

BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
March 11, 2008
DRAFT

The Board of County Commissioners of Leon County, Florida, met in regular session at 3:00 p.m. with Chairman Sauls presiding. Present were Commissioners DePuy, Thael, Proctor, Rackleff, Dailey, and Desloge. Also present were County Administrator Parwez Alam, County Attorney Herb Thiele, Finance Director David Reid and Board Secretary Rebecca Christmas.

Invocation was provided by Commissioner DePuy who then led the Pledge of Allegiance.

Awards and Presentations

Commissioner Proctor presented a Resolution to the Rickards High School Band for its Outstanding Performance in the 2008 Fed-Ex Orange Bowl.

Quincy Griffin, Band Director, expressed appreciation for the recognition on behalf of the faculty and administration at Rickards High School. Mr. Griffin noted that 70% of band members are on the honor roll, 100% of last year's graduating seniors entered college, with 80% of those on a music scholarship. Representatives from the band were introduced.

Chairman Sauls presented a Resolution Designating March 16-22, 2008 as Florida Surveyors and Mappers Week to Recognize the Valuable Contributions of the Surveying and Mapping Profession to the History, Development, and Quality of Life in Florida. Lamar Evers, President, Local Surveyors and Mappers Association accepted the Resolution on behalf of the Northwest Florida Chapter of the Professional Surveyors and Mappers Association of Florida.

Consent Agenda

Commissioner Desloge moved, and duly seconded by Commissioner Dailey to approve the following Consent Agenda with the exception of item 8, which was pulled for discussion and item 18 which was removed from the Agenda. The motion carried unanimously 7-0.

1. Approval of Minutes: January 30, 2008 Workshop on the Prioritization of County Services and the February 12, 2008 Regular Meeting.

The Board approved Option 1: Approve the Minutes of the January 30, 2008 Workshop on the Prioritization of County Services and the February 12, 2008 Regular Meeting.

2. Approval of Payment of Bills and Vouchers Submitted for March 11, 2008, and Pre-Approval of Payments of Bills and Vouchers for the Period of March 12 through March 24, 2008: \$8,016,183.00

The Board approved Option 1: Approval of Payment of Bills and Vouchers Submitted for March 11, 2008, and Pre-Approval of Payments of Bills and Vouchers for the Period of March 12 through March 24, 2008: \$8,016,183.00

3. Approval of Employee Market Review Salary Adjustments

The Board approved Option 1: Approve the implementation of the remaining market salary adjustments, retroactive to February 1, 2008.

4. Acceptance of Status Report on Activities and Options Associated with Assisting Feldman Mall Properties"

The Board approved Option 1: Accept the status report on activities and options associated with assisting Feldman Mall Properties.

5. Approval of the Expansion of the Lake Talquin Volunteer Fire Department's Response Area

The Board approved Option 1: Approve the expansion of the Lake Talquin Volunteer Fire Department's response area

6. Approval of Minutes: February 2, 2008 and February 11, 2008 Special Meeting of the Healthcare Advisory Board

The Board approved Options 1 & 2: 1) Approve the minutes of the February 2, 2008 subcommittee meeting of the Healthcare Advisory Board as a Special Meeting of the Board of County Commissioners, and 2) Approve the minutes of the February 11, 2008 subcommittee meeting of the Healthcare Advisory Board as a special meeting of the Board of County Commissioners.

7. Approval to Negotiate Agreements with McGinniss & Fleming Engineering, Inc., JGP Structural Group, Inc., and Rosenbaum Engineering, Inc. for Structural & Mechanical/Plumbing/Electrical Engineering Services on a Continuing Supply Basis

The Board approved Option 1: Authorize staff to negotiate agreements with Rosenbaum Engineering and JGP Group, Inc. for structural engineering services, and McGinniss & Fleming Engineering for mechanical, plumbing and electrical engineering services on a continuing supply basis.

8. Approval of the Greenhouse Gas (GHG) Inventory Report for Leon County Government Operations

Commissioner ThaelI asked that this item be pulled from the Consent Agenda.

County Administrator Alam reminded Commissioners that at the December 2005 Retreat, the Board agreed to launch an initiative to promote energy efficiency by designating a Comprehensive Energy Policy. Mr. Alam noted that in 2006, the Board approved 15 strategies to increase energy conservation and reduce GHG emissions; in 2007 the Board joined the International Council for Local Environmental Initiatives (ICLEI) and in 2008 approved sponsorship of the Climate Action Summit.

Commissioner ThaelI added that he pulled the agenda item to provide the board and community an opportunity to focus on the good work being done by staff to reduce institutional energy use over the last three years. Commissioner ThaelI noted that part of the County's involvement with ECLEI included participation in the Cities for Climate Protection (CCP) Campaign. He advised that inclusion in the campaign included a commitment by the County to achieve Five CCP Milestones:

1) inventory our GHG emissions; 2) set a reduction target; 3) develop community action plan 4) implement community action plan and 5) monitor progress and report results.

Commissioner Thael encouraged the community to attend the Climate Action Summit on March 28 at the Leon County Civic Center and he introduced Mr. John Ward, to provide information on the progress Leon County has made in reducing energy use.

Mr. Ward reviewed the Greenhouse Gas Inventory for Leon County Government Operations Report. Highlights from the report include:

- The timeframe used in the study is the last four years;
- Major emission contributors are buildings (76%) and fleet (18%);
- Buildings provide the largest opportunity for saving emissions and conserving energy;
- Greenhouse gas emissions have declined 5%;
- Facilities have grown 1.8% in total growth square footage;
- Energy consumption has increased 3%;
- Utility costs have increased 33% in total utility expenditures per gross sq foot, and
- The five year's prior to the four year study period, utility expenditures increased by 75% with very little increase in consumption

Mr. Ward advised that the next steps in the CCP campaign are the development of a "business as usual" forecast of GHG emissions; development of an action plan and setting of target reductions. Mr. Waters referred to attachment 4 which illustrates energy consumption by each county facility. He suggested that this information will be useful in determining those areas where energy usage can be reduced and in the development of the "business as usual" forecast.

Commissioner Proctor voiced his concern over the escalating charge of electricity by the City. He noted that the County's utility costs have increased 33% over the past four years and 75% over the past five years. He suggested looking at some type of governance rate setting. Commissioner Proctor stated that this is a problem and urged Commissioners to keep aware of the issue.

Commissioner Thael moved and was duly seconded by Commissioner Proctor to approve Options 1 & 2: 1) Accept the Greenhouse Gas Inventory Report for Leon County Government Operations, and 2) Direct staff to develop a "business as usual" forecast of GHG emissions, a proposed GHG reduction target, and an initial Action Plan. The motion carried unanimously 7-0.

Commissioner Proctor asked Commissioner Thael to consider establishing an emissions cutting goal. Commissioner Thael indicated he accepted the suggestion in conception, but would recommend that the goal be established at a later date. Kim Dressel, Management Services Director, clarified that the item before the board directs staff to bring back a target reduction number and that their research suggests a 2% a year reduction.

9. Approval of Cooperative Agreement with United States Department of Agriculture Forest Service

The Board approved Option 1: Approve the USDA Forest Service Cooperative Agreement with Sam Allen and a portion of Bice Road deleted.

10. Acceptance of Right-of-Way Deed and Request to Schedule a Public Hearing for Pasadena Hills 2/3 Paving Project for Tuesday April 8, 2008 at 6:00 p.m.

The Board approved Options 1 & 2: 1) Accept and authorize recording of the Deeds for the Pasadena Hills 2/3 paving project and 2) Schedule the first of two public hearings for Tuesday, April 8, 2008 at 6:00 p.m.

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

Ion Sancho, Supervisor of Elections, 315 S. Calhoun: Mr. Sancho advised that he has learned that the State of Florida is proposing that the Democratic Party conduct a mail ballot revote and local Supervisor of Elections Offices would be required to validate signatures. Mr. Sancho added that the State would reimburse counties .10 per name. He informed the Board that the estimated cost to Leon County to perform this task would be \$250,000 and would only be reimbursed \$10,000 by the State. Mr. Sancho voiced his concern over this unfunded mandate.

General Business

11. Consideration of Continued Employment of the Executive Director of the Tourist Development Council

Commissioner DePuy moved and was duly seconded by Commissioner Proctor to Table Discussion on this Item 11. Chairman Sauls asked County Attorney Thiele if vote is needed. Mr. Thiele explained that this is a Primary Motion and is unamendable, is undebatable and requires a majority vote. The Motion carried 4-3 (Commissioners Dailey, Delogue and Rackleff in descent).

Commissioner Dailey requested that Mr. Thiele verify from Roberts Rules of Order whether the above action requires majority vs super majority vote. Mr. Thiele stated that verification would be provided.

Commissioners engaged in a discussion on Roberts Rule of Order.

Commissioner Dailey moved and was duly seconded by Commissioner Thaeil to recess and allow time for Mr. Thiele to retrieve information on Roberts Rule of Order. The Motion carried 4-3 (Commissioners DePuy, Proctor, and Sauls in descent).

The Board recessed at 4:00 p.m. and reconvened at 4:10 p.m.

Chairman Sauls inquired from Mr. Thiele the findings from Roberts Rules of Order. Mr. Thiele informed the Board that his review indicates that a Motion to Table can be overturned by a Motion to Place Back on the Table. He advised that this can only be done after the next issue has been discussed.

Commissioner Dailey asked for point of clarification as to when Item 11 can be brought back for discussion. Mr. Thiele confirmed that subject to Chair's ruling on the matter, a Motion to Remove from the Table can be made after the next Agenda Item had been discussed and would require a majority vote.

12. Approval to Expend Funds to Develop a Corridor Master Plan for a Portion of Woodville Highway

County Administrator Alam explained that the item requests authorization to expend funds up to \$175,000 for a Corridor Master Plan for Woodville Highway.

Harry Reed, CRTPA Executive Director, gave a power point presentation which provided additional information on the Woodville Highway Corridor. He explained that the study would allow an opportunity to plan for future expansion of Woodville Highway. In addition, Mr. Reed shared that Board approval of the request will provide an opportunity to develop a better design, maintain the quality of life, reduce negative transportation impacts from growth, and assist in directing growth patterns. Mr. Reed added that the Woodville Corridor Master Plan will illustrate future design of the corridor and include how transit, bicycle, pedestrian and roadway needs would be integrated into a mobility plan for the area. He also informed Commissioners that the affected area will run from Gaile Avenue to the Wakulla County line.

Commissioner DePuy moved and was duly seconded by Commissioner Proctor to approve Option 1: Authorize the expenditure of Southwood Phase 2a Proportionate Share Mitigation Funds up to \$175,000 for the development of a Corridor Master Plan for a portion of Woodville Highway.

Commissioner Rackleff expressed concern over spending \$175,000 on a corridor study for a road that would not be built for many years. He expressed support for using the money on improving transportation in urban centers.

Commissioner Proctor noted that monies from the SouthWood Proportionate Share Mitigation Fund are to be spent around SouthWood where transportation impacts will occur. These monies could not be allocated to projects in other areas. Commissioner Proctor voiced his support for the Plan and supports moving forward.

Commissioner Proctor asked County Attorney Thiele if proportionate share money can be used for projects of a stationary nature. County Attorney Thiele responded that the Southwood Proportionate Share Mitigation funds must be used to improve transportation functions.

A motion to call the question was made by Commissioner Proctor, and was duly seconded by Commissioner Thaell. The motion failed 3-4 (Commissioners Dailey, Rackleff, Thaell, Sauls in descent)

The Board engaged in discussion on proportionate share funds and how these funds can/cannot be used and the need for the proposed corridor plan.

Commissioner Thaell asked Mr. Reed what future commitments the County would have if funding is approved. Mr. Reed responded that no commitments would be made other than looking at Corridor. Mr. Reed stated that the \$175,000 is just Leon County's portion to match DOT funding, the City of Tallahassee and Wakulla County will contribute also. Commissioner Thaell agreed with Commissioner Rackleff in identifying alternatives to handle evolving transportation needs.

Chairman Sauls asked Mr. Reed to confirm that the City of Tallahassee and Wakulla County will provide the necessary matching funds to conduct the master plan for portions within their jurisdictions. Mr. Reed advised that agreements are in place with Wakulla County and the City regarding their commitment of funding for the Plan.

The original motion made by Commissioner DePuy and seconded by Commissioner Proctor to approve Option 1: Authorize the expenditure of Southwood Phase 2a Proportionate Share

Mitigation Funds up to \$175,000 for the development of a Corridor Master Plan for a portion of Woodville Highway carried 6-1 (Commissioner Rackleff in descent).

11. Consideration of Continued Employment of the Executive Director of the Tourist Development Council (Revisited)

A motion was made by Commissioner Dailey, and duly seconded by Commissioner Desloge to Remove from the Table Item 11. The motion carried 4-3 (Commissioners DePuy, Proctor, Sauls in descent).

Commissioner Desloge opened up the discussion by stating that his position on this issue is based purely on performance by the Executive Director. Commissioner Desloge mentioned that he conducted a performance evaluation on Mr. Thomas last Fall and during this process it was learned that Mr. Thomas had not had a evaluation on his performance in the past five years. As a result of Commissioner Desloge's review, it was his opinion that a change in leadership for the TDC was needed and suggested that Mr. Thomas would be better suited to resign. Commissioner Desloge further added that information (financial and management overview) had been requested repeatedly and has not yet been provided. He expressed that concerns exist over a lack of leadership, communication and that a minimum level of responsiveness that is required for the position has not been received.

Commissioner DePuy voiced support for retaining Mr. Thompson in his current position and apologized for the Board's failure to evaluate Mr. Thomas' performance and for not having a formal evaluation process in place. He thanked Commissioners Desloge and Dailey for bringing this issue to the board's attention.

Commissioner Dailey stated for the record that information (TDC financial audit/strategic plan) has been requested from Mr. Thompson for 13 months and it has not yet been received. Commissioner Dailey remarked that there must be accountability and that the requested information is critical for the commission to provide an accurate oversight of the office.

Commissioner Rackleff affirmed his position that Mr. Thomas is unable to provide the vision, planning, or leadership for the position.

Commissioner Desloge moved and was duly seconded by Commissioner Dailey to sever the relationship of employment with Executive Director of the Tourist Development Council.

A lengthy discussion was held by Commissioners on this issue. Below is a brief overview of comments by commissioners.

Commissioner DePuy asked Mr. Thompson to be responsive to requests from Commissioners.

Commissioner Proctor inquired from County Attorney Thiele what liability would the Board have in terminating Mr. Thompson. Mr. Thiele responded that Mr. Thompson serves under the Charter as an "at will" employee whose employment can be terminated at any time for any reason, provided it is not an illegal or inappropriate reason. Commissioner Proctor voiced concern over the lack of a realistic measuring tool to evaluate Mr. Thompson. Commissioner Proctor remarked that input on Mr. Thompson performance was sought from the TDC's Board (as they are the entity that works directly with Mr. Thomas) and their evaluation was positive. He added that there was no basis for the termination of Mr. Thompson as the last evaluation done by the TDC Board stated he was doing a good job.

Commissioner DePuy clarified for the record from Mr. Thiele that Mr. Thompson was not the Executive Director of the TDC when the Charter was adopted. Commissioner DePuy noted that he shares the same concern as Commissioner Proctor regarding the absence of performance criteria. He advised Mr. Thompson to respond to Commissioner Dailey's and Desloge's request for information within one month.

Commissioner Thaelle suggested that the TDC Board be asked to clarify their position on the retention of Mr. Thompson as the Executive Director of the TDC. He requested that at their next meeting, a formal vote be taken and a recommendation made to the commissioner's. If retention of Mr. Thompson is recommended, Commissioner Thaelle asked that the TDC Board comments include what improvements they would like to see in performance and recommend how they can be measured. He asked for clarification on what information is expected from Mr. Thompson.

Commissioner DePuy emphasized that clarity is needed to make certain that the Executive Director of the TDC knows exactly what he needs to provide by next month to keep his job. Commissioner DePuy added that as the Board's appointee to the TDC Board; he will call to have placed on the agenda a formal vote on the current executive director at their next meeting. He suggested that their recommendation be somewhat binding on the Commission.

Commissioner Dailey clarified the information request and stated that he would provide exactly what is needed via e-mail to Mr. Thompson within 24 hours.

A motion was made by Commissioner Proctor, duly seconded by Commissioner Thaelle that each commissioner send questions and any requests for information to Chairman Sauls who in turn will compile and forward to Mr. Thompson. He noted that it should be conveyed to Mr. Thompson that failure to submit the requested data could impact his employment. The motion was duly seconded by Commissioner Thaelle.

Commissioners engaged in conversation regarding the transmittal of questions/requests for information. Chairman Sauls confirmed that questions/requests for information to Mr. Thompson would be channeled through her for transmission to Mr. Thompson.

Commissioner Desloge withdrew his original motion and made a substitute motion that the issue regarding the Executive Director of the Tourist Development Council be placed on the agenda for discussion at the next Commission meeting. The substitute motion was seconded by Commissioner Rackleff.

Discussion was held on the timeframe for response to questions/requests for information. It was agreed that sufficient time would need to be allowed for Mr. Thompson to respond.

Commissioner Desloge amended his substitute motion to read the issue regarding the Executive Director of the Tourist Development Council be placed on the agenda for the April 8 board meeting. The motion carried unanimously 7-0

The meeting recessed at 5:25 and reconvened at 6:00 p.m.

Scheduled Public Hearing, 6:00 p.m.

16. Joint City/County Adoption Hearing on Cycle 2007-2 Comprehensive Plan Amendments

The Leon County Commission and the Tallahassee City Commission met in a Joint Adoption Hearing in the Leon County Board of County Commission Chambers on March 11, 2008.

County Commissioners Sauls, Desloge, DePuy, Proctor, Thael, Dailey and Rackleff were in attendance. City Commissioners attending were: Lightsey, Mustian, Gillum and Katz. Also attending were County Attorney Thiele and Assistant City Attorney Linda Hudson.

Chairman Sauls Called the Meeting to Order at 6:00 p.m.

Facilitator: Fred Goodrow, Chief of Comprehensive Planning

Discussion/Action on Proposed Amendments for Cycle 2007-2

Mr. Goodrow stated that the purpose of the hearing is to receive public input and vote to adopt Cycle 2007-2 Amendments for forwarding to Department of Community Affairs. Mr. Goodrow advised that staff requests action by the Commission on eight planned amendments as transmitted and two planned amendments as modified in response to DCA's objections.

Amendment PCM070201: Future Land Use Map (Mahan Drive and Dempsey Mayo Road)

Mr. Ken Foster, 213 Crest Street noted that he is available as needed for questions.
Mr. Sam Frazier, 1945 N. Barnway noted that he is available as needed for questions.

Motion to Approve County's Previous Position, from Residential Corridor to Residential Corridor Node, 10.83 acres, was made by Commissioner Thael, duly seconded by Commissioner Dailey. The motion carried unanimously 7-0.

Motion to Approve City's Previous Position, from Residential Corridor to Residential Corridor Node, 10.83 acres, was made by Commissioner Gillum and duly seconded by Commissioner Mustian.
*Note: no vote was taken by the City Commission on this motion

The Joint Commission agreed to move all consistent items in mass after the public hearings.

Amendment PCT 070204: Future Land Use Map (Lying E. of Hill N Dale Dr. & south of I-10)

Mr. Goodrow reported that staff recommended withdrawal of this item.

Commissioner Sauls confirmed with Mr. Goodrow that the amendment was withdrawn by staff's initiative.

The Joint Commission requested a brief explanation for staff's request as to why this amendment was withdrawn.

Mr. Wayne Tedder, Director of Planning, explained that it was the department's hope to be able to have this as a tool to encourage redevelopment in urban core areas. He added that staff was aware at the time of submittal that DCA had issues with the request and numerous efforts were made by staff to address these concerns. Mr. Tedder advised that to it would require a lot of staff time to further work through issues and it is his recommendation that the issue be terminated. Mr. Tedder added that DCA has proposed a change in State Statute and the change may provide another opportunity to pursue this issue at a later date.

A motion was made by Commissioner DePuy, duly seconded by Commissioner Proctor to accept staff's recommendation to withdraw PCT 070204. The motion carried unanimously 7-0.

Commissioner Gillum articulated that he hopes staff will continue to do work through issues with additional community input as necessary to bring back to the Joint Commission.

Commissioner Lightsey suggested that the visioning effort being undertaken by the CRTPA, the Chamber and others will be detailed enough and include sufficient criteria and public involvement to satisfy requirements and concerns expressed by DCA.

A motion was made by Commissioner Mustian, duly seconded by Commissioner Gillum to accept staff's recommendation to withdraw PCT 070204. The motion carried unanimously 4-0.

Adoption of Cycle 2007-2 Plan Amendment Ordinances (City and County)

Public Comment:

- Dr. Pamela Hall, 5051 Quail Valley Road spoke in opposition to Map Amendments PCT 070206 & PCT 070204.

Mr. Goodrow noted that there were no more speakers, concluding the public hearing.

Commissioner Desloge moved, duly seconded by Commissioner Proctor to adopt Ordinance 08-06 on behalf of the County. The motion carried unanimously 7-0.

Commissioner Lightsey moved, duly seconded by Commissioner Gillum to adopt the City Ordinance on behalf of the City. The motion carried unanimously 4-0.

A motion to adopt City Ordinance ORD-08-016, amendments to 2010 Tallahassee/Leon County Comp Plan amended to eliminate Amendment # PCT070204 providing for severability and conflicts in providing ineffective dates was made by Commissioner Gillum and duly seconded by Commissioner Lightsey. The motion carried unanimously 4-0.

City Rezoning Public Hearings

Public Hearing on City Ordinance ORD-08-Z-05 Proposed Amendment to the Official Zoning Map from OS Open Space to M-1 Light Industrial District on 50 acres located at the northeast corner of Weems Road and Easterwood Drive. Leon County owns the property. This rezoning implements Large Scale Comprehensive Plan map amendment PCM070206.

A motion to adopt City Ordinance ORD-08-Z-05, Proposed Amendment to the Official Zoning Map from OS Open Space to M-1 Light Industrial District on 50 acres located at the northeast corner of Weems Road and Easterwood Drive was made by Commissioner Gillum, duly seconded by Commissioner Mustian. The motion carried unanimously 4-0.

Public Hearing on City Ordinance ORD-08-Z-06, Proposed Amendment to the Official Zoning Map from Residential Preservation 2 to MR-1 Medium Density Residential District on 1.12 acres located along Springsax Road near its intersection with Springhill Road. The property owners are Augustus Aikens Jr., Lawrence and Marva Carter, and James M. and Rosa L. Proctor Trustees. This rezoning implements Large Scale Comprehensive Plan map amendments PCM 070207.

A motion to adopt City Ordinance ORD-08-Z-06, Proposed Amendment to the Official Zoning Map from Residential Preservation 2 to MR-1 Medium Density Residential District on 1.12 acres located along Springsax Road near its intersection with Springhill Road was made by Commissioner Gillum, duly seconded by Commissioner Mustian. The motion carried unanimously 4-0.

County Rezoning Public Hearings

First and Only Quasi-Judicial Public Hearing on a Proposed Ordinance amending the Official Zoning Map to change the zone classification from Residential Preservation and Mahan Residential Corridor to Mahan Corridor Node. This rezoning implements Large Scale Comprehensive Plan amendment PCM070201.

Commissioner Desloge moved, duly seconded by Commissioner Thael to adopt Ordinance # 08-05 amending PCM070201. The motion carried unanimously 7-0.

First of Two Quasi-Judicial Public Hearings on a Proposed Ordinance amending the Official Zoning map to change the zone classification from Rural to Open Space. This rezoning implements Large Scale Comprehensive Plan amendment PCM070202B.

Commissioner Dailey moved, seconded by Commissioner Desloge to close the public hearings. Motion carried unanimously 7-0.

There being no further business to come before the Joint Commission the meeting was adjourned at 6:25 p.m.

The County Commission reconvened at 6:30 p.m.

13. Consideration of County Participation in the Economic Development Council's (EDC) Corporate Relocation Proposal for Cypress Systems, Inc.

Mr. Alam invited Leigh Root to make a brief presentation of the proposal.

Ms. Root reported that the issue before the Board is an economic development opportunity that involves the relocation of Cypress Systems, Inc. from California to Tallahassee. Ms. Root referred commissioners to page two of the agenda item which summarizes the issue. She also shared that the Target Issue Group for the City has met and requested their staff provide further details for presentation at the City Commission meeting.

Ms. Beth Kirkland, EDC Executive Director, addressed the board to provide more detail on the proposal and answer questions. She noted that the proposal is a joint opportunity between the county, city and Innovation Park in the development of a bio-science incubator. Ms. Kirkland further elaborated that the project would require the construction of a 10,000 sq. foot building at a cost of approximately \$1.8 million, which would create a debt service of \$150,000 annually for 20 years. Ms. Kirkland noted that construction cost would be shared between the city and county. She provided that Innovation Park has expressed an interest in possibly offering land for the building.

Ms. Kirkland stated that the Cypress System proposal would bring 20 jobs with an average salary over 150% of the local wage. She added that both FSU and FAMU have indicated their support for the project and have indicated that access to such a facility would be valuable to many research projects within their organizations.

Ms. Kirkland explained the request was for staff to be allowed to continue with work on the project with EDS and the City to prepare a full investment package that would be brought back to the Board at the April 8 meeting. Ms. Kirkland addressed questions and comments from commissioners on the specifics and benefits of the proposal.

Commissioner Rackleff had concerns over the cost of the building and the initial outlay of funds for the project at a time when the County is cutting jobs and reducing services. He also inquired if Cypress Systems is willing to pay rent. MS. Kirkland responded that there has been a request from the company for lease abatement while they become established.

Commissioner Desloge announced that he is supportive of the project and offered that this is not the time to start stepping back. He noted that no funding commitments are being asked for at this time and he would like further clarification and detail.

Commissioner Desloge moved and was duly seconded by Commissioner Proctor to ask staff to continue work on the project and bring additional information back to the Board for further discussion.

Commissioner Dailey stated that he cautiously supports the project. He voiced concern about committing the County to another project when there are outstanding commitments in place that were made in past years by the Commission.

Commissioner Thael stated that he has interest in the proposal, but would like to see a business proposal that includes the possibility of leasing facility space to other tenants and how they can assist with making up debt service.

Commissioner Proctor inquired about the level of commitment from Cypress Systems to Leon County. He stated that he does not want to get in a bidding war with other communities. Commissioner Proctor stated that he would support the motion, but offered an *amendment to the motion to include "recommending Commissioner Desloge be appointed the Board's representative on issues regarding this project."* Commissioner Desloge (maker of motion) agreed to the amendment and to the appointment.

Chairman Sauls mentioned that she is the Board's representative on the Innovation Park Board and numerous requests for wet lab space has been requested. She is also interested to see what impact having other tenants will have on the project.

The motion as amended carried 6-1 (Commissioner Rackleff is descent).

14. Consideration of Ordinance 01-13, Primary Health Care Municipal Service Taxing Unit, and Board Direction Regarding the Healthcare Advisory Board

County Administrator Alam explained that Board consideration is requested on the Primary Healthcare Municipal Services Taxing Unit Ordinance and for Board direction regarding the Healthcare Advisory Board.

The following individuals spoke on the issue:

Dr. James Stockwell, 4058 Kilmartin Road: Dr. Stockwell stated that he is the Chairperson for the Healthcare Advisory Board (HAB) and strongly favors retaining HAB as a decision making committee. He advised that HAB members at their February meeting stated their strong opposition to changing HAB to a focus group. Dr. Stockwell stated that operating "in the sunshine" in no way interferes with the mission or effectiveness of the committee and assures citizen input, participation and monitoring.

Ann Davis, Executive Director of Capital Area Healthy Start Coalition: Offered her support for the HAB and stated that the HAB, in its current structure, has the influence and ability to bring attention to issues such as infant mortality.

Kathy Wynn, 1006 Brookwood Drive, Representing the Tallahassee Quality Action Ministry (TQAM): Stated that TQAM supports maintaining the HAB as a decision making body. Ms. Wynn offered as a private citizen, she does not believe any change in board structure is necessary.

Brent Lockenbach, 1012 Sutter Road: Concurred with comments from previous speakers. He did not believe that if the HAB is turned into a focus group it would have the same influence in dealing with a community health care crisis. He encouraged the Commission to keep the HAB structure as it currently is.

Hilda Walker, 1706 S. Meridian: Spoke to the fiscal responsibility of the HAB. She asked that the HAB be allowed to continue as an decision making entity.

Noreen Chase, 405 Casselton Circle, representing the League of Women Voters of Tallahassee: Supports keeping the HAB in its current structure.

Janet Finland, 1409 Weekewa Nene, representing the Tallahassee Equality Action Ministry (TEAM): Stated that TEAM encourages the Commission to allow HAB to continue as a decision making body.

Commissioner Dailey moved, and was duly seconded by Commissioner Thael to adopt option 4: maintain the current status of the Healthcare Advisory Board, including the status of the MSTU zero funded in budget, but not withdrawing the status of the MSTU.

Commissioner Desloge commented that he has been on the HAB for years as a citizen and as the Board's representative. He commended the performance of Dr. Stockwell and expressed concern that there is no underlying ordinance that enables the group.

Commissioner Proctor advised that, for the record, he intends to oppose maintaining the HAB as an advisory committee and supports reducing its role to focus group status. He suggested that the noticing requirement for HAB meetings is too high. He mentioned that if a HAB meetings was not been properly noticed, and he wanted to attend as a private citizen or as the district representative for the area, he would be precluded from attending, or would be asked to leave. He added that there is no money from the MSTU to be administered. Commissioner Proctor stated that he is troubled by the lack of representation on the Board from Bond and the Neighborhood Health Services. He declared support for their addition to the Board.

Commissioner Dailey amended his motion to include the addition of representatives from Bond and Neighborhood Health Services to the Board and to direct the County Attorney to draft an ordinance amending the sections referring to the implementing board. The motion carried unanimously 7-0.

14. Board Consideration of a Noise Control Ordinance

County Attorney Thiele provided background on the issue. He indicated that there currently is no noise control ordinance in effect and over the years commissioner's have received numerous complaints about disturbing noises within the vicinity of residential and occupied properties. Mr. Thiele gave an overview of the sampling of ordinances that were included as attachments in the agenda.

Speaker: Ann Teary, 6209 Aldura Way. Expressed strong feelings in support of a noise ordinance. Ms. Teary urged Commissioners to table this version of a noise ordinance and create a citizens ad hoc committee composed of an audiologist, acoustic engineer and affected citizens so the can realize the impact of noise.

Commissioner DePuy moved, duly seconded by Commissioner Thael to approve Option 1: Direct the County Attorney's Office to finalize and prepare a proposed noise control ordinance based upon the decibel standard, to obtain cost of equipment to enforce ordinance and to schedule same for public hearing to be held on March 26, 2008 at 6:00 pm.

Commissioner Proctor expressed concern over the impact the proposed ordinance would have on the college community (fraternity and sorority gatherings). He also stated that the ordinance is too subjective and is uncomfortable with possible jail time as a penalty for violation.

Commissioner Desloge provided background over initiative. Numerous complaints have been received and he has learned that there is no mechanism in effect which will allow law enforcement to respond to complaints from citizens regarding noise. He has been in contact with the Sheriff's department and the City in an attempt to identify a reasonable method to handle these complaints. He added that the City has a noise ordinance in place and they have requested that any action taken by the County be consistent with their ordinance. Commissioner Desloge acknowledged he supports providing law enforcement with a mechanism which will allow them to provide relief to individuals who may be affected by excessive noise.

Commissioner DePuy withdrew his motion.

Commissioner Desloge moved, duly seconded by Commissioner DePuy to approve Item 2: Direct the County Attorney's Office to finalize and prepare a proposed noise control ordinance based upon the "reasonable person standard" as a regulatory measure and to schedule same for public hearing to be held on March 26, 2008 at 6:00 p.m. The motion carried unanimously 7-0.

Scheduled Public Hearing; 6:00 p.m.:

16. Joint City/County Adoption Hearing on Cycle 2007-2 Comprehensive Plan Amendments

First and Only Quasi-Judicial Public Hearing on a Proposed Ordinance Amending the Official Zoning Map to Change the Zone Classification From Residential Preservation and Mahan Residential Corridor to Mahan Residential Corridor Node

Commissioner Desloge moved, duly seconded by Commissioner Dailey, to adopt the Ordinance amending the Official Zoning Map to change the Zone Classification from Residential Preservation and Mahan Residential Corridor to Mahan Residential Corridor Node. The motion carried unanimously 7-0.

First of Two Quasi-Judicial Public Hearings on a Proposed Ordinance Amending the Official Zoning Map to Change the Zone Classification From Rural to OS Open Space

Commissioner Desloge moved, duly seconded by Commissioner Dailey to adopt the Ordinance amending the Official Zoning Map to change the Zone Classification from Rural to OS Open Space. The motion carried unanimously 7-0.

17. First and Only Public Hearing on the Fourth Notice of Proposed Change to the Killlearn Lakes Plantation Development of Regional Impact

Commissioner Thael moved, duly seconded by Commissioner Desloge to approve Option 1: Take no action on the proposed Fourth Notice of Proposed Change to the Killlearn Lakes Development of Regional Impact. The motion carried unanimously 7-0.

18. First and Only TEFRA Public Hearing Regarding a Resolution
REMOVED FROM AGENDA

Citizens to Be Heard on Non-Agendaed Items (3-minute limit)

General Business

19. Ratification of Board Actions Taken at the March 11, 2008 Budget Workshop

County Administrator Alam mentioned that Board ratification is needed for actions that were taken at the Budget Workshop earlier today. He specifically noted item #9, page 3: Growth and Environmental Management Fees and the resolution that was attached.

Alan Rosenzweig provided additional information on the resolution. He added that the resolution authorized new fees to become effective immediately and allows the 20% fee increase to become effective October 1, 2008.

Mr. Alam commented that the implementation plan for the Voluntary Separation Program is to send an information sheet to all affected employees within the next day or two to determine the level of interest. A staff report will be brought back to the Board which will provide information on the level of interest received and the Board will make a full commitment to the program at that time.

Commissioner Rackleff moved, duly seconded by Commissioner Desloge to approve Options 1, 2, and 3: 1) Ratify actions taken at the March 11, 2008 Budget Workshop including the attached Budget Amendment for the Voluntary Separation Program, 2) Approve the attached resolution and fees schedule for Growth and Environmental Management; and 3) Approve sending a resolution to the Taxation Budget and Reform Commissioner (TBRC) opposing constitutional proposals 21 and 45 to be heard before the TBRC on March 17, 2008. The motion carried unanimously 7-0.

County Administrator (Parwez Alam)

- Noted the outstanding job done by the Public Works Department handling the aftermath from the recent tornado in the Capitola/Chaires area. Mr. Alam respectfully asked that the Board consider a Resolution recognizing and praising staff's efforts. Chairman Sauls affirmed Mr. Alam's comments and requested and received approval for the Resolution.
- Announced that he has received word that the City has agreed to participate in the combined Wakulla and Leon County Commission workshop regarding the protection of Wakulla Springs. The meeting will be held at the Wakulla Springs Lodge on April 10,, 2008 from 10:00 a.m. – 1:00 p.m.
- Funeral services for Linda Cox will be held on Thursday, March 13, 2008.

Discussion Items by Commissioners

Commissioner DePuy:

- Reported that, upon his request, staff examined how counties of like size manage individuals on pre-trial release or probation. Staff have determined that there is approximately \$1 million in revenue that is not being collected by the County for alcohol testing, supervision of parolees and GPS monitoring. *A Motion to agenda the item for discussion and staff presentation at the next commission meeting was made by Commissioner DePuy, duly seconded by Commissioner Desloge. The motion carried unanimously 7-0.*

- Issued invitation to attend the St. Patrick's Day Parade at Lake Ella on Saturday. A roast will also be held on Saturday for Sheriff Larry Campbell at the American Legion Hall at Lake Ella.

Commissioner Dailey

- Expressed gratitude for the concentrated efforts of staff in dealing with situation resulting from the recent Chaires/Capitola Tornado.
- Public Works staff were thanked for their handling of concerns related to recent flooding. Dr. Alex Mahan, Department of Health was thanked for working with county staff and personally ensuring that concerns over water contamination were addressed.

Commissioner Desloge

- Commissioners were reminded that the Infant Mortality Summit will be held Saturday from 9 -3 at TMH. Thanked staff for budget material.
- Issued challenge to fellow commissioners in the Walk Across Florida program.
- *A motion was made by Commissioner Desloge and duly seconded by Commissioner Rackleff to ask the Financial Advisory Committee to make recommendation on a minimum bond level rating. The motion carried unanimously 7-0.*

Commissioner Proctor

- Requested Proclamation for the Tallahassee and African Sister City Coalition, Inc.
- *A Motion was made by Commissioner Proctor and duly seconded by Commissioner Rackleff to support a Resolution stating the Board's opposition to the State adopting the Confederate Heritage License Plate. The motion failed 4-3 (Commissioners DePuy, Dailey, Desloge and Sauls in opposition).*

Discussion was held on the issue by Commissioners. Commissioner DePuy noted to Commissioner Proctor that this issue was brought before the Board at the February 26 meeting and defeated 4-2. Commissioner DePuy explained that the vote was not indicative of support by the commission, but rather a statement of not getting involved in state legislative business. He further added that he will send a personal letter of opposition to the local dilatation.

Commissioner Proctor expressed strong opposition to the legislature considering legislation to commemorate the Confederacy Heritage and stated for the record that he initiated the motion to send a message to Leon County residents of his opposition to the adoption of the Confederate Heritage License Plate.

Commissioner Thael:

- Requested a Resolution recognizing the Sustainable Big Bend Green Living and Energy Expo scheduled for March 22.
- Requested a Resolution for Primary, Middle and High School Climate Action Summit Essay Contest winners, to be presented at the Mach 25 Board Meeting.
- Requested that the Sealy Elementary Green Team be invited to perform the "Reduce, Reuse and Recycle" song composed for the Climate Action Summit at the March 25 Board Meeting.

Commissioner Rackleff:

- A Motion was made by Commissioner Rackleff and duly seconded by Commissioner Proctor to authorize the expenditure of \$200 from his district budget to purchase two tickets to the Capital Area Agency's Masked Ball. The Motion carried unanimously 7-0.

- Commended Tony Park and Dale Walker (Public Works), Richard Smith (EMS), Captain Leroy Johnson (Sheriff's Office), and Alan Shephard (Talquin Electric) on their response and recovery efforts to the area affected by tornado.
- Requested Board to express its objection to the proposed unfunded election mandate that according to Superintendent of Elections Ion Sancho would cost the County approximately \$250,000. Ken Morris was asked to research the details of the proposal and express the Board's position.
- Announced his Walk Through Florida Team (Leigh Root, David McDevitt, and Shington Lamy).

Commissioner Sauls:

- Offered tickets to the Pioneer Breakfast at the Tallahassee Museum on Saturday morning.

Receipt and File

Leon County Research and Development Authority Financial Statements for FY 06/07

There being no further business to come before the Board, the meeting was adjourned at 8:40 p.m.

APPROVED: _____
Jane G. Sauls
Chairman

ATTEST:

Bob Inzer
Clerk of the Circuit Court