BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
February 9, 2010

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

At the request of Commissioner Dailey, the invocation was provided by Emory Hingst, Pastor Emeritus, St. Stephen Lutheran Church. Commissioner Dailey then led the Pledge of Allegiance.

AWARDS AND PRESENTATIONS:

- Chairman Bob Rackleff presented a Resolution to the students and faculty of Florida A&M University acknowledging their participation in the re-enactment of the "First Lunch Counter Sit-In" at the McCrory and Woolworth Stores. February 13, 2010 will mark the 50th anniversary of this historic event.
  - Chairman Rackleff added that Senator Tony Hill and Representative Alan Williams have introduced a bill in the Legislature to organize the Civil Rights Hall of Fame and to seek state ownership of the former McCrory's Building. He urged support of the proposed legislation.

CONSENT:

Commissioner Sauls moved, duly seconded by Commissioner Desloge, to approve the Consent Agenda, with the exception of Items 1, 8 and 12; which were pulled for further discussion. The motion carried 7-0.

1. Approval of 2010 Action Plans

Chairman Rackleff and Commissioner Thaell requested that the item be pulled for further discussion.

Chairman Rackleff referenced Priority #1: Economic Development, Business Incubators at Innovation Park, Microlending, Focus EDC Efforts on Supporting Entrepreneurship, Innovation, and Manufacturing specifically the Task to "Continue to pursue the redevelopment of the North Florida Fairgrounds". He stated that the relocation of the fairgrounds and redevelopment of the property into a sustainable mixed use community would be a boost for the southside and the County. He inquired from staff a status on the situation and opportunities to continue to move this idea forward. Deputy County Administrator Vince Long advised that the Board would be provided a status report on this issue at its February 23, 2010 meeting.

Commissioner Thaell voiced his support for redevelopment of the fairgrounds and encouraged the Economic Development Council (EDC) to get involved and work with the County in the development of strategies to help move the redevelopment process forward.

Regarding Priority #3 Protection of Water Bodies Countywide and Development of Countywide Stormwater Standards, Commissioner Thaell encouraged staff to analyze how volume control can be effectively managed throughout the entire County.

Commissioner Thaell also addressed Action Plan for Priority #4: Comprehensive Program to Address Recidivism Reduction, County Re-entry Program for Inmates, and Diversion, Including Youth Programs. He commented that the current correctional system is unsustainable and opined that non-violent offenders may be better served through intensive counseling, better access job training and jobs. He called for a community dialogue or partnership amongst all significant voices in Leon County to begin addressing this issue.

Commissioner Akinyemi thanked Commissioner Thaell from bringing attention to the re-entry issue and shared that the Public Safety Coordinating Council (PSCC) has focused their efforts on this issue. He shared that Sheriff Campbell, State Attorney Meggs, and TPD Chief Jones have been invited to meet with the PSCC on February 16 at 4:00 p.m. to further discuss and provide input and he welcomed other Commissioner attendance. He advised that he would bring ideas back to the Board on how to move this issue forward.

Commissioner Proctor advised that the Citizen Charter Review Committee (CRC) have taken up the issue of unified environmental standards to include stormwater. He stated that the volume control is also an issue of quality control and expressed concern about the influx of raw sewage into the Jake Gaither Community.

Commissioner Desloge moved, duly seconded by Commissioner Thaell, to approve Option 1, to include staff assignments: Approve the 2010 Action Plans for the 2010 Board Retreat Priorities. The motion carried 7-0.

2. Adoption of Resolution Re-Establishing the Septic System Loan and Inspection Programs Planning Committee

The Board approved Option 1: Adopt the Resolution reestablishing the Septic System Loan and Inspection Programs Planning Committee.

3. Approval to Submit a Florida Department of Health, Bureau of Emergency Medical Services County Grant Application

The Board approved Option 1: Approve the submittal of the Florida Department of Health, Bureau of Emergency Medical Services County Grant Application and approve the associated Resolution.

4. Acceptance of the Joint County/City Process to Issue Recovery Zone Bonds Pursuant to the American Recovery and Reinvestment Act.

THIS ITEM WAS REMOVED FROM THE AGENDA

5. Approval to Submit a FY 2011 Healthcare Earmark Request Form with the Second Congressional District's Healthcare Council for Neighborhood Health Services, Inc. in the Amount of $2,000,000.

The Board approved Option 1: Approve the submittal of a FY 2011 Healthcare Earmark Request Form with the Second Congressional District's Healthcare Council for Neighborhood Health Services, Inc. in the amount of $2,000,000.

6. Approval of a Resolution Urging the 2010 Florida Legislature to Fund the Forever Florida Program

The Board approved Option 1: Approve the Resolution urging the 2010 Legislature to fund the Forever Florida Program

7. Approval of Payment of Bills and Vouchers Submitted for February 9, 2010 and Pre-Approval of Payment of Bills and Vouchers for the Period of February 10 through February 22, 2010.

The Board approved Option 1: Approve payment of bills and vouchers submitted for February 9, 2010 and pre-approve of payment of bills and vouchers for the period of February 10 through February 22, 2010: $1,727,422

8. Ratification of Board Actions Taken at the January 26, 2010 Budget Workshop

Commissioner Thaell requested the item be pulled for further discussion.

Commissioner Thaell noted that staff had reported a $2 million reduction in ad valorem revenue due to declining property valuations. He pointed out that the Transportation Trust Fund is subsidized by $2.3 million by general revenue dollars. He established with Alan Rosenzweig, Assistant County Administrator, that by imposing the fifth cent gas tax, the subsidy could be eliminated completely. Commissioner Thaell emphasized that while he was not taking a position on whether he would or would not support the gas tax option, he opined that this should be an option for the Board to consider in helping balance the budget for 2010/2011.

County Administrator Alam offered that there was time to impose the tax for next year if this was the direction of the Board.

Commissioner Thaell moved, duly seconded by Commissioner Desloge, to keep the option to impose a gas tax open for consideration for the FY 2010/2011 budget.

Commissioner Desloge pointed out that a super majority was required to pass the tax and did not want to expend a lot of staff resources on the idea if there was not sufficient Board support. He added that it was important to note that the gas tax was in lieu of additional property taxes.

Commissioner Akinyemi while understanding the budget challenges facing the County; he could not during this difficult economic climate support the motion at this time.

Chairman Rackleff commented that he would support the motion as it would help put more employees within the transportation industry to work. He offered that the user fee would help "head off" the growing dependency in the use of general tax dollar as subsidies.

County Administrator Alam clarified for Commissioner Thaell that by the County not imposing the fifth cent gas tax the County is limited in its ability to access additional state transportation funding.

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

Commissioner Dailey moved, duly seconded by Commissioner Akinyemi, to approve Option 1: Ratify actions taken at the January 26, 2010 FY 2011 budget workshop. The motion carried 7-0.

9. Approval of Transfers of Leon County Surplus Computing Equipment to Goodwill Industries

The Board approved Options 1 & 2: 1) Approve ongoing transfers of Leon County surplus computing equipment to Goodwill Industries for its electronics recycling/computer store, and 2) Approve the one-time donation of surplus server equipment to Freenet.

10. Ratification of Board Actions Taken at the January 19, 2010 MIS Technology Workshop

The Board approved Option 1: Ratify the Board actions taken at the January 19, 2010 MIS Technology Workshop.

11. Approval to Renew the Interlocal Agreement for Minority and Women Business Enterprise Certification Between Leon County and the City of Tallahassee.

The Board approved Option 1: Approve the renewal of the Interlocal Agreement for Minority and Women Business Enterprise Certification between Leon County and the City of Tallahassee, and authorize the Chairman to execute.

12. Ratification of Revised Policy No. 96-1, "Purchasing and Minority, Women and Business Enterprise Policy"

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

Commissioner Proctor spent considerable time in dialogue with Kim Dressel, Senior Assistant to the County Administrator, regarding his concerns regarding the draft ordinance and received clarification on these issues. His concerns included: reporting requirements of prime contracts with MWSBE participation; establishment of aspirational targets; right of protest and the designation of a non-responsive bid.

Commissioner Proctor moved, duly seconded by Commissioner Akinyemi, to continue the item.

Commissioner Akinyemi expressed support for the concerns brought forward by Commissioner Proctor and asked staff to work through the mechanics to ensure that minority vendors have a voice in the process.

Commissioner Desloge made a substitute motion to approve Option 1, as amended: Ratify Amendments to Policy No. 96-1, "Purchasing and Minority, Women and Small Business Enterprise Policy" and request staff to meet with Commissioner Proctor and Akinyemi regarding their concerns and bring back as agenda item as appropriate. The substitute motion was seconded by Commissioner Dailey.

Chairman Rackleff stated that he would not support the substitute motion and commented that the continuance would allow time for staff to meet with Commissioner's Proctor and Akinyemi regarding their concerns.

The substitute motion carried 4-3 (Commissioners Proctor, Akinyemi and Rackleff in opposition).

13. Approval of an Amendment to the Local Agency Program Agreement Between Leon County and Florida Department of Transportation De-obligating Excess Federal Stimulus Funds for Intersection Improvements and Adoption of a Resolution Authorizing the Execution of the Agreement Amendment.

The Board approved Options 1 & 2: 1) Approve the Amendment to the Local Agency Program Agreement between Leon County and Florida Department of Transportation for intersection improvements, approve the associated Resolution, and authorize the Chairman to execute, and 2) Adopt the Resolution and associated Budget Amendment Request recognizing the amended federal funding.

14. Approval of an Amendment to the Local Agency program Agreement between Leon County and Florida Department of Transportation De-obligating Excess Federal Stimulus Funds for Sidewalk Projects and Adoption of a Resolution Authorizing the Execution of the Agreement Amendment

The Board approved Options 1 & 2: 1) Approve the Amendments to the Local Agency Program Agreements between Leon County and Florida Department of Transportation for sidewalk construction, approve the associated Resolution, and authorize the Chairman to execute, and 2) Adopt the Resolution and associated Budget Amendment Request recognizing the amended federal funding.

15. Acceptance of the Commissioner Discussion Items Status Report for FY 2008/09 Ongoing and FY 2009/10 First Quarter

The Board approved Options 1 & 2: 1) Accept the FY 2008/09 ongoing status report on Commissioner Discussion Items, and 2) Accept the FY 2009/10 first quarter status report on Commissioner Discussion Items.

16. Acceptance of a Status Report Regarding the Construction of Capital Cascade Trail – Segment 2

The Board approved Option 1: Accept the status report regarding the construction of Capital Cascade Trail – Segment 2.

Citizens to be Heard on Non-Agendaed Items (3-minute limit per speaker; there will not be any discussion by the Commission)

Chairman Rackleff confirmed that there were no Citizens to be Heard on Non-Agendaed Items.

GENERAL BUSINESS

17. Acceptance of the FY 08/09 Tallahassee-Leon County Economic Development Council (EDC) Annual Report and Approval of the FY 09/10 EDC Agreement in the Amount of $199,500

County Administrator explained that since 1995, the Board has contracted with the EDC to promote job growth and comprehensive economic development in Leon County. He added that the EDC receives approximately 37% of its total operating funds through partnerships with Leon County ($199,500) and the City ($135,000). He stated that EDC representatives are available to answer any questions from the Board.

Commissioner Desloge moved, duly seconded by Commissioner Dailey, to approve Options 1 & 2: 1) Accept the FY 08/09 Tallahassee-Leon County economic Development Council Annual Report, and 2) Approve the FY 09/10 Agreement between Leon County and the Tallahassee-Leon County Economic Development Council in the amount of $199,500, and authorize the Chairman to execute.

Chairman Rackleff had numerous questions and concerns relating to the information contained in the Annual Report. His questions included, but were not limited to, the report of the creation of 354 jobs and information on jobs lost in Leon County. Kim Williams, EDC Chairman and Beth Kirkland EDC Executive Director responded to Chairman Rackleff's comments. Chairman Rackleff requested that the EDC work with the County in the redevelopment of the North Florida Fairgrounds.

Commissioner Proctor indicated that there have been concerns of accountability for some time and noted that the County's contribution is $67,000 higher than the City's. He also relayed the need for the creation of "middle class" jobs (salaries of $25,000-$35,000) and those that do not require a degree for employment.

Commissioner Proctor offered a substitution motion to establish a County Economic Development Department. The substitution died for lack of a second.

Commissioner Akinyemi asked the EDC's assistance in the development and growth of Innovation Park and suggested better publicization of the various zones that have been created to assist in tax breaks and opportunities for businesses.

Commissioner Thaell offered that a better more focused use of Innovation Park was needed along with redevelopment of the Southside. He suggested that the EDC sponsor a summit on entrepreneurism and how it can better support and promote local businesses.

The original motion made by Commissioner Desloge to approve Options 1 & 2 carried 6-1 (Commissioner Proctor in opposition).

18. Board Direction on Proceeding with the Development and Implementation of the Project Search Pilot Program

County Administrator Alam explained that staff wanted to reaffirm that the Board wished to proceed with the Program, given the County's current budget situation.

Commissioner Desloge moved, duly seconded by Commissioner Dailey, to approve Option 1: Authorize staff to proceed with the development and implementation of the Project SEARCH Pilot Program, with an August 2010 implementation date, and hire an OPS graduate student immediately to develop the program. The motion carried 6-0 (Commissioner Akinyemi out of Chambers).

19. Acceptance of Status Report on the Florida Gas Transmission (FGT) Pipeline Expansion

County Administrator Alam provided an overview of the item. He shared that through the cooperative efforts of County staff and FGT, the County has the potential to acquire a very sensitive piece of property containing Eight Mile Pond, which would be used to mitigate the impacts of the construction of the new line.

Commissioner Dailey moved, duly seconded by Commissioner Sauls to approve Option 1: Accept the status report on the Florida Gas Transmission pipeline expansion.

Commissioner Proctor remarked that Wakulla Springs may be impacted by the gas pipe and reiterated the need for sewer services to the southern part of the County.

The motion carried 7-0.

County Administrator Alam explained that a request had been made to delay discussion of Item 20 until 6:00. This request was agreed to by the Board.

Chairman Rackleff adjourned the Board until 6:00 p.m.

20. Consideration of the Veterans Services Parade Committee Recommendations

Chairman Rackleff invited Dale Keen, Veterans Services Director, to introduce the item. Mr. Keen shared that the Veterans Services Parade Committee had been formed and Ms. Lisa Hurley would present their recommendations to the Board.

Speaker:

- Lisa Hurley appeared before the Board as a representative of the newly formed non-profit corporation entitled Veterans Events in Tallahassee Inc, (VET, Inc). She advised that the entity had been established to organize, produce and promote the Veterans Day Parade; it consists of 33 members and has formed Fund Raising, Budget and Presentation Committees. She requested that the Board grant their request to allow VET, Inc to become the lead agency to organize, promote and grow the annual Veterans Day Parade. She emphasized the organization brings together a member of every local veterans association.

Chairman Rackleff shared that there was much support for the endeavor among the Board and expressed regret for the misunderstandings and problems experienced in last year's parade. He added that he was very delighted that the veteran community wanted to take the lead in the event. Chairman Rackleff confirmed with Mr. Alam that staff had no concerns regarding the proposal and support would be provided in anyway needed.

Commissioner Akinyemi moved, duly seconded by Commissioner Desloge, to approve Option 1: Support "Veterans Events in Tallahassee, Incorporated" as the lead agency in planning, organizing, and conducting the annual Veteran's Day Parade.

Commissioner Dailey established with Dale Keen, Veterans Affairs Director, that the Veteran's Day Parade would now be held on Monroe Street.

Commissioner Desloge requested that the organization provide an update to the Board a couple of months prior to the Parade.

Commissioner Proctor confirmed that VET, Inc. has received an exemption from the City for the $35,000 parade fee. He established with Ms. Hurley that no financial obligations are requested from the County at this time; however assistance may be requested in the future. Ms. Hurley emphasized that a Fund Raising Committee had been formed to help alleviate some of the costs. Commissioner Proctor wanted to ensure that the County's financial expectancies are known.

The Board expressed their appreciation to Ms. Hurley and all local veteran associations for stepping up to take control of the planning and promotion of the Parade and expressed a desire to provide assistance in any way.

Commissioner Dailey encouraged Ms. Hurley to contact the County's Tourist Development Council for possible funding assistance. He requested the County Attorney look into a way the organization could utilize the County's liability insurance, such as being a "silent co-sponsor". Mr. Thiele stated this could be accomplished via an event policy.

Upon further discussion with Mr. Keen regarding the cost of the parade in years past *Commissioner Akinyemi amended his motion to include the authorization to use County services/resources to assist VETS, Inc. in getting a waiver of permit fees, obtain liability insurance, and budget $2,500 annually for the Veterans Day Parade. The motion, as amended carried 7-0.*

21. Expirations, Vacancies, and Appointments to the Adjustment and Appeals Board, Bannerman Road Corridor Study Citizens Advisory Committee, Canopy Roads Citizens Committee, Healthcare Advisory Board, Housing Finance Authority, Human Services Grants Review Committee, Joint City/County/School Board Coordinating Committee, Library Advisory Board, and Science Advisory Committee

Adjustment and Appeals Board:

The Board continued this appointment.

Bannerman Road Corridor Study Citizens Advisory Committee

- Commissioner Thaell appointed Joanie Trotman
- Commissioner Desloge appointed Mark Reichert
- Commissioner Sauls appointed Brad Parker
- Commissioners Akinyemi, Dailey, Proctor, and Rackleff continued their appointments.

Canopy Roads Citizens Committee

- Commissioner Sauls moved to reappoint Georjean Machulis. The motion carried 7-0.
- *Commissioner Akinyemi moved, duly seconded by Commissioner Sauls, to appoint Kelly McGrath. The motion carried 7-0.*

Healthcare Advisory Board (HAB)

- Commissioner Thaell appointed Jay Reeve.

Commissioner Proctor expressed a concern that the voting right of the Board's representative had been removed and asserted his desire to be a voting member of the HAB Board. He confirmed with Mr. Alam that there was no County policy whereby commissioners are barred from voting on other Boards.

County Attorney Thiele noted that this could be done by a change in the HAB By-laws.

Commissioner Thaell provided reasoning for his recommendation that the Board representative not be a voting member. He cited his concern regarding a Commissioner voting on a County Committee whereby funding is provided by the County.

There was continued discussion among the Board on this issue.

Commissioner Desloge moved, duly seconded by Commissioner Thaell, to bring back an agenda item as soon as possible regarding the scope, scale and mission of the Healthcare Advisory Board and include the issue of the Commissioner-appointee voting.

Commissioner Dailey offered that unless there had been a change in the current by-laws Commissioner Proctor is currently is a voting member of the HAB.

The motion carried 7-0.

Human Services Grants Review Committee

- Commissioner Akinyemi reappointed Kim Moore.
- Commissioner Dailey reappointed Justin Day
- Commissioner Desloge reappointed Mary Wakeman
- Commissioner Proctor reappointed Cynthia Gardner
- Commissioner Rackleff reappointed Beverlee DeMello
- Commissioner Sauls reappointed Billy Holder
- Commissioner Thaell reappointed Anita Davis

Joint City/County/School Board Coordinating Committee

- *Commissioner Desloge moved, duly seconded by Commissioner Sauls, to appoint James Davis. The motion carried 7-0.*

Library Advisory Board

- Commissioner Akinyemi reappointed Anneliese Oppenheim
- Commissioner Dailey reappointed Florence Brainerd
- Commissioner Desloge reappointed Barbara Taff
- Commissioner Sauls reappointed Beth Langford

Science Advisory Committee

- Commissioner Desloge continued his appointment.

Citizens to be Heard on Non-Agendaed Items (3-minute limit per speaker; Commissioner may discuss issues that are brought forth by speakers)

Chairman Rackleff confirmed that there were no Citizens to be Heard on Non-Agendaed Items

Chairman Rackleff reconvened the Board at 6:00 p.m. and a public hearing was conducted.

Scheduled Public Hearings, 6:00 p.m.

22. Public Hearing on the Adoption of Cycle 2010-1 Comprehensive Plan Amendments

County Administrator Alam announced the Public Hearing.

Chairman Rackleff confirmed that there were no speakers on the item.

Commissioner Thaell moved, duly seconded by Commissioner Desloge, to approve Option 1: Conduct the first and only public hearing on a proposed Ordinance adopting Cycle 2010-1 Comprehensive Plan Amendments. The motion carried 6-0 (Commissioner Dailey out of Chambers).

23. Second and Final Public Hearing Amending the Land Development Code Regarding Off-site Signs

County Administrator Alam announced the Public Hearing.

Chairman Rackleff confirmed that there were no speakers on the item.

Commissioner Desloge moved, duly seconded by Commissioner Sauls, to approve Option 1: Conduct the second and final public hearing and adopt an Ordinance amending the Land Development Code revising off-site signs. The motion carried 7-0.

24. **Second and Final Public Hearing to Adopt Proposed Ordinance Amending Chapter 10, Section 10-7.529 of the Leon County Code of Laws Entitled "General Requirements for Sidewalks with the New Development; Fee In-Lieu of Sidewalk Construction"**

County Attorney Thiele requested that the public hearing be continued until the March 23, 2009 Board Meeting.

Commissioner Sauls moved, duly seconded by Commissioner Desloge, to continue the item until the March 23, 2010 Board meeting. The motion carried 7-0.

25. **First and only Public Hearing to Adopt a Proposed Ordinance Amending Chapter 10, Article VI, Section 10-6.804 of the Leon County Code of Laws, entitled "Temporary Uses"**

County Administrator Alam announced the Public Hearing.

Chairman Rackleff confirmed that there were no speakers on this item.

Commissioner Sauls moved, duly seconded by Commissioner Desloge, to approve to Option 1: Conduct the first and only Public Hearing and adopt the proposed Ordinance amending Chapter 10, Article VI, Section 10-6.804 of the Leon County Code of Laws, entitled "Temporary Uses." The motion carried 7-0.

26. **First of Two Public hearings on a Proposed Ordinance Amending Appropriate Sections of Chapter 10 of the Land Development Code to Implement Provisions of Comprehensive Plan Amendment PCT080115 Pertaining to Residential Preservation**

County Administrator Alam announced the Public Hearing.

Chairman Rackleff confirmed that there were no speakers on this item.

Commissioner Desloge moved, duly seconded by Commissioner Sauls, to approve Options 1 & 2: 1) Conduct the first of two public hearings on the proposed ordinance amending appropriate sections of Chapter 10 of the Land Development Code to implement provisions of Comprehensive Plan Amendment PCT080115 pertaining to Residential Preservation, and 2) Schedule the second and final public hearing on the proposed Ordinance amending appropriate sections of Chapter 10 of the Land Development Code for Tuesday, March 23, 2010 at 6:00 p.m.

Wayne Tedder, Planning Director, explained that amendment responds to a concern expressed by the Council of Neighborhood Associations (CONA) regarding additional protections of established residential neighborhood, especially those within the urban area of the City.

Commissioner Proctor expressed a concern about the affects of the amendment on the Southside; especially in those areas where intensification was needed.

Chairman Rackleff verified with staff that the Planning Commission had approved the item by a 6-1 vote.

Commissioner Dailey established that the amendment would not apply to the development at Metropolitan Avenue as it is not designated as Residential Preservation.

The motion carried 7-0.

Chairman Rackleff acknowledged the attendance of Boy Scout Troop 44, Faith Presbyterian Church, who are pursuing their Communications Merit Badge.

27. First of Two Public Hearings on a Proposed Ordinance Amending the Land Development Code to Implement the Mahan Gateway Node Future Land Use Category for Properties Along Mahan Corridor

County Administrator Alam announced the Public Hearing.

Chairman Rackleff confirmed that there were no speakers on the item.

Commissioner Sauls moved, duly seconded by Commissioner Desloge, to approve Options 1 & 2: 1) Conduct the first of two public hearings on the proposed Ordinance amending Section 10-6.654 of Chapter 10 of the Land Development Code to Implement the Mahan Gateway Node Future Land Use Map category, and 2) Schedule the second and final public hearing on the proposed Ordinance amending Section 10-6.654 of Chapter 10 of the Land Development Code to Implement the Mahan Gateway Node Future Land Use Map category for Tuesday, March 23, 2010 at 6:00 p.m. The motion carried 7-0.

The Board returned to its General Business Agenda, Item # 20.

COMMENTS/DISCUSSION ITEMS

County Administrator Alam: none

County Attorney Thiele:

- Provided information on the Collier County Board of County Commissioners vs Dwight Brock, Collier County Clerk of Court case involving the power and responsibility of the Collier County Clerk's Office. He shared that the Florida Supreme Court has accepted jurisdiction and will make a ruling on the matter. Mr. Thiele advised that his office has participated in the case and helped write the Amicus brief on behalf of the Florida Association of Counties and County Attorney's.
- Reminded the Board that individuals that visit a Commissioner must register as a lobbyist if they are being paid to represent a client; lawyer or not. Mr. Thiele stated that he would provide a list of current registered lobbyists and a list of lobbyists whose registrations have expired.

Commissioner Proctor

- Requested a Resolution acknowledging the outstanding accomplishments of the 2009/10 Rickards High School Raiders Cheerleader Competition Squad.
- *Commissioner Akinyemi moved, seconded by Commissioner Proctor, to approve the expenditure of $300 from Commissioner Proctor's Commission account to support the Second Annual Black History Program at the Lawrence Gregory Community Center. The motion carried 7-0.*
- *Commissioner Proctor moved, duly seconded by Commissioner Sauls, to approve the expenditure of $400 from his Commissioner account, to support "Hoops of Fire" Men's Basketball Tournament 2010. The motion carried 7-0.*

Commissioner Desloge

- Requested that staff schedule a presentation by Dan Samborn, CEO, American Red Cross, Capital Area Chapter.
- *Commissioner Desloge moved, duly seconded by Commissioner Proctor, to waive the rules to discuss funding the Florida Association of Counties (FAC) Legislative Day. The motion carried 5-2 (Commissioners Dailey and Thaell opposed).*
  - *Commissioner Desloge moved, duly seconded by Commissioner Akinyemi, to support FAC Legislative Day in the amount of $2,500.*
  - Commissioner Proctor commented that in previous years the County has sponsored a FAC Legislative Day event which was held in the Courthouse Rotunda and suggested that this option be considered again.
  - *Commissioner Desloge amended his motion to bring back an agenda item regarding sponsoring or hosting the FAC Legislative Day on March 24, 2010 in the amount of $2,500. The motion carried 7-0.*

Commissioner Sauls

- Informed the Board that the Northwest Florida Water Management District (NWFWMD) has issued a Notice of Intent to Issue a Permit to the City of Tallahassee for the Lake Talquin Spillway Dam Project. She noted that the Board had been under the assumption that the repair work would be postponed for a year; however the City has decided to move forward and a hearing is scheduled for February 25, 2010.
  - Mr. Thiele advised that direction was needed if it was the Board's desire to intervene in the permitting process.
  - Chairman Rackleff indicated that action was needed prior to the petition deadline of February 23, 2010.
  - *Commissioner Sauls moved, duly seconded by Commissioner Thaell, to direct the County Attorney to file a "placeholder" while determining whether there were meritorious grounds to intervene.*
  - County Attorney Thiele mentioned that outside engineering experts may be needed.
  - Commissioner Thaell stated that he would support the motion because the permits allows for additional rise in floodwater on the property's affected in Leon County, specifically on the residents of Crooked River Road. He added that he wanted to be very narrow in his objection.
  - Commissioner Akinyemi voiced support for the motion to allow an opportunity to weigh in on this issue. At his request, Joe Brown, Engineering Services Director, provided information on the operational modifications offered by the City.
  - *The motion carried 7-0.*

- Commissioner Sauls shared that Liberty County has requested the Board's support of a Resolution opposing the issuance of any permits to the City of Tallahassee.
  - Chairman Rackleff expressed a concern that the proposed resolution would put the County on record in opposition of the issuance of any permits to the City. County Attorney Thiele indicated that a reword of the resolution to include the "proposed permit" would address Chairman Rackleff's concern.
  - *Commissioner Sauls moved, duly seconded by Commissioner Proctor, to adopt a Resolution opposing the NWFWMD issuing any proposed permits for the reconstruction of the Corm Hydroflow Dam. The motion carried 7-0.*

Commissioner Akinyemi

- Requested a Resolution honoring the FAMU Marching 100 Band for its participation in the Super Bowl.
- *Commissioner Proctor moved, duly seconded by Commissioner Akinyemi, to approve the expenditure of $345 from Commissioner Akinyemi's account for the C.K. Steele Scholarship Foundation. The motion carried 7-0.*

Commissioner Thaell

- Requested that staff review the Agreement between Leon County and Waste Management regarding the route of the long-half trucks from the transfer station to Jackson County and, as appropriate, Waste Management be reminded of the proper route to be taken.

Commissioner Dailey: none

Commissioner Rackleff.

- Shared that he had attended the "New Partners for Smart Growth" National Conference in Seattle and was encouraged by the attendance and collaborative efforts of the Secretary of Transportation, Secretary of HUD and the Administrator of the EPA.
- Shared that his wife Ester would be leaving for Haiti next week for two months.
- *Commissioner Proctor moved, duly seconded by Commissioner Akinyemi, to waive the rules to discuss funding for the FAMU Black Archives to commemorate the 50th Anniversary of Florida's first student "sit-ins," and "jail-in" protests. The motion carried 4-3 (Commissioners Dailey, Desloge and Thaell in opposition)*
  - *Commissioner Proctor moved, duly seconded by Commissioner Akinyemi to support a funding request from FAMU Black Archives to commemorate the 50th Anniversary of the Historic Student "Sit-ins" and the first student "Jail-in" protest by FAMU students in the amount of $1,200 from the Contingency Fund.*
  - Commissioner Dailey and Desloge, although supportive of the event, noted that they could not support an appropriation out of the budget cycle.
  - *The motion carried 5-2 (Commissioners Dailey and Desloge in opposition).*

RECEIPT AND FILE: None

ADJOURN:
There being no further business to come before the Board, the meeting was adjourned at 7:36 p.m.

LEON COUNTY, FLORIDA

ATTEST:

BY: _____
Bob Rackleff, Chairman
Board of County Commissioners

BY: _____
Bob Inzer, Clerk of the Court
Leon County, Florida