, 2, and 3 with the addition that they share pro rata in the allocation and appropriation from the Blueprint dollars: 1) Conduct the Public Hearing regarding imposition of Special Improvement Assessment Liens and adoption of Non-Ad Valorem Assessment Roll for Beech Ridge Trail Sewer Utility 2/3 Project; 2) Adopt the Resolution imposing Special Improvement Assessment Lien for the Beech Ridge Trail Sewer Utility Project indicating a 12 year assessment; and, 3) Adopt the Resolution adopting the Non-Ad Valorem Assessment Roll for the Beech Ridge Trail Sewer Utility Project indicating a 12 year assessment.

Commissioner Grippa withdrew the motion.

Commissioner Grippa moved, duly seconded by Commissioner Winchester, to continue the item to the June 28, 2005 Public Hearings at 6:00 p.m. and directed staff to redraft the Resolution.

Mr. Dave Cuddington, 7140 Beech Ridge Trail, asked whether the revised figures would be mailed to the homeowners. Mr. Joe Brown stated that staff will call the homeowners.

The motion carried unanimously, 6-0 (Commissioner Proctor was Out of Chambers).

46. First and Only Public Hearing on the First Notice of Proposed Change to the Fallschase Development of Regional Impact

Pursuant to legal advertisement, a public hearing was conducted.

County Attorney Thiele stated that a motion is needed to continue the item to July 12, 2005 at 6:00 p.m.

Commissioner Rackleff moved, seconded by Commissioner DePuy and carried unanimously, 6-0 (Commissioner Proctor was Out of Chambers), to continue the item to July 12, 2005, at 6:00 p.m.

General Business

47. ADD-ON: Approval of the Plat of Bradfordville Corners Subdivision and Authorization for Staff to Record in Public Records

The Developer of Bradfordville Corners subdivision, Bradfordville-Phipps, LTD, whose General Partner is William A. Giudice, requests the Board of County Commissioners approve the plat of Bradfordville Corners for recording in the public records (Attachment #1).

County Administrator Alam summarized the item and stated that the staff recommendation is to approve the plat and authorize staff to record the plat in public records when everything is completed.

Chairman Thaell asked if this was regarding the Target and whether this has anything to do with the 4-inch standard. County Attorney Thiele responded that it is regarding Target and they will have to meet the 4-inch standard in accord with the settlement agreement, which is one on, three off.

Commissioner Grippa asked whether there is anything, by recording this plat, that is either directly against or within the intent against the settlement agreement the Board entered. County Administrator Alam answered that the County is trusting staff that the plat will not be recorded until all those conditions are met.

Commissioner Grippa moved, duly seconded by Commissioner DePuy, to approve Option 1 and to ensure both agreements are met: Approve the plat of Bradfordville Corners and authorize staff to record it in the Public Records upon staff's review and acceptance of the delayed information.

- Chairman Thaell asked if this is an unusual circumstance and why it would not wait until the next Board meeting.

- Mr. Tony Park, Public Works, stated that this plat is no different from other plats.
- Mr. Gary Johnson, GEM, stated that at Growth Management they have an issue in that Target is trying to get a temporary Certificate of Occupancy (CO) and they have a grand opening date of July 24, 2005. He stated that they still have building inspection issues and in terms of issuing a temporary CO without a plat is unprecedented.
- Commissioner Grippa stated that if there are issues between Mr. Johnson and Mr. Park, they need to get together.
- Commissioner Proctor stated that he did not receive a conflicting message.
- Mr. Johnson stated that he was informing the Board in relation to the circumstances that were surrounding the Target store opening. He stated that procedurally, the plat has to be approved and recorder prior to the issuance of a CO. He stated that he wanted to make sure that the Board was informed that moving forward with the issuance of this plat, Public Works was bringing forward that there are issues that are still unresolved. He stated that Public Works was asking the Board's permission to give the staff authority to resolve those issues.

The motion carried unanimously, 7-0.

The Board entered Citizens to be Heard (6-minute limit)

The Board resumed discussion of the FY 05/06 Budget Workshop

The Board discussed Discussion Item #14, Line Item #14: Consultant to Review/Revise County Land Development Regulations

- Commissioner Grippa recommended cutting the $50,000 for the consultant and paying for that consultant with the GEM budget, which is increasing to approximately 8% this year

Commissioner Grippa moved, duly seconded by Commissioner Winchester, to delete Line Item #14: Consultant to Review/Revise County Land Development Regulations ($50,000).

- Mr. Gary Johnson, GEM, verified that County staff could staff the permitting advisory committee without the $50,000
- Mr. Johnson explained that the $50,000 is for a review of the County's Land Development Regulations. He stated that they have it built-in to their process improvement package, which the Process Improvement Focus Group will be reviewing anyway.
- Commissioner Rackleff asked whether they could do that with existing staff resources. Mr. Johnson responded that they could not.

- Commissioner Grippa asked why GEM's budget is increasing 7.5% this year. Mr. Johnson responded that a part of the increase is due to the $50,000 in discussion. He stated that there is one new building planner position, which is the 120 Enterprise fund. Mr. Johnson stated that the remainder is the result of salary adjustment in response to the market review.
- Commissioner Grippa stated that he would like to see Blue Ribbon Committee's report before this is funded

The motion carried unanimously, 7-0.

