

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
August 17, 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.

Invocation and Pledge of Allegiance

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

Awards and Presentations

- Chairman Rackleff presented a Resolution Recognizing the Sellars Family Trust for their key role in arranging for the donation of the 132-acre Eight Mile Pond Tract. Alice Diestelhorst accepted the Resolution on behalf of her sister Judy Hernandez and brothers Preston and Charles Sellars.
- Daniel Runyon, United States Special Operations Command Exercise Planner, provided a presentation requesting approval to execute a military Realistic Urban Training (RUT) concept within Leon County (Liberty, Gadsden and Franklin Counties also included) in support of joint military exercise Emerald Warrior. Mr. Runyon shared that that training would occur on February 21 – March 11, 2011 and would include the Army, Navy, Air Force, Marines and government and non governmental agencies. His presentation included information on 1) why the North Florida area was chosen for the training; 2) its impact on the area; 3) what to expect and 4) safety and security provisions.

Commissioner Thaell confirmed that Sheriff Campbell's Office was informed of the exercise and had expressed no objections to the training.

- Dave Telesco, Bear Program Coordinator, Florida Fish and Wildlife Conservation Commission, presented information on the serious impact of human-bear conflicts. He noted that approximately 700 bears live in the Apalachicola Forest and that calls of bear sightings in the County have increased. He mentioned that inadequate trash containers were a contributor to bear encounters and that bear proof containers were available for those areas of frequent contact. He stated that local governments can adopt "garbage ordinances" requiring the use of bear-proof containers; however did not deem this action necessary in Leon County at this time. He advocated for better public education on bear behavior. He explained how FWC responds to calls and the management of the bear population. Mr. Telesco also mentioned that a Draft Statewide Bear Management Plan was available for public comment on the FWC website.
- Marion Missy McGee, U.S. Census Bureau, Atlanta Regional Census Center, appeared and thanked the Board for its support and promotion of the Census 2010 and noted that the formation of the Leon County Complete Count Committee helped the County achieve a 72% participation rate. She advised that the Country's new census count would be available December 31 and the State's full population count with demographic breakdown by County and census tract would provided in March 2011.

Plaques recognizing the efforts of the County in the census count endeavor were presented to the Board (accepted by Chairman Rackleff); Ed Young, City/County Complete Count Liaison (accepted by Planning Director Wayne Tedder), and Public Information Office (accepted by PIO Director Jon Brown).

Consent:

Commissioner Sauls moved, duly seconded by Commissioner Akinyemi to approve the Consent Agenda with the exception of Items 2, 14, 22, 24, 25, and 39, which were pulled for further discussion. The motion carried 7-0.

1. Acceptance of Department of Children and Families Purchase Order for Reimbursement of Drug Court Urinalysis Testing

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

2. Approval of Minutes: May 11, 2010 Potential Board-Initiated Charter Amendments Workshop; June 8, 2010 Workshop Regarding the Establishment of a Citizen Group to Focus on Community Health Issues; June 8, 2010 Regular Meeting, and June 22, 2010 Regular Meeting

Commissioner Proctor requested the item be pulled for further discussion.

Commissioner Proctor referenced the May 11 Board-Initiated Charter Amendments Workshop minutes and revisited the proposed charter amendment brought forward by Commissioner Akinyemi to establish a Citizen Utility Advisory Board. Commissioner Proctor opined that the Charter Review Committee (CRC) was unduly influenced and interfered with by the City in its deliberation and consideration of this issue and concluded with it not being adopted by the CRC by an 8-7 vote. He inquired from the County Attorney if there was a mechanism in which the issue could be brought up for adoption by the Board as a charter review amendment. County Attorney Thiele stated that an opportunity had been available for the Board to "self initiate" the amendment at the May 11 Workshop but declined to do so. He advised that there was no avenue, at this time, to place the issue on the November ballot; however, Mr. Thiele reminded Commissioner Proctor that there was nothing to prevent the Board from placing the amendment on another election cycle ballot or to adopt the issue as an ordinance. He concluded that for the purposes of the November 2, 2010 ballot, only the Charter amendments scheduled for public hearing and adoption by the Board could be considered by the Board.

Commissioner Proctor moved, duly seconded by Commissioner Desloge, to approve Option 1: Approve the minutes of the May 11, 2010 Potential Board-Initiated Charter Amendments Workshop; June 8, 2010 Workshop Regarding the Establishment of a Citizen Group to Focus on Community Health Issues; June 8, 2010 Regular Meeting, and June 22, 2010 Regular Meeting

Commissioner Desloge recalled that the Board had decided to allow the newly created City Utility Advisory Board time to address the concerns brought forward by the CRC and revisit the issue in six months, or in early November 2010, to look at its progress. He noted that the proposed committee could be established by the County and he would not support its inclusion in the Charter.

Commissioner Akinyemi reiterated his disappointment that the issue was not offered to the citizens for approval and recommended that the City be requested to provide information on the movement of the City's Utility Advisory Board, such as minutes and a progress report.

Commissioner Akinyemi stated that he would offer a substitute motion to direct the County Administrator or Chairman to write a letter requesting the above mentioned information.

Chairman Rackleff explained that subsequent motions must be germane to the agenda item and suggested that there would be opportunity during the public hearing phase or during Commissioner Discussion to bring the utility advisory board issue forward. Mr. Thiele, upon questioning by Commissioner Akinyemi, opined that the issue of the citizen utility advisory board was not germane to the agenda item to approve minutes.

The motion to approve Option 1 carried 7-0.

