

BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
December 9, 2008

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

The Invocation was provided by Dr. Patty Ball Thomas, Unity Eastside Church. The Pledge of Allegiance was led by Commissioner Akinyemi.

Awards and Presentations

▪ **Presentation of the Economic Development Council's (EDC) FY 2008 Annual Report.**

Tripp Transou, Chairman of the EDC, welcomed Commissioners Thael and Dailey as new directors of the EDC Board. He thanked the Commission for listing economic development as one of the County's 10 priorities and offered that the EDC and its many volunteers and staff are available to assist in assuring that the community is as successful as possible. He added that the TDC's focus for 2008 was the establishment and development of a marketing campaign designed to compliment initiatives put into place in the prior year. The following individuals were introduced and provided information on issues supported by the EDC and their relationship with the organization:

- Jerri Hall, Moore Consulting Group was instrumental in the development of a new "brand" for the EDC through its marketing efforts;
- David Gardner, Gadsden County EDC Executive Director, shared thoughts on the importance of regionalism and spoke on the assistance provided by the Tallahassee EDC to his organization;
- Martin Shipman, CEO Tallahassee Orthopedic Clinic offered information on the Healthcare Roundtable;
- Kim Williams, EDC Chair Elect and Chair of the Alternative Energy Roundtable stated that its focus is the identification and promotion of renewable energy and alternative energy sources;
- Johanna Williams provided information on the Enterprise Zone Initiative;
- Mr. Transou provided an update of the Entrepreneurial Systems Initiative, and
- Beth Kirkland, EDC Executive Director, informed the Board of two new initiatives for the upcoming year: 1) strategic planning process, and 2) international business development.

Consent

Commissioner Sauls moved, duly seconded by Commissioner Dailey, to approve the following Consent Agenda with the exception of items 5, 9, 11, 15, which were pulled for discussion. The motion carried 7-0.

1. Approval of Minutes: November 25, 2008 Installation Ceremony, Board Reorganization, and Regular Meeting

The Board approved the minutes of the November 25, 2008 Installation Ceremony, Board Reorganization, and Regular Meeting.

2. Acceptance of the Investment Oversight Committee FY 2007/08 Annual Investment Report for Leon County

The Board approved Option 1: Accept the Investment Oversight Committee's FY 2007/08 Annual Investment Report for Leon County.

3. Approval of Payment of Bills and Vouchers Submitted for December 9, 2008, and Pre-Approval of Payments of Bills and Vouchers for the period of December 10 through January 14, 2009: \$2,482,122.00

The Board approved Option 1: Approve payment of Bills and Vouchers Submitted for December 9, 2008, and Pre-Approval of Payments of Bills and Vouchers for the period of December 10 through January 14, 2009: \$2,482,122.00

4. Acceptance of the Fiscal Year 2008 Annual Performance and Financial Report

The Board approved Option 1: Accept the FY 2008 Annual Performance and Financial Report

5. Authorization to Rescind Letter of Intent to the State of Florida Department of Health for the Safe Communities Application Process

Commissioner Thael requested that the item be pulled for further discussion.

County Administrator Alam explained the Safe Communities application process was very staff intensive and would require staff dedicated to the task and would offer very little benefit in return. He advised that no other community in Florida, and only four in the country, had pursued the designation.

Commissioner Thael commented that the designation would proclaim Leon County as a safe community that is prepared and ready to adapt to natural disasters. He opined that the responsibilities associated with the designation could be performed by current staff.

Commissioner Thael moved, duly seconded by Commissioner Dailey to approve Option 2: Do not authorize staff to rescind the letter of intent to the State of Florida Department of Health for the Safe Communities application process and proceed with the steps necessary to prepare the Safe Communities application.

Commissioner Sauls inquired what kind of money would be required to implement the designation. Alan Rosenzweig, Assistant County Administrator, responded that the County would receive \$5,000 in grant funds. He advised that there was no monetary gain or insurance premium savings for the County or individual residents of the County associated with the designation.

Commissioners Desloge, Sauls and Akinyemi expressed opposition to the motion stating apprehension in expending the amount of staff time needed to fulfill the requirements of the designation process.

Commissioner Thael offered that this would be an excellent tool in preparing and dealing with natural disasters and effects of severe climate change. He suggested partnering with other local resources (city, school board, state, sheriff, fire, etc.) and deemed it a responsible way to ensure the safety and well being of the community.

Commissioner Dailey voiced support for Commissioner Thael's comments and offered that the designation could enhance the County's ability to attract new businesses.

Commissioner Rackleff indicated that he will support the motion as this type of planning effort could help identify the most serious safety problems in the community, their causes and what approaches could be taken to make the population less subject to injury and illness.

Commissioner Akinyemi asked staff to provide a cost estimate. Mr. Rosenzweig estimated staff time and resources of \$50,000 to implement.

Commissioner Thael called the question.

The motion failed 3-4 (Commissioners Desloge, Sauls, Proctor and Akinyemi in opposition).

Commissioner Akinyemi moved, duly seconded by Commissioner Sauls, to approve Option 1: Authorize staff to rescind the letter of intent to the State of Florida Department of Health for the Safe Communities application process. The motion carried 6-1 (Commissioner Thael in opposition)

6. Approval to Submit Florida Department of Health, Bureau of Emergency Medical Services County Grant Application and Associated Resolution

The Board approved Options 1 & 2: 1) Approve the submittal of the Florida Department of Health, Bureau of Emergency Medical Services County Grant Application, and authorize the County Administrator to execute the Application, and 2) Approve the Resolution and associated Budget Amendment Request.

7. Approval to Submit a Re-certification Application for Recognition as a 2008 Tree City USA

The Board approved Options 1 & 2: 1) Approve the submission of a re-certification application for recognition as a 2008 Tree City USA, and authorize the Chairman to execute, and 2) Authorize the County Administrator to modify the County's 2008 Tree City USA application, if necessary.

8. Approval of an Interagency Agreement Between Tallahassee Community College and Leon County for the Florida Volunteer Administration Certificate Training Program

The Board approved Options 1 & 2: 1) Approve the Interagency Agreement between Tallahassee Community College and Leon County for the Florida Volunteer Administration Certificate Training Program, and authorize the County Administrator to execute, and 2) Approve the Resolution and associated Budget Amendment Request.

9. Acceptance of the Affordable Housing Advisory Committee's 2008 Report

Commissioner Akinyemi requested that the item be pulled for further discussion.

Commissioner Akinyemi affirmed the importance of the Affordable Housing Advisory Committee (AHAC) and commended their work. He provided two observations: 1) encouraged that vacant board position be filled as soon as possible and 2) the need to have established outcome measurements.

Commissioner Akinyemi moved, duly seconded by Commissioner Sauls, to approve Option 1: *Accept the Affordable Housing Advisory Committee's 2008 Report*

Commissioner Rackleff emphasized the need to develop more affordable housing within the Urban Services Area and pointed out the link between transportation and housing affordability.

Commissioner Proctor inquired about the County's previous efforts to provide housing down payment assistance to County Employees. Candice Wilson, Director of Health and Human Services, responded that this type program was provided years ago, but was no longer available.

County Administrator Alam requested that staff be allowed time to research the issue and report back to the Board.

Chairman Desloge confirmed with Ms. Wilson when repayments of funds are received, they are recycled through the program.

The motion carried 7-0.

10. Approval of an Agreement with Dyntek Services, Inc. and a Term Lease Purchase Agreement with HP Financial Services for the File Server Upgrade Project

The Board approved Options 1 & 2: 1) Approve the Agreement with Dyntek for the file Server Upgrade Project, and authorize the County Administrator to execute, and 2) Approve the Term Lease Purchase Agreement with the HP Financial Services for hardware, software, maintenance, warranties, and services for the File Server Upgrade Project, and authorize the County Administrator to execute.

11. Approval of a Resolution Authorizing the Chairman to Sign the Green Jobs Pledge

Commissioner Akinyemi requested the item be pulled for further discussion.

Commissioner Akinyemi professed his endorsement of the Resolution and requested a timeline for the remaining steps within the Pledge.

Commissioner Akinyemi moved, duly seconded by Commissioner Dailey, to approve Option 1: Approve the Resolution authorizing the Chairman to sign the Green Jobs Pledge.

Commissioner Proctor, for the record, stated his opposition to the Resolution, and professed that the description of green jobs had not been adequately defined. He voiced as a "conscious placeholder" that he will vote "no" on the motion and expressed consternation over the definition of green jobs.

Commissioner Thael requested the Chair, for the record, remind the Board that negative remarks of another Commissioner do not foster productive discussion and/or cooperation. He opined that the Pledge was a worthy goal which would help advance the development of new technologies and assist in the growth of employment opportunities.

Commissioner Rackleff stated his support for the Resolution and noted the purpose of the Pledge.

The motion carried 6-1 (Commissioner Proctor in opposition).

12. Acceptance of Assessment Roll for the Centerville Trace 2/3 Project and Request to Schedule Public Hearings Regarding the Proposed Special Improvement Liens, and the Adoption of a Non-Ad Valorem Assessment Roll for the Centerville Trace 2/3 Paving Project for January 15, 2009 at 6:00 p.m.

The Board approved Options 1, 2, & 3: 1) Accept the assessment roll presented for the Centerville Trace 2/3 Project; 2) Schedule a public hearing to consider adoption of a resolution imposing the special improvement liens for the Centerville Trace 2/3 project for January 15, 2009 at 6:00 p.m., and 3) Schedule a public hearing to consider adoption of a Resolution of Intent to utilize the uniform method for the levy, collection, and enforcement of non-ad valorem assessments for the Centerville Trace 2/3 Project for January 15, 2009 at 6:00 p.m.

13. Approval of a Project Agreement with the Natural Resources Conservation Service for the Slope Stabilization on Cloudland Drive

The Board approved Options 1 & 2: 1) Approve the Project Agreement with the Natural Resources Conservation Service for the slope stabilization on Cloudland Drive, and authorize the County Administrator to execute, and 2) Approve the Resolution and associated Budget Amendment Request.

14. Authorization to Renew the Inmate Work Crew Agreement with the Leon County Sheriff's Department

The Board approved Option 1: Approve the renewal of the Inmate Work Crew Agreement with the Leon County Sheriff's Office, and authorize the Chairman to execute.

15. Acceptance of a Donation from the Lake Jackson Recreation Council to Construct Bleacher Canopies and a Picnic Shelter at Canopy Oaks Park

Commissioner Dailey requested that the item be pulled for further discussion.

Commissioner Dailey recognized Bonnie Deering, Chair of the Lake Jackson Sports Council and shared that the Council had raised \$12,600 through concessions, which they would donate back to the County for construction of bleacher canopies and a picnic shelter. He announced his appreciation for the work of the Council and the leadership of Ms. Deering.

Chairman Desloge echoed Commissioner Dailey's remarks and commented that this was the type of partnership that works and needed.

Commissioner Dailey moved, duly seconded by Commissioner Sauls, to approve Options 1 & 2: 1) Accept the donation by the Lake Jackson Recreation Council in the amount of \$12,600 for the construction of the bleacher canopies and a picnic shelter, and 2) Approve the budget amendment and resolution for the donated funds. The motion carried 7-0.

16. Acceptance of Staff Report on Composition and Duties of the Leon County Educational Facilities Authority

The Board approved Option 1: Accept staff report on duties and composition of the Leon County Educational Facilities Authority.

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

General Business

17. Approval of Memorandum of Agreement with the City of Tallahassee Regarding Joint Funding and Project Oversight for the Public Safety (Joint Dispatch) Center and Adoption of a Resolution Authorizing Conveyance of County-owned Property

County Administrator Alam articulated that the item requests approval to enter into an agreement with the City of Tallahassee regarding the joint funding and project oversight for the Public Safety (Joint Dispatch) Facility. He advised that the Agreement provides that the City and County would share equally in all costs associated with the project. Mr. Alam noted that the Public Safety Communications Board (PSCB) would act as the Project Oversight Committee and would be responsible for decision making relating to the Facility design and construction.

Commissioner Proctor acknowledged, for the record, the work that was done by former County Commissioner Ed DePuy on this project.

Commissioner Sauls established that the City Commission would consider the Agreement at their meeting on December 10, 2008.

Commissioner Sauls moved, duly seconded by Commissioner Rackleff, to approve Options 1 & 2: 1) Approve the Memorandum of Agreement with the City of Tallahassee regarding joint funding and project oversight for the Public Safety (Joint Dispatch) Center, and authorize the Chairman to execute, and 2) Adopt the Resolution of Intent to convey County-owned property to the City of Tallahassee, and authorize the Chairman to execute any and all documents necessary to transact the conveyances referenced in the Resolution. The motion carried 7-0.

18. Approval of the Migration of the Computer Aided Dispatching and Record Management System for the Leon County Sheriff's Office(LCSO) and the Leon County Emergency Medical Services (EMS)

County Administrator Alam shared that approval to transfer these systems would allow the Sheriff's Office and County EMS services to be combined with the Tallahassee Police Department's computer aided dispatching system and record management system. He added that an expenditure of \$1.19 million to upgrade the equipment and make the systems compatible was necessary, however, funds would be provided through additional EMS and existing General Revenue funds allocated to the joint dispatch and EMS project. He noted that the City of Tallahassee had already upgraded their equipment.

Chairman Desloge mentioned that when the migration of technology occurred, much of the cross-over and confusion would be eliminated and he confirmed that it would be rolled into the Joint Dispatch.

Commissioner Akinyemi moved, duly seconded by Commissioner Dailey, to approve Options 1 & 2: 1) Approve the migration of the CAD/RMS for the Leon County Sheriff's Office and Leon County Emergency Medical Services, and 2) Approve the Resolution and associated Budget Amendment Request. The motion carried 7-0.

19. Approval of the Program Manager Selection for the Public Safety Center

County Administrator shared that the Public Safety Communication Board (PSCB) and the Selection Committee recommend approval of URS Corporation to provide Program Management services associated with the Public Safety Center.

Commissioner Sauls moved, duly seconded by Chairman Desloge, to approve d Options 1 & 2: 1) Approve the Public Safety Communication Board and Selection Committee's recommendation of URS Corporation for the Program Management firm for the Public Safety Center, and 2) Direct staff to proceed with contract negotiations and authorize the County Administrator to execute the contract in a form approved by the County Attorney. The motion carried 7-0.

20. Approval of the Stormwater and Sewer Agreement with the National Red Cross and Authorization to Execute a Declaration of Restrictive Covenants

County Administrator Alam explained that the Red Cross would construct a stormwater facility and sewer infrastructure within the project area that would support the Public Safety (Joint Dispatch) Center and the City's planned improvements to Weems Road. The project would be funded equally between the County, City and Red Cross. He advised that the City would maintain the systems.

Commissioner Sauls established with Mr. Alam that there would be no ongoing maintenance fees to the County.

Commissioner Thael pointed out that the agenda item implied that the County would maintain the systems if the City does not pick up maintenance. Alan Rosenzweig, Assistant County Administrator, clarified that the Inter-local Agreement (approved by the Board in agenda item #17) required that the City pay for the maintenance if utilized and they need the regional pond for the expansion of Weems Road as well as participation in the Joint Dispatch.

Commissioner Sauls requested that if the Agreement is not approved by the City Commission at their December 10, 2008 meeting, it be brought back to the Board at the January 15, 2009 meeting.

Commissioner Sauls moved, seconded by Commissioner Thael to approve Options 1 & 2: 1) Approve the Stormwater and Sewer Agreement with the American Red Cross and authorize the Chairman to execute, and 2) Authorize the Chairman to execute a Declaration of Restrictive Covenants, to set aside 10.35 acres (+/-) of land in conservation within Tom Brown Park. The motion carried 7-0.

21. Consideration of a Purchase of a Tract of Land Within the Proposed Fred George Basin Greenway Project

County Administrator Alam provided that this issue had been pending for a while and noted that a detailed history was provided in Commissioner's agenda packets.

Speakers:

- Misty Penton, 4742 Knollwood Drive, Founder of the Wildwood Preservation Society, shared information on the Fred George Basin clean up efforts and thanked Commissioners for listening to the community and working toward the goal. She reported that they had been ranked 5th out of 118 projects and received matching funds from the Florida Communities Trust Fund.

- Daniel Schwartz, 1819 Sharon Road, referenced an e-mail he sent to Commissioners and requested that the Board do what it can to make the project a success.
- Preston Robertson, 14241 Buckhorn Road, stated his endorsement of the project and commended Ms. Penton's efforts and asked the Board to continue to support the project.

Vince Long, Deputy County Administrator, indicated that he and other staff were available to answer questions from the Board.

Commissioner Dailey established with Mr. Long that environmental concerns were identified at the site (it had been used as a construction and demolition (C&D) debris landfill) and that a clean up of the property was initiated by the current property owners. Mr. Long confirmed that the County had not participated in using the site as a landfill and did not direct any waste toward this site. Commissioner Dailey provided a history of the issue and pointed out that to date no one had testified against the project as it was a "win-win" for everyone.

Commissioner Dailey confirmed with County Attorney Thiele that previous public hearings conducted on the issue would meet the legal requirement if a lower purchase amount than previously approved was offered.

Commissioner Dailey moved, duly seconded by Commissioner Akinyemi, to 1) extend an offer of \$900,000 to purchase the property (a cost savings of \$500,000 over original purchase price) utilizing Blue Print 2000 monies; 2) authorize the execution of IRS Form 8283 and 3) include a finding that the original public hearings were sufficient for the purchase acquisition this evening. The motion carried 7-0.

Commissioner Thael asked how the new appraisal amount of \$612,000 would affect the Florida Communities Trust (FCT) match. County Administrator Alam established that Commissioner Dailey's motion was well within the guidelines for the match funds and articulated that the FCT would provide \$306,000 in match for the property, plus 50% of the soft costs, i.e., environmental audits and appraisal; which, according to staff, are expected to be \$104,000. Mr. Alam reiterated that all costs would come from Blueprint funds.

County Attorney Thiele explained, per Commissioner Dailey's request, that the IRS Form 8283 allows property owners to claim that a part of the purchase price was written off as a charitable donation. He added that there was no cost the County and the County's execution of the form would only show that we purchased the property.

Commissioner Dailey moved, duly seconded by Commissioner Akinyemi, to approve an amount not to exceed \$200,000 for documented expenses to date for the environmental clean up of the property utilizing Blue Print 2000 monies. The motion carried 7-0.

Commissioner Dailey proclaimed that County tax payers would realize a \$300,000 savings from the original purchase price of \$1.4 million approved two years ago.

Commissioner Akinyemi acknowledged his support for the project noting that this is the County's last chance to preserve the largest track of land remaining in the area to develop into a park.

Commissioner Dailey confirmed with Mr. Long, for the record, that passage of the second motion would not jeopardize the purchase of the property.

22. Consideration of Board Initiation of a Comprehensive Plan Amendment Regarding Nonconforming Use Provisions for Properties Within Special Development Zones (SDZ)

Wayne Tedder, Director of Planning, shared that the proposed site of the joint County/Leon County Schools library was located within elevations consistent with the application of the Lake Jackson SDZ and Comp Plan and Land Development Code policies were needed to allow redevelopment and modest expansion of structures previously permitted within the SDZs. He noted that the proposed initiative would allow expansion of the Canopy Oaks School for anticipated school facilities and the proposed library.

Commissioner Dailey recognized representatives from Leon County Schools in attendance to express support for the item. He shared that he had been working with School Superintendent Pons to bring a joint use facility at Canopy Oaks School to fruition and announced that these discussions have gone very well. Commissioner Dailey reported that he and staff met with the Department of Community Affairs (DCA) Secretary Pelham and his staff on the proposed initiative and indicated that this proposal was received very favorably by the DCA and there was statutory language to support this type of project. County and DCA staff will work together in the process and he asked the Board for its full consideration.

Commissioner Dailey moved, duly seconded by Commissioner Sauls, to approve Options 1 & 2: 1) Initiate a Comprehensive Plan amendment that directs staff to develop policies that will allow for the reconstruction and appropriate expansion of legal nonconforming land uses within elevations consistent with applicable Special Development Zones, and 2) Authorize submittal of all necessary development applications for the joint use library concurrent with the necessary Comprehensive Plan amendment application addressing nonconforming uses within elevations consistent with applicable SDZs.

Commissioner Rackleff established with Mr. Tedder that the initiative could be added to the Comp Plan Amendment cycle and ready for the adoption hearing in October 2009.

Commissioner Thael voiced his concern over "modest expansion" wording, as it seemed too subjective. Mr. Tedder responded that the exact language was not known at this time; however, he assured the Board that his office would work closely with individuals who are concerned about protecting Lake Jackson. He pointed out, very clearly, that the new policy(s) would not disturb areas that are currently undisturbed. He stated, for the record, that if new development is opened up, the amendment would be halted. He summarized that details would be worked through the Comp Plan amendment process and that a minimum of two workshops would be held on the issue.

Commissioner Proctor commented that the contemplated action would support the economic stimulus package that was established as a Board priority at the Retreat.

Commissioner Dailey acknowledged Mr. George Lewis, for bringing the issue to the attention of the Board and emphasized that all individuals, including Friends of Lake Jackson, would be included in the amendment process. Commissioner Dailey advised that this issue would eventually have to be addressed if Canopy Oaks "Elementary School was to be expanded.

The motion carried 7-0.

Chairman Desloge asked former County Commissioner Manny Joanos to update the Board on the School Board's efforts to convert to natural gas usage.

Manny Joanos, representing Leon County Schools, stated that the Superintendent is committed to converting its bus fleet's fuel to natural gas. He shared that the proposal would provide a cost savings and lower bus emissions. Mr. Joanos shared that County staff had been included in these discussions as this may be an idea to consider for the County's fleet also. He offered this effort as an opportunity for a County/School partnership.

Commissioner Thaell moved, duly seconded by Commissioner Akinyemi, to direct staff to bring back an agenda item on County participation in the conversion to natural gas program, the bulk purchase of goods, and credit card gas rebate program. The motion carried 6-0 (Commissioner Akinyemi out of Chambers).

Commissioner Proctor suggested that bulk purchasing of goods with other local government agencies be explored.

Commissioner Sauls requested that information on rebates on credit card gas purchases be included.

The Board recessed at 5:00 p.m.

23. Expirations, Vacancies and Appointments to: Affordable Housing Advisory Committee, Apalachee Regional Park Planning Committee, Audit Advisory Committee, Bradfordville Historic School House Focus Group, Code Enforcement Board, Community Development Block Grant Citizens Task Force, Council on Culture and Arts, Housing Finance Authority, Human Services Grant Review Committee, Lake Jackson Recreation Council, Library Advisory Board, Miccosukee Community Center Focus Group, Research and Development Authority, Tourist Development Council, and Woodville Recreation Council

- **Affordable Housing Advisory Committee** (Full Board)
 - *Commissioner Thaell moved, duly seconded by Commissioner Sauls, to appoint Dorothy Inman-Johnson to the Affordable Housing Committee. The motion carried 7-0.*
 - Commissioner Sauls appointed Patti Ketcham to the Housing Finance Authority and the Affordable Housing Advisory Committee
 - Commissioner Akinyemi continued his appointment
 - The Board continued the second full Board appointment.
- **Audit Advisory Committee**
 - *Commissioner Sauls moved, duly seconded by Commissioner Dailey, to reappoint, Sandy Robinson and Mary Ryan. The motion carried 7-0.*
- **Bradfordville Historic School House Focus Group**
 - Commissioner Sauls appointed Mary Helen Fraser
- **Code Enforcement Board**
 - Commissioner Akinyemi appointed Rolando Gutierrez
- **Community Redevelopment Agency (CRA)**
 - *Commissioner Sauls moved, duly seconded by Commissioner Akinyemi, to reappoint Commissioners Dailey, Desloge and Sauls and to appoint Commissioner Thaell.*

- **Council on Culture and Arts**
 - *Commissioner Rackleff moved, duly seconded by Commissioner Akinyemi, to reappoint Mark Ravenscraft. The motion carried 7-0.*

- **Enterprise Development Zone Agency (EDZA)**
 - *Commissioner Sauls moved, duly seconded by Chairman Desloge, to confirm the following designees: Johanna Williams (Chairman Desloge); Vice-Chairman Commissioner Rackleff; Keith Bowers (City) and Todd Sperry (Chamber). The motion carried 7-0.*

- **Healthcare Advisory Board**
 - *Commissioner Sauls moved, duly seconded by Commissioner Dailey, to confirm the appointment of Capital Regional Medical Center designee, Interim CEO, Kyle Coston. The motion carried 7-0.*
 - Commissioner Akinyemi continued his appointment
 - Chairman Desloge continued his appointment

- **Human Services Grant Review Committee**
 - Commissioner Akinyemi continued his appointment
 - Commissioner Dailey reappointed Judith Royce
 - Commissioner Proctor reappointed Daryl Lawrence
 - Commissioner Rackleff reappointed Kaleema Muhammed
 - Commissioner Sauls reappointed Sam Bruce
 - Commissioner Thaelle reappointed Jerry Moore
 - Chairman Desloge reappointed Tim Coughlin

- **Lake Jackson Sports Council (LJSC)**
 - Commissioner Dailey requested that the appointment be continued until the January 15, 2009 to allow time for him to meet, at their request, with the LJSC. He anticipates that the Council will request that the LJSC be dismantled as the services they provided are being carried out through the County's Parks and Recreation Department.

- **Library Advisory Board**
 - Commissioner Proctor reappointed Joe Musgray
 - Commissioner Rackleff reappointed Bryan Lupiani
 - Commissioner Thaelle reappointed Lester Abberger

- **Miccosukee Committee Focus Group**
 - Commissioner Dailey reappointed Mary Young
 - Chairman Desloge reappointed David Hall
 - Commissioner Rackleff reappointed George Long

- **Research and Development Authority (Innovation Park)**
 - *Commissioner Proctor moved, duly seconded by Commissioner Sauls, to reappoint Ray Eaton. The motion carried 7-0.*

*Chairman Desloge stated that he would like to have discussion on directing staff to bring back an agenda item with recommendations on how the various committees could be managed more consistently, such as, term limits, attendance policy and by-laws.

- **Science Advisory Committee**
 - Chairman Desloge appointed Tom Frick

- **Tourist Development Council**
 - *Commissioner Thaele moved, duly seconded by Commissioner Sauls, to appoint Georgia Ackerman*
 - Chairman Desloge stated that Sue Dick had submitted an application
 - Commissioner Proctor suggested that the appointment be continued pending a Retreat being held by the Tourist Development Council Board to discuss the possibility of a new direction and vision.
 - Chairman Desloge pointed out that a formal recognition by the Board of the work done by Tom Waits was needed.
 - *Commissioner Akinyemi made a substitute motion, duly seconded by Commissioner Proctor, to continue the appointment. The motion carried 7-0.*
- **Water Resources Committee**
 - Commissioner Sauls appointed John Labie
- **Woodville Recreation Council**
 - Commissioner Sauls reappointed Bob Rankin
 - Commissioner Rackleff reappointed Phyllis Hurst
 - Chairman Desloge reappointed Michael Bradham

The Board reconvened at 6:00 p.m.

Scheduled Public Hearings, 6:00 p.m.

24. First of Two Public Hearings to Consider a Proposed Ordinance Amending the County's Land Development Code to Accommodate Cemeteries in the Rural, Urban Fringe, and Lake Talquin Recreation Urban Fringe Zoning Districts

Commissioner Thaele moved, duly seconded by Commissioner Sauls, to approve Option 1: Conduct the first of two Public Hearings on the proposed Ordinance amending the Land Development Code to accommodate cemeteries as allowed uses in the Rural, Urban Fringe, and Lake Talquin Recreational Urban Fringe Zoning Districts, and schedule the second and final Public Hearing for Thursday, January 15, 2009 at 6:00 p.m. The motion carried 6-0 (Commissioner Proctor out of Chambers)

25. First of Two Public Hearings to Consider a Proposed Ordinance Amending the County's Land Development Code to Accommodate Community Gardens as Allowable Uses

Commissioner Thaele moved, duly seconded by Commissioner Sauls, to approve Option 1: Conduct the first of two Public hearings on a proposed Ordinance amending the Land Development Code to accommodate Community Gardens as allowable uses, and schedule the second and final Public Hearing for Thursday, January 15, 2009 at 6:00 p.m. The motion carried 6-0 (Commissioner Proctor out of Chambers)

Commissioner Akinyemi voiced his support for community gardens as they are therapeutic and reduce greenhouse gas emissions; and suggested the County consider the Leon County Jail as a possible community garden site.

26. First of Two Public Hearings to Consider a Proposed Ordinance Amending the County's Land Development Code to Alter the Streamlined Development Review Incentive for Limited Façade Lengths

Commissioner Thaele moved, duly seconded by Commissioner Dailey, to approve Option 1: Conduct the first of two Public Hearings on the proposed Ordinance amending the Land Development Code to modify the value of and criteria for the façade incentive, and schedule the second and final Public Hearing for Thursday, January 15, 2009 at 6:00 p.m. The motion carried 6-0 (Commissioner Proctor out of Chambers)

27. First and Only Public Hearing to Amend Section 18-164, Leon County Code of Laws, Eliminating the Requirement for a Public Hearing to Adopt the Solid Waste Budget and Annual Assessment

Commissioner Thaele moved, duly seconded by Commissioner Rackleff, to approve Option 1: Conduct the first and only Public Hearing and adopt the proposed Ordinance amending Section 18-164 of the Solid Waste Ordinance. The motion carried 6-0 (Commissioner Proctor out of Chambers)

28. Second and Final Hearing to Adopt a Proposed Moratorium Ordinance for the Approval of Applications for Certain Off-Site Sign Permits

County Attorney Thiele relayed that the proposed moratorium would be effective from October 14, 2008 through June 15, 2009.

Commissioner Dailey moved, duly seconded by Chairman Desloge, to approve Option 1: Conduct second and final Public Hearing and adopt the proposed moratorium ordinance for the approval of applications for certain off-site signs.

Chairman Desloge suggested that the moratorium be shorted to allow its expiration in April.

Commissioner Dailey moved, duly seconded by Chairman Desloge, to approve Option 1, as amended: Conduct second and final Public Hearing and adopt the proposed moratorium ordinance for the approval of application for certain off-site signs, and that the moratorium expire after the first public hearing on April 15, 2008. The motion carried 6-1 (Commissioner Proctor in opposition)

Add-On Items:

29. Ratification of Board Actions Taken at the December 8, 2008 Annual Retreat

Commissioner Dailey commended Chairman Desloge on his leadership and County Administrator and his staff for their hard work in planning and preparing the Retreat.

Commissioner Dailey moved, duly seconded by Commissioner Sauls, to approve Option 1: Ratify the actions taken at the December 8, 2008 Board Annual Retreat.

Commissioners Thaele and Proctor commented on the proposal from the retreat to hold Commission meetings in each district. Each offered possible locations, such as, San Luis Mission, TCC, FSU and/or FAMU.

Chairman Desloge suggested that places and/or formats for off-site meetings be forwarded to County Administrator Alam.

Commissioner Akinyemi recommended that remarks under "Southern Strategy" be expanded to include the impediments to growth on the Southside. Commissioner Proctor offered that the opening sentence to modified to read: "The Board discussed

overcoming the impediments to growth in the Southside and discussed the existing language in the Comprehensive Plan that discourages industrial use in the Southern Strategy Area.

The motion carried 7-0.

30. Consideration of Resolution Supporting the Prohibition of Construction of Power Plants in Neighborhoods

Speaker:

- Josh Kasper, 1311 Jackson Bluff Road, expressed concern over the plant's possible effect on the public's health safety and asked that the proposal be reviewed more carefully before approval was given (material distributed to Commissioners).
- Nancy Linnan, 215 S. Monroe Street, Carlton Fields Law Firm representing BG&E, provided information on research that had been done for the project dated August 25, 2006 (copy of information was distributed)
- Erwin Jackson, spoke in opposition to project noting problems associated with the four criteria used by BG&E for determining site of plant.

Commissioner Akinyemi stated that although he was against the proposed location of the biomass plant, he could not support the Resolution as it presented a too generalized statement and each case should be individually reviewed. Commissioner Akinyemi articulated his support for the identification of alternative sources of energy.

Commissioner Akinyemi moved, duly seconded by Chairman Desloge, to continue the issue until the January 15, 2009 Board meeting and direct staff to review the matter and provide recommendations to the Board.

Commissioner Proctor addressed the concern expressed by Commissioner Akinyemi and noted that Southern Strategy language from the Comp Plan stated that projects such as wastewater treatment plants, airports, correctional facilities and power plants which serve larger than neighborhood areas should be located outside of the Southern Strategy area. He confirmed with County Attorney Thiele that this type of Resolution (ceremonial) was not a legally binding document, but an expression of intent and offered that the Resolution could be modified to better reflect the Board's position.

Commissioner Proctor noted his disappointment in the lack of communication and information provided to the Board and the affected neighborhoods by BG&E and/or its representatives. Commissioner Proctor spoke at length on his concerns over the project.

Commissioner Rackleff remarked that there were many unanswered questions and that the most basic information had not been shared. He stated support for a formal presentation by proponents to the Board on the project and expressed concerns regarding emissions, disposal of ash from incinerated material, would fuel source be expanded beyond wood chips; facility size and appearance. He indicated support for the Resolution.

Commissioner Sauls asserted that the plant should not be constructed adjacent to any neighborhood in the County and echoed concerns over lack of information and potential hazards from the facility. She voiced support for the Resolution and proclaimed that the County should take a stand on the issue.

Commissioner Akinyemi emphasized that he was opposed to the plant on this site; however, he did not want to hamper future business opportunities for the County. He explained that his motion allowed time for further dialogue and review.

Commissioner Proctor presented maps which showed other areas of the County as possible site alternatives for the plant. He pointed out that the project had not been properly vetted and that had it gone through appropriate channels and reviews, these various land options would have been made available by staff.

In response to inquiries by Commissioner's Dailey and Thaelle regarding a possible conflict of interest, County Attorney Thiele advised that no conflict existed as the motion on the table was to "continue the item" (not a vote on a formal position) and recusal was not necessary. He affirmed that Commissioner's Dailey and Thaelle could participate in discussion and vote on the motion presented.

Commissioner Thaelle asserted that the two components for an acceptable location included industrial zoning and accessibility to railroad and the site met these requirements. He reminded the Board that it voted 4-3 against filing an objection to the permit and recalled that he was very clear in his concerns at that time.

Commissioner Dailey expressed that: 1) he had concerns with the project; 2) the public relations approach could have been improved; 3) this was a large issue that affected the County, and 4) the Board had never voted on an issue that had not been thoroughly vetted and properly researched. He opined that there was sufficient time to postpone the matter and allow proper review and would support the motion on the table.

Chairman Desloge indicated agreement with Commissioner Dailey and added that because the County did not have jurisdiction over the project, there was no formal procedure in place for the Board to be notified or to engage the process. He voiced strong support to allow staff to review and advised sensitivity to the County's relationship to the city.

Commissioner Proctor submitted that the letter sent to the Department of Environmental Protection by Chairman Sauls which indicated the Board's concerns established a stronger position than the resolution and expressed concern over the city's role in the project.

Commissioner Thaelle stated that the City was aware of the County's concerns with regard to land use and siting of the proposed facility and opined that a permit challenge should have been supported by the Board when presented previously. He pointed out that amendments to the Comp Plan needed to be addressed to disallow siting of these types of facilities in certain zonings. Commissioner Thaelle professed his support for a strategy and solution to control the cost of utilities to residents and new technologies, such as biomass was an important tool.

There was considerable discussion by Commissioners on the issue.

Commissioner Proctor read the Resolution into the record.

Commissioner Thaelle called the question.

The motion on the table to continue the issue until the January 15, 2009 Board meeting and direct staff to review the matter and provide recommendations to the Board carried 4-2 (Commissioners Sauls and Rackleff in opposition and Commissioner Proctor out of Chambers)

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

Discussion Items by Commissioners

Commissioner Proctor:

- Commissioner Proctor expressed disappointment that the Board did not support the proposed Biomass resolution.

Commissioner Thaeil:

- Announced that the County will celebrate Climate Action Week on December 15, from 10:30 – 12:00 at the Solid Waste Management Facility on Apalachee Parkway. He asked for support to hold a press conference and guided tour of the facility; Commissioners, staff and media are encouraged to attend.
- Requested a Resolution in honor of Frank Ranicky a community volunteer, who will retire after 31 years as anchor and voice of WCTV.

Commissioner Rackleff

- *Commissioner Rackleff moved, duly seconded by Commissioner Dailey, to waive to rules to discuss Commissioner Rackleff's contribution of \$250 to the Council on Cultural Affairs. The motion carried 7-0.*
- *Commissioner Rackleff moved, duly seconded by Commissioner Dailey, to authorize Commissioner Rackleff to contribute \$250.00 from his Commissioner account to the Council on Cultural Affairs. The motion carried 7-0*
- *Commissioner Rackleff moved, duly seconded by Commissioner Dailey, to authorize \$1200.00 in travel expenses for Commissioner Rackleff to attend President-elect Obama's inauguration. The motion carried 7-0*
- Announced the January 15, 2009 opening of the Body Exhibit at the Mary Brogan of Art and Science Museum. He advised that an exhibit of the private collection of Bernard and Shirley Kinsey would be held later this year.

Chairman Desloge

- The gavel was passed to Commissioner Rackleff.
- *Chairman Desloge moved, duly seconded by Commissioner Dailey, to direct staff to bring back an agenda item to determine what options are available for the potential widening of Bannerman Road. The motion carried 7-0.*

Adjourn

There being no further business to come before the Board, the meeting was adjourned at 8:25 p.m.

LEON COUNTY, FLORIDA

ATTEST:

BY: _____

Bryan Desloge, Chairman
Board of County Commissioners

BY: _____

Bob Inzer, Clerk of the Court
Leon County, Florida