The Board discussed Discussion Item #14, Line Item #20: County Attorney New Receptionist Position

Commissioner Rackleff moved, duly seconded by Commissioner Grippa, to delete Line Item #20 ($37,678).

- Commissioner Sauls asked the County Attorney whether a part-time receptionist would be helpful. County Attorney Thiele responded that it would be.
- Commissioner Rackleff asked about the possibility of placing a telephone on the counter to call back to the office

Commissioner Sauls made a substitute motion, duly seconded by Commissioner Grippa and carried unanimously, 7-0, to fund a a half-time receptionist position for approximately $19,000 (deleting $19,000 from the Budget).

The Board discussed Discussion Item #14, Line Item #69: Reduce Custodial at County Facilities from daily to Mon., Wed., Fri.

Commissioner Winchester moved, seconded bvy Commissioner Grippa, to reduce Custodial at County Facilities from daily to Mon., Wed., Fri.

- Commissioner Sauls voice opposition to the motion and mentioned that there are approximately 300 jurors in the courthouse on Mondays
- Commissioner Rackleff stated that there is a need for cleaning the facilities regularly ranging from bathrooms to maintaining employee morale
- Commissioner DePuy suggested considering the use of inmate labor to clean County facilities at no cost to the taxpayer
- Commissioner Proctor agreed with Commissioners Sauls and Rackleff. He recalled the issue of air quality several years ago and stated that he would not want to exacerbate the problem. He voiced concern about having inmates cleaning offices and opposed the motion.

Speaker, Major Carl Bennett of the Sheriff's Department, stated that low-risk inmates under the supervision of officers could clean County facilities with the funding for an additional position.

- County Administrator Alam expressed reservations about how one officer would supervisor approximately 10 inmates when they are dispersed throughout the facilities cleaning.
- Chairman Thaell asked, in regards to the existing custodial contract, whether the County has a performance obligation to provide so many nights. County Attorney Thiele stated that he believes that the contract is on the agenda tonight for renewal and if this motion passes, the contract would have to be renegotiated.
- Commissioner Proctor stated that he is not interested in taking public dollars to undermine a small business that already has a contract.

Commissioner Winchester withdrew motion.

Mr. Tom Brantley, Facilities Management, stated that the County's janitorial contract is $400,000 per year.

Chairman Thaell stated that there is no motion on the floor, and the discussion of Budget cuts is finished.

Mr. Alan Rosenzwieg summarized that there is $124,000 in revenue, two items to discuss and the one-time bonuses.

Board entered discussion of Woodville Library

- Commissioner Sauls stated that this is not a new issue—it has been on the list since the 1980's. She stated that if the Board feels like a 12,000 square foot facility is too large, they should look at something smaller. She would like it funded at 12,000 SF.
- Commissioner Winchester suggested combining the community center and library.
- Mr. Rosenzweig stated that the library funds would not be available for 5-years and the community center funds are available now, combining the two would delay the community center.
- Mr. Tony Park, Public Works, stated that the community center land is 5.5-acres and the County paid $50,000 for it
- County Administrator Alam stated that in four or five years, the County could expand the community center for the library.
- Commissioner Grippa asked whether there is a hybrid approach. He wanted to know if there was a way, without setting a precedent of adding another library per district, to creatively add-on a room that would be a hybrid to the community center.
- Commissioner Rackleff suggested a workshop on the library system.

- Commissioner Sauls stated that she does not want to miss the opportunity to set aside money for the library. She stated that there is $850,000 in the budget now that she would like to hold on to.

Commissioner Winchester moved, seconded by Commissioner Grippa, to expand the community center and earmark $400,000 to begin the process.

- Commissioner Proctor stated that it seems that the community center will open to be too small the library will be too large. He stated that the community's demand is for the community center. He stated that he would like to take the $400,000 that the motion leaves and put it into expanding the community center. He stated that the County should take the $450,000 that is in the motion and support Commissioner Sauls' request.

Commissioner Proctor asked the maker of the motion to expand and include $400,000 to expand and accommodate the Woodville Community Center.

- Mr. Tony Park verified that the community members expressed that the community center will open at capacity.

Commissioner Sauls asked the maker of the motion to consider putting $400,000 toward the Woodville Community Center and $450,000 toward a new library for Woodville.

- Commissioner Grippa voiced concern about funding another stand-alone library due to operating costs.
- Mr. Brantley, Facilities Management, stated that the total cost of the Woodville Community Center is $1,050,000, which includes the land acquisition.
- Commissioner Grippa stated that he would back an appropriation of approximately $450,000-500,000 to expand the community center and then next year look at an appropriation to get books set-up and connect the library.
- Commissioner Sauls stated that if they are going to go for a combined facility, she would like to put the whole $850,000 allocated for the Woodville Community Center/Woodville Library
- Chairman Thaell emphasized that the majority of Cities in Florida fund the libraries—not the Counties. He also stated that the goal is to encourage citizens to use the downtown library, and by building more branch libraries, they are hindering the effort.

Commissioner Winchester clarified that the motion is to budget $450,000 for an expansion of the Woodville Community Center.

Commissioner Proctor moved a substitute motion to take the #2 Item, under new initiatives Woodville Library, to place out of the $850,000, $400,000 to be designated to the line item for the Woodville Community Center and $450,000 to remain designated for a Woodville Library.

Chairman Thaell ruled that after lengthy discussion, he will not accept a substitute motion. Chairman Thaell stated that the Board would vote on the main motion.

Commissioner Proctor called a point of order of the parliamentarian. County Attorney Thiele stated that if the Chairman had made that a condition before he recognized the speaker, he could have imposed the condition. However, once the Chairman recognized the speaker, before he imposed the condition, the substitute motion if seconded, would have to prevail.

Commissioner Sauls seconded the substitute motion.

Commissioner Winchester moved, seconded by Commissioner Rackleff, to call to question.

The substitute motion failed, 2-5 (Commissioners Rackleff, Grippa, Winchester, Thaell, and DePuy opposed).

Commissioner Grippa moved a substitute motion, seconded by Commissioner Rackleff, to appropriate $450,000 toward the Woodville Community Center and to explore expanding the room for multi-purpose use; to revisit funding next year for additional appropriations; and to have a workshop with the remaining $400,000, which would be put in escrow, to look at all of the community centers around the County to ensure equity in funding.

Commissioner Proctor asked the maker of the motion to leave $200,000 for a library. He stated that the Board could rent a space in Woodville and he would prefer to create something smaller than a 12,000 square foot library. Commissioner Grippa maintained the original substitute motion.

Commissioner Rackleff suggested reconvening in the morning with clearer heads.

Commissioner Sauls asked whether the $450,000 is specifically for the Woodville Community Center. Commissioner Grippa answered that it is for the expansion of the Woodville Community Center and a stand-alone library is no longer being considered.

The substitute motion carried, 5-2 (Commissioners Sauls and Proctor opposed).

The Board discussed Discussion Item #7

This budget discussion item presents budget and policy recommendations to meet the needs of Leon County community centers given their recent growth and to guide the County's efforts in this area into the future.

Mr. Rosenzweig summarized that staff recommends that they would take on utilities, some of the maintenance, the setup and breakdown of events, and overall helping the profits. Chairman Thaell explained that the item is giving Parks & Recreation the operational obligation.

Commissioner Winchester moved, duly seconded by Commissioner Grippa, to approve Option 1: Approve the realignment of community center responsibilities to the Parks and Recreation Division and the creation of two FTEs and a proposed operating and capital budget of $218,468 for fiscal year 2005/06 to coordinate community center responsibilities and provide periodic maintenance.

Speaker, Ms. Susan Davis, 914 Mimosa Dr., Coordinator of the Leon Count Senior Outreach Program, stated that she supports the motion--particularly of the park attendant.

The motion carried unanimously, 7-0.

Chairman Thaell recognized Speakers for the Budget Workshop

Speaker, Nancy Daniels, Public Defender, 1555 Clifford Hill Road, made the following points regarding TEAM Child:

- Asked the Board to reconsider the earlier vote that cut the funding for TEAM Child, stating that it is only 1 of 2 programs in the state.
- TEAM Child lost its funding in 2003, which was Florida Bar Foundation Funding
- Leon County Board of Commissioners funded the program with $45,000, which kept the program going.
- TEAM Child represents homeless children, abused children, retarded children, and mentally ill children.
- Judges rely heavily on TEAM child.
- TEAM Child went through CHSP and received only $7,800. It takes approximately $120,000 to run the program.
- The program has been found to be cost-effective and to eliminate recidivism.

- Hopefully this will not be a recurring cost and a new license plate, called "Invest in Children's Justice," is intended to fund children's programs.
- The program has been successful in getting about $20,000 through block grants; however, they are told that due to the federal deficit, not to expect it again. There are few other places to look in the immediate future.
- If the Board is not convinced to put it in the regular cycle, maybe they can do what they did for Mothers in Crisis and set aside the money. TEAM Child could make their case to the Public Service Coordinating Council to see if they can get a recommendation from them.
- TEAM Child requested $90,000, but they had the impression that $45,000 would be doable. She stated that that would fund the salary of the social worker and partly fund the salary of the attorney at legal services.

Commissioner Rackleff stated that Florida Bar Foundation funding is funded by interest on lawyer accounts in escrow, and over the years the practice was developed to take the interest earnings on those investments and provide things like funding for this program. He stated that it is his impression that funding has declined in recent years due to low interest rates causing income from the investments to decline precipitously. Ms. Daniels responded that that statement is mostly correct. The foundation is funded by those Interest On Trust Account funds, IOTA funds. She stated that this was a specially funded program for three years.

Commissioner Rackleff moved, seconded by Commissioner DePuy, to reconsider funding for TEAM Child. The motion carried, 6-1 (Commissioner Grippa opposed).

Commissioner Rackleff moved, seconded by Commissioner Winchester, to allocate $45,000 for the TEAM Child program.

Commissioner Grippa asked how much money has been given to North Florida Legal Services. Mr. Rosenzweig responded that the County has given approximately $150,000. Commissioner Grippa asked how much they have given Legal Aid. Mr. Rosenzweig stated that that amount is assumed in the figure he just gave. Commissioner Grippa asked how much Ms. Daniels is putting toward it. She responded that she puts approximately $25,000 of state funds into the program. Commissioner Grippa clarified that the position Ms. Daniels is seeking to fund is a grant funded position within the public defender's office that was previously a private grant.

Ms. Daniels stated that through the City Police Department, they have received $20,000 in block grant. Commissioner Grippa asked whether the

Sheriff has funded any. Ms. Daniels stated that there were block grants through the Sheriff.

County Administrator Alam responded that the County gets the block grant. Mr. Don Lanham, Grants Coordinator, stated that the funding in discussion is called the Local Law Enforcement Block Grant from the Department of Justice (DOJ). He stated that the County and City receive grants from the DOJ and the County has been working with the City on the distribution of those funds. Mr. Lanham explained that the process has been changed. He stated that tonight, under the Consent Agenda, the JAG grant is the replacement for the Local Law Enforcement Block Grant. He explained that the JAG grant is a meeting between the City and County to decide how those funds are going to be spent. This year the funds are $200,000. Commissioner Grippa asked why the program could not be funded out of that grant money. Ms. Daniels responded that there are a lot of competing programs for that grant money. Commissioner Grippa stated that suggested that the TEAM Child go back through a process and get the recommendation that this program is curing the recidivism rate. Commissioner Grippa stated that, for public record, he received an e-mail from Ms. Wendy Loquasto. He stated that in three hours Ms. Mary Dekle was able to get e-mails sent to his office. Chairman Thaell responded that the Board should not call-out names of citizens or insult speakers.

Ms. Daniels stated that it has been unusual for them to get money out of block grants since they are typically for law enforcement equipment and various programs.

Commissioner Grippa asked whether the block grant could be used for this purpose. Mr. Lanham answered yes. Chairman Thaell asked whether the decisions have been made for this current block grant. Mr. Lanham answered that they have and it came before the Board this evening.

Commissioner Proctor stated that it is a double-standard that Mothers in Crisis has to go through the Public Safety Coordinating Council, but TEAM Child is being voted up or down.

Commissioner Proctor attempted to make a substitute motion. Chairman Thaell did not recognize Commissioner Proctor. County Attorney Thiele stated that the presiding officer has the authority to recognize or not to recognize a speaker.

<u>The motion failed to fund TEAM Child for $45,000, 3-3 (Commissioner Proctor, DePuy, and Grippa opposed; Commissioner Sauls was Out of Chambers).</u>

Commissioner DePuy stated that he wants TEAM Child to get the money, but he also wants to ensure that he goes through the process everyone else has to go through.

Commissioner Proctor stated that the Board is using two different standards and asked why they would reconsider Mothers in Crisis and send them through the PSCC and these white people can come up and it works and then he is ruled out of order. He stated that the process is out of order with two different standards pertaining to some black women who stand up here for some of the block grant money. Commissioner Proctor stated that the problem with block grant money is that all of it is intended to arrest folk, lock them up, and they get such a paltry amount because block grant is designed to lock people up.

Commissioner Proctor moved, duly seconded by Commissioner DePuy, to send TEAM Child through the Public Safety Coordinating Council for a recommendation as to whether the Board will fund them for a cap of $45,000 for FY 05/06 and the money would be placed in an escrow account in the meantime.

Commissioner Rackleff asked whether the $45,000 would be set aside so that it is available. Commissioner Proctor answered that the money would be put in escrow.

The motion carried unanimously, 6-0 (Commissioner Sauls was Out of Chambers).

Speaker, Ms. Joan Anderson, 443A Leon County Courthouse, spoke on behalf of Legal Aid and stated that they deal with civil issues, not the criminal law. Ms. Anderson asked for reconsideration. She stated that earlier that day, they asked for a one-time, recurring grant for $23,000.

Commissioner Grippa moved, seconded by Commissioner Winchester, to reconsider funding of Legal Aid.

Commissioner Rackleff stated that a point of order is that the Board already moved to reconsider the motion. County Attorney Thiele stated that he does not know what was allocated in the motion that passed earlier today. He explained that if it was zero dollars, the Board would need a motion to reconsider the allocation of zero. Commissioner Rackleff clarified that they would need a motion to reconsider on each item.

The motion carried unanimously, 6-0 (Commissioner Sauls was Out of Chambers).

Commissioner Grippa moved, duly seconded by Commissioner Winchester and carried unanimously, 6-0 (Commissioner Sauls was Out of Chambers), to allocate $23,000 for one-time funding to Legal Aid.

The Board entered discussion of HOPE Community

Commissioner Rackleff moved, duly seconded by Commissioner DePuy, to reconsider the denial of funding to HOPE Community for $56,000 for building a women's dormitory.

The motion carried unanimously, 5-0 (Commissioners Proctor and Sauls were Out of Chambers).

Commissioner Rackleff moved, duly seconded by Commissioner DePuy, the grant of $56,000 to the HOPE Community.

Commissioner DePuy stated that according to Ms. Freeman, the Board would be back this year with $200,000+. He stated that staff's position is that that information is inaccurate. County Administrator Alam stated that the Board did not state that they would have $200,000+ this year. Commissioner Rackleff stated that that is immaterial and the dormitory's completion is important.

Commissioner Winchester asked if there is any participation from contractors. Commissioner Rackleff stated that there are four buildings that are built now and the women's dormitory would be the fifth building.

Commissioner Winchester stated that when building something like this, the contractor usually contributes. He stated that he is opposed to people coming in year-in and year-out when there are contractors who could help fund, rather than taxpayers. Commissioner Winchester opposed the motion.

Commissioner Winchester suggested a challenge grant and stated that if they came back to the next meeting and had raised $50,000, he would vote to give them $50,000.

Commissioner Winchester moved a substitute motion, seconded by Commissioner Grippa, to have HOPE Community raise $56,000 in the private sector and return to the Board in a challenge grant and condition that on HOPE Community receiving $56,000 from the County.

- Commissioner Grippa reminded the Board that there is another flag item: the one-time bonus for staff. He suggested reserving some money for the senior employees.

- Commissioner DePuy asked whether the money would be reserved in the meantime. Commissioner Winchester responded that they would.
- Commissioner Rackleff asked whether they would need to raise $56,000 in order to get the County's $56,000.
- Commissioner Grippa asked whether it is one-time or would they come again next year. Commissioner Winchester clarified that it is one-time only.
- Commissioner Proctor asked the County Attorney whether the Board could make a challenge grant that does not have a specific date of closure. County Attorney Thiele opined that, from the motion, it would have to occur in the FY 05/06 or the money would go away.

The motion carried unanimously, 6-0 (Commissioner Sauls was Out of Chambers).

Mr. Rosenzweig summarized that the Board has designated all of their funds, based on the increases and decreases. He stated that the Board needs to set the millage rates.

Commissioner Grippa initiated discussion on the one-time bonus for staff.

Commissioner Grippa stated that for the funding of the one-time bonus, the Board has the contingency fund and the savings contract will spin-off approximately $500,000. Mr. Rosenzweig explained that it will cover its debt service for the first 3-4 years and after that, it will generate money. Commissioner Grippa asked how correct Bert Hartsfield's, Leon County Property Appraiser, estimates are.

Commissioner Grippa moved, seconded by Commissioner Winchester, to set aside $100,000 for senior staff one-time bonuses and to schedule a workshop on how to set criteria to do that.

- Chairman Thaell clarified that the $100,000 is outside of the balanced budget. Mr. Rosenzweig stated that they are anticipating that they will get a final bump when they get the final values on July 1, 2005.
- Commissioner Proctor asked where this leaves the ranking for non-senior. Mr. Rosenzweig stated that it is 5% or $1,000 minimum plus $400-600 one-time bonuses annually.
- Commissioner Rackleff recalled that there is a bonus program for employees who exceed expectations in their annual ratings and the bonus ranges from $400-600 for career service employees. Commissioner Rackleff asked how the $100,000 would be allocated.

- Commissioner Grippa stated that if they were in a budget crunch, the first thing the County Administrator would do is implement a hiring freeze and stop raises. He stated that, by the same token, this has been a good year for growth and now is the time to reward the employees.

The motion carried unanimously, 7-0.

The Board discussed Item #14: establishing the maximum FY05/06 Millage Rates.

Commissioner Proctor moved, duly seconded by Commissioner Winchester, to approve Option 1 a.: 1. Establish the maximum FY05/06 millage rates as follows: a. Countywide 8.54 mills.

The motion carried unanimously, 7-0

Commissioner Grippa moved, duly seconded by Commissioner Winchester, to reduce the Primary Healthcare MSTU to 0.12 mills.

Commissioner Rackleff opposed the motion because the Board asked the Primary Healthcare Advisory Board to come back to the Board with a plan for improving the Primary Healthcare services. He stated that this motion cuts their legs off.

Commissioner Rackleff moved a substitute motion, seconded by Commissioner Thaell, to maintain the current level of Primary Healthcare MSTU at 0.22 mills.

Commissioner Proctor assumed Chair.

- Commissioner DePuy stated that he is the Commission's appointee to the PHAB and they are working on the plan. No one on PHAB has the intention of walking away. He stated that he intends to vote in the way that the Board prevailed in the workshop with a 4-3 vote to cut the MSTU to 0.12 and move forward.
- Mr. Joe Sharp, Director of Human Services, stated that the PHAB plan will be presented to the Board at their first meeting in August.
- Commissioner Rackleff stated that he recalled that their millage has to be forwarded to the tax collector at the end of June.
- Mr. Rosenzweig explained that they are setting the maximum millage rate at this point. He stated that in the September public hearings, the Board cannot go up in their millage rates from whatever the Board sets now.

- Commissioner Rackleff stated that if they reduce it to 0.12 mills, then whatever plan comes out, they will not have that money available. He suggested maintaining the millage rate at 0.22 mills in order to preserve the option of a having a fully formed plan with funding available.
- Mr. Sharp stated that a letter was circulated from Bond Community Health Center that said that they would like to be excused from participation in the $1,000,000 that had been raised by the millage rate being increased from 0.12 to 0.22.
- Commissioner DePuy stated that they no longer want to be considered for the funding. A copy of the letter was circulated.
- Commissioner Rackleff stated that that changes something, but it does not change the fact that the PHAB is coming up with a plan. He does not want to have a plan with no opportunity to increase the funding to the point where it can fund the plan.
- Commissioner Thaell stated that he supports the retention of 0.22 mills to keep the option open. He stated that the provider is irrelevant to him and they know that providing Primary Healthcare to 1/5 of the population, 52,000, with no health insurance will not be achieved by reducing the resources that are available. He stated that there has been a success in reducing the invisible tax that all pay when people go to the Emergency Room to use the most expensive kind of care when they get sick. Commissioner Thaell stated that he supports the PHAB and the appointee.

Commissioner DePuy asked for legal advice since the Board already voted in a workshop to change the millage rate and then affirmed that vote in general session to change the millage rate to 0.12.

County Administrator Alam stated that the Board voted to go to 0.12 mills and the budget is set-up on 0.12 mills; however, the millage rate is 0.22 and the Board does not establish the millage rate until the public hearing in September. He explained that today the Board will set the millage rate to go to the public hearing.

The substitute motion failed, 2-5 (Commissioners Sauls, Grippa, Winchester, Proctor, and DePuy opposed).

Commissioner Thaell reassumed Chair and stated that the original motion is on the floor.

Commissioner Grippa restated that the original motion is to reduce the Primary Healthcare MSTU to 0.12 mills.

Commissioner Grippa stated that there are not 52,000 uninsured in Leon County. He stated that he will get the correct number, which is significantly less. Commissioner Grippa stated that he is hopeful that the County can bring in TCC, FSU, and FAMU's Pharmacy School and to have something that utilizes the best of the emergency room with proximity, but has follow-up at Bond or Neighborhood.

Commissioner Proctor asked for clarification regarding the TRIM notice and millage rates. Mr. Rosenzweig explained that it associates the millage rate with the Primary Healthcare fund and that is all. Commissioner Proctor asked if it is within the law that the Board may radically depart from that previous notice to the public regarding $1 million that exists and spend outside of its designated purpose. County Attorney Thiele responded that it could be as long as it was within the MSTU enabling Ordinance. Commissioner Proctor requested a copy of the enabling Ordinance.

Chairman Thaell stated that the number of uninsured in Florida is 20.2% today.

The motion carried unanimously, 7-0.

Commissioner Sauls moved, duly seconded by Commissioner Grippa and carried unanimously, 7-0, to approve Option 1 c.: Emergency Management Services MSTU 0.5 mills.

The Board resumed the Regular Meeting Citizens to be Heard (3-minute limit, no Commission Discussion)

Citizens to be Heard on Non-Agendaed Items (3-minute limit; no Commission Discussion)

- Speaker, Cheryl Gratt, 9086 Veterans Memorial Dr., made the following points:
  - On March 24, 2005, she attended a community meeting at the Miccosukee Community Center where the community members voted twice for Option 2, which appropriated money to repair the existing community center and to add-on to the Miccosukee/Concord School in Miccosukee.
  - Land purchase was never mentioned.
  - Commissioner Grippa mentioned that there was a possibility that the land might be donated and the community voted, again for a second time, that they did not want land and that they wanted to continue with their community center and schools.
  - Both buildings have historical significance to the community.

- Community members voted that they wanted the community center to remain a community center, not an educational facility.
- The purpose of putting the funding to the school was to allow for educational space at a school and to free up the community center.
- She stated that she offered to Commissioner Grippa to volunteer to work with the Leon County School Board to get them to donate the building to Leon County. She stated that he thanked her for her help and she did not hear back from him.
- She is upset to hear that land behind the community center is going to be purchased or money has been appropriated to build a new community center. She stated that the community does not want a new community center.
- She asked the Commission to explain that process.

- Speaker, Alva Reeves, 15012 Tom Reeves Rd., made the following points:
  - She owns the property across the street from the Miccosukee Community Center.
  - The community is disturbed that after their community meeting in March, there has been discussion of purchasing the Joanna and Larry Long properties.
  - Homes are inconvenienced by the community center as it stands today.
  - She and her husband have had problems with people loitering on their property, parking on their property, and being raucous.

  Commissioner Grippa stated, for the record, that they have made an offer for the Concord School and the Board is aware of what happened with that as well as Ft. Braden. He stated that if anyone's aid needs any of the information so the Commissioners can disseminate it, let him know and he would be happy to provide that information.

- Speaker, Eugene Danaher, 10263 Thousand Oaks Circle, stated that he sympathizes with the Chairman for trying to keep the group in order. Mr. Danaher stated that the number of discussions going on between different commissioners is unbelievable. He stated that it is illegal, a violation of the Sunshine Law, for two commissioners to lean over and have discussions with each other. He stated that the County Attorney needs to voice these violations and to bring them to the attention of the Chair in order to avoid the situation.

  Mr. Danaher stated that he is pleased that there are two items for Commissioners Sauls and DePuy to attend the FACC meeting. He stated that on Friday the 15th and 19th of July, there is a NACO annual conference in Honolulu, HI. He stated that there have been no requests for money, which should have come up through Consent

Agenda. Mr. Danaher stated that, as a taxpayer, it is inappropriate for the commissioners to travel 12,000 miles roundtrip to attend this kind of a session.

The Board entered discussion of Item #33.

Citizens to be Heard on Non-Agendaed Items (6-minute limit)

- Mr. Richard Noakes, 6752 Longhorn Dr., a member of the Chaires-Capitola Recreational Facility, addressed the need for lights at the Chaires-Capitola Recreation area for sports' practice and games, especially during fall and winter. He asked what the status is on the development of the Apalachee Regional Park.

- Ms. Gail Milon, 1327 Colorado St., stated that she is speaking as the Chairman of the Board of Bond Community Health Center. She stated that it was brought to her attention that earlier in the evening the issue regarding Bond refusing the $1 million that was initially promised is not true. She referenced the letter sent to the Primary Healthcare Advisory Board. The letter was distributed. She read from the letter, "We regret that we will not be able to participate in the partitioning of funds to several agencies, proposed by the CareNet and PHAB, which would provide a "piece meal approach" to addressing the unique healthcare needs identified for the Southside."
  Ms. Milon stated the following:
  - If the $1 million that was promised to Bond was given to Bond, they would gladly accept.
  - They were being informed that the monies that was initially promised, which was predicated on the MGT study, and they were informed that the money would be divided between several entities.
  - They submitted a proposal outlining the need for the $1 million. Ms. Milon stated that this was one of the top 10 priorities for 2004/2005. She stated that they did not refuse $1 million.

  Commissioner Rackleff asked Ms. Milon if Bond does not get the whole $1 million, then they do not want anything. Ms. Milon stated that what they said in the letter was that a proposal was submitted outlining what they need. Commissioner Rackleff asked if Bond does not get the full $1 million, they do not want any money at all. Ms. Milon answered that that is correct.

  Commissioner DePuy stated that this is the letter handed by a staff person when they attended the PHAB meeting on June 9, 2005. He stated that the PHAB has not decided what to do with the $1 million. He read the first sentence of the letter, "The Bond Community Health Center, Inc. (BCHC) Board of Directors requests that the Board of County Commissioners no longer consider the Bond Community Health Center, Inc. as an agent to participate in the one (1) million dollar fund balance allocated to conduct

Women's Health Services." He stated that PHAB is going to come back with a proposal in the next several weeks, and, unless Bond wants to modify or change it, he does not think that they are planning on including this $1 million, all or part of it. He stated it was because Bond said they did not want the money.

Ms. Milon responded that if that is all the Bond had wanted to say in the letter, then that is all that would have been documented. She stated that this is a two-page letter and Commissioner DePuy only read the first sentence. Ms. Milon read the second sentence, "The decision made by the Board of County Commissioners not to fund Women's Health Center at or near Bond as promised and agreed upon I previous Commission proceedings causes us great concern. We regret that we will not be able to participate in the partitioning of funds to several agencies...(see above quote)." She stated that Bond was told that it was going to be divided amongst several agencies. Ms. Milon asked that to provide adequate services to their women and children, if this is what was need and promised why can't they have it?

Commissioner DePuy stated that there has been no action taken by the PHAB to decide where the $1 million is going. He stated that one of the solutions suggested by the MGT study was for OB/GYN and Pediatric care to spend at the rate of a little more than $300,000 per year. He stated that he would solicit, on behalf of the people Ms. Milon is concerned about, that she reconsider her position and come back to the Board and modify the letter. He stated that if Bond does not do that, the Board will stand on that letter.

Commissioner Proctor thanked the Bond Community Health center for their good and faithful journey into the exploration and them making themselves available to be considered as a partner with the County in servicing women's health needs. He stated that based upon a study indicating need, he is appreciative for the time, energy and sacrifices of their staff.

Commissioner Proctor moved, seconded by Commissioner DePuy and carried, 5-2 (Commissioners Winchester and Grippa opposed), to extend the meeting to 11:20 p.m.

- Ms. Cheryl Gratt, 9086 Veterans Memorial Dr., voiced the following concerns:
  - The community had a meeting and took a vote, and now they found out that land is being purchased.
  - She stated that she wants to know how and why, since the community did not talk about purchasing land.

Commissioner Grippa stated that the people are there because they are unhappy and have been told certain things. He stated that maybe it would be appropriate for the Chairman to answer the questions. Commissioner Grippa

stated that the Chairman should ask the speakers not to address a Commissioner directly.

Chairman Thaell asked Ms. Gratt whether he called her and invited her to the meeting. She responded no. He asked whether he has ever talked to Ms. Gratt. Ms. Gratt responded that they have not spoken. Chairman Thaell asked whether there was anyone present at the meeting who he encouraged to come to the meeting. No one responded. Chairman Thaell stated that he had asked the County Administrator to provide the details on the purchase of an adjacent piece of property since he knew the Board was looking at appraisals—but not moving forward and buying property.

County Administrator Alam stated that the Board is not buying any property. Chairman Thaell stated that he remembered a discussion by the County Commission about looking at a piece of property adjacent to the community center.

Ms. Gratt stated that it was a $145,000 piece of property. She stated the following issues: There is a community center and the community has a lot of people of various ages. She stated that there are more than just educational needs in Miccosukee. She stated that they need a place for the seniors to go as well as educational facilities. Ms. Gratt stated that she does not think it is fair that an educational program that serves relatively few, when looking at the ratio to the community, be allowed or encouraged to have a single facility for its use. She stated that that is the largest issue. She stated that she has several letters where a commissioner has put in writing, on Leon County letterhead, that he wants to do what the community wants. She asked why they could not put the educational programs toward the Miccosukee/Concord School.

Chairman Thaell stated that the Board is in discussion with the school system about acquiring the Concord School or leasing on a long-term basis or another solution. He stated that Commissioner Grippa has been one of the people leading the initiative with the School Superintendent.

- Ms. Alva Reeves, 15012 Tom Reeves Rd., stated that, as a resident of Billingsley Rd. and part of the petitioners from Billingsley Rd., she wants the Board to understand that they want the Larry and Joanna Long property to stay a private residence. She stated that they do not want the Miccosukee Community Center expanded on Billingsley Rd. by any means. She stated that they are concerned about their property taxes, peace and quiet, and property values. Ms. Reeves stated that Joanna Long is present tonight and Joanna does not want to sell the property. Ms. Reeves stated that if the Board would like to speak with Joanna, she would be happy to step up. She stated that she admires Dr. Young for her work with the youth in Miccosukee.

- Dr. Mary Young, 9538 Moccasin Gap Rd., stated that she never expected to hear remarks like the ones she heard today in 2005. She stated that she has always had good experiences with all races. Dr. Young stated that every since the Miccosukee Youth Education Foundation was formed in 2002, Ms. Pam Herald and others have opposed it. She stated that had it been someone else who started the program, it would have been okay. Dr. Young stated that on June 21st they will begin their summer program, which goes until July 28th, on Tuesdays and Thursdays from 9:00 a.m.- 3:00 p.m. She stated that she is tired of people telling her that they need to be out of the community center. She stated that she is going to continue working with the students of Miccosukee. She asked the Board, regarding the dollars appropriated for the Miccosukee Youth Education Foundation, if the Board could consider giving the group some amount so they can get out of the Miccosukee Center. Dr. Young stated that they need space to house their books and other supplies.

  Commissioner Grippa stated that Dr. Young is not paid for what she does and volunteers to teach children. He explained that the Foundation is for children of all races and that he knows Dr. Young has been locked out before. He stated that Dr. Young has every right to the community center. Commissioner Grippa stated that he has publicly asked Superintendent Bill Montford three times about Concord and Ft. Braden Schools and they have gotten the same answer each time.

  Commissioner Grippa stated that they have appraised property because they would like to bring alternatives that talked about building a new community center in the future. He recalled when Mr. Albert Green looked up at a picture of Andrew Jackson in the community center and asked why that picture was there if the community center is as much his as it is yours.

- Mr. Eugene Danaher, 10263 Thousand Oaks Circle, stated that he attended a workshop, on April 26, 2005, for the consideration of a Growth and Environmental Management Permit Process and Development Initiatives (a.k.a. the Blue Ribbon Committee). He named the occupations of 11 of 14 members appointed to the Board as follows: 1) builder, 2) builder/developer, 3) developer, 4) realtor, 5) consultant, 6) planner, 7) real estate, 8) appraisal/real estate, 9) design and development, 10) attorney, 11) engineer. He stated that the remaining three, with whom he is pleased, are: Wendy Gray, Dr. Helgie Swanson, and Kathy Archibald. He stated that the Board should be struck that 71% of the Board is on one side of the issue. He opined that the Board will not get a favorable response from the general public for such an imbalanced situation. Mr. Danaher stated that someone should have looked at the Board and recommended a balance. He pleaded with the Board, since the Committee has not met yet, to correct the problem.

Discussion Items by Commissioners

01

Chairman Thaell

- Passed out a letter from the Economic Development Council requesting that the Commission agenda an incentive package to induce a company from Canada, who has indicated that Leon County is on the shortlist for a corporate relocation. He stated that there is a request of an incentive contribution.

  Commissioner Grippa moved, seconded by Commissioner DePuy and carried unanimously, 6-0 (Commissioner Winchester was Out of Chambers), to agenda the Economic Development Center incentive package for corporate relocation.

- Requested a Resolution, without objection, for Mac Kemp who was named the EMS Educator of the Year for 2005.
- Thanked the Commissioner for a great year as the President of the Florida Association of Counties.

  Commissioner DePuy moved, seconded by Commissioner Grippa and carried, 5-1 (Commissioner Rackleff opposed; Commissioner Winchester was Out of Chambers), to extend the meeting until 11:25 p.m.

Commissioner DePuy

- Requested a Resolution, without objection, honoring Captain Harry Chaires who retired after 37 years in the Leon County Sheriff's Office.

Commissioner Proctor

- Requested a Resolution celebrating the 10th anniversary of Bethel AME Community Development Corporation.

Commissioner Grippa

Commissioner Grippa moved, seconded by Commissioner DePuy and carried unanimously, 6-0 (Commissioner Winchester was Out of Chambers), to agenda funding $500 for a softball team for the June 28, 2005, Regular Meeting.

Commissioner Grippa moved, seconded by Commissioner DePuy and carried unanimously, 6-0 (Commissioner Winchester was Out of Chambers), to agenda the issue of Joing City/County meeting locations.

- Mentioned a letter received from Chairman Thaell's aide that he thought was inappropriate and asked that it be dealt with.

Add-on: Request to Approve Travel Expenses for Commission Aide to Attend the Florida Association of Counties Conference in Tampa.

Commissioner Grippa moved, seconded by Commissioner DePuy, to add the Request to Approve Travel Expenses for Commission Aide item to the agenda and approve the travel request. Without objection, the travel request was approved.

With no further business to come before the Board, the meeting adjourned at 11:25 p.m.

APPROVED:_____
Cliff Thaell
Chairman

ATTEST:

_____
Bob Inzer
Clerk of the Circuit