3. Adoption of Revisions to the Leon County Personnel Policies and Procedures Manual to Extend Employee Benefits to Domestic Partners

The Board approved Options 1, 2, & 3: 1) Adopt the revision to Personnel Policies and Procedures-Section 1 - Introduction to the definition of Immediate Family member to acknowledge the Domestic Partner relationship, which allows employees to receive sick leave to care for the Domestic Partner; allows administrative leave in the event of the death of the Domestic Partner and family members, and recognizes step - and half-relationships; 2) Adopt the revision to Personnel Policies and Procedures - Section II - Conduct/Nepotism to the definition of relative to acknowledge the Domestic Partner relationship, and 3) Adopt the revision to Personnel Policies and Procedures-Section VI-Benefits to allow for the extension of eligible benefits to Domestic Partners to the extent allowed under the contract with Leon County insurance/benefit providers.

4. Approval to Extend the Current Lease Agreement with U.S. Department of Agriculture (USDA) - Natural Resource Conservation Service (NRCS)

The Board approved Option 1: Approve a one-year extension to the current Lease Agreement with the U.S. Department of Agriculture - Natural Resource Conservation Service.

5. Adoption of a Resolution Supporting the Designation of Leon County as Preserve America Community

The Board approved Option 1: Adopt the Resolution supporting the designation of Leon County as a Preserve America Community

6. Acceptance of a Conservation Easement from Elinor Sue Johnson

The Board approved Option 1: Approve and accept for recording the conservation easement from Elinor Sue Johnson for the Natural Wells Limited Partition Subdivision project.

7. Approval to Renew the Agreement Between Leon County and Children's Home Society of Florida for the Provision of State-Mandated Child Protection Examinations for FY 2010/11

The Board approved Option 1: Approve the renewal of the Agreement with Children's Home Society of Florida for FY 2010/11 for the provision of child protection examinations, and authorize the County Administrator to execute.

8. Approval to Renew the Agreement Between Leon County and Apalachee Center, Inc. for the Provision of State-Mandated Baker Act and Marchman Act Services for FY 10/11

The Board approved Option 1: Approve the renewal of the Agreement with Apalachee Center, Inc. for Baker Act and Marchman Act services in the amount of \$638,156 for FY 10/11, and authorize the County Administrator to execute.

9. Approval of the Long Range Plan for Library Service and Approval to Submit the 2010-2011 State Aide to Libraries Grant Application

The Board approved Options 1 & 2: 1) Approve the Library's Long-Range Plan for Library Service, 2010/2011 to 2012/2013 and the 2010/11 Annual Plan for Library Service, and 2) Approve the submittal of the 2010-2011 State Aid to Libraries Grant Application, and authorize the County Administrator to execute.

10. Approval to Resubmit a Public Library Construction Grant Application for the Eastside Branch Library

The Board approved Option 1: Approve the resubmission of a Public Library Construction Grant application for the Eastside Branch Library, and authorize the Chairman to execute all required documents.

11. Approval to Resubmit a Library Construction Grant Application for the Woodville Branch Library

The Board approved Option 1: Approve the resubmission of a Public Library Construction Grant application for the Woodville Branch Library, and authorize the Chairman to execute all required documents.

12. Approval of Payment of Bills and Voucher Submitted for August 17, 2010, and Pre-Approval of Payment of Bills and Vouchers for the Period of August 18 through September 13, 2010: \$2,547,365

The Board approved Option 1: Approve payment of bills and vouchers submitted for August 17, 2010 and pre-approve payment of bills and vouchers for the period of August 18 through September 13, 2010: \$2,547,365

13. Approval to Certify the Tax Collector's Recapitulation of the Property Tax Roll for 2009

The Board approved Option 1: Approve certification of the recapitulation of the Property Tax Roll for 2009, which entitles the Tax Collector to credit the tax assessment roll accordingly.

14. Approval of the Partnership Agreement for the U.S. Department of Housing and Urban Development Capital Region Sustainability Communities Regional Planning Grant

Commissioner Proctor requested the item be pulled for further discussion.

County Administrator Alam explained that the agenda item requests approval to partner with other consortium partners, consisting of government and non-profit entities, which could result in a grant award of up to \$2 million dollars for the development of a Sustainable Communities Regional Development Plan.

Commissioner Proctor noted that there was no named scheduled projects included in the grant and inquired to what extent the redevelopment of the fairgrounds could play a role and be a "signature project" for the grant, i.e., affordable housing. He also referenced Commissioner Thaell's proposal for economic development in Frenchtown.

Wayne Tedder, Planning Director, explained that the application was due very soon and staff sought the Board's interest in pursuing the grant. He noted that staff had been working with potential partners to develop a regional based strategy for affordable housing, which will be included in the grant application. Mr. Tedder conveyed that input from Commissioners regarding projects for inclusion in the grant were welcomed.

Commissioner Proctor requested that the following items be considered as grant projects: Fairgrounds, Commissioner Thaell's project, social equity, economic revitalization and Woodville Highway.

Commissioner Proctor moved, duly seconded by Commissioner Desloge, to approve Options 1 & 2: 1) Approve the Partnership Agreement for the U. S. Department of Housing and Urban Development Capital Region Sustainable Communities Regional Planning Grant, and authorize the County Administrator to execute, and 2) Authorize the Tallahassee-Leon County Planning Department to participate as a partner in the submittal of the sustainable Communities Regional Planning Grant application. The motion carried 7-0.

15. Acceptance of the Terre Bonne 2/3 Paving Project Petition

The Board approved Option 1: Accept the Terre Bonne 2/3 Paving Project and authorize staff to begin right-of-way and easement acquisition.

16. Approval of Updated and Revised Bannerman Road Maintenance Map for Recording in the Public Records of Leon County

The Board approved Option 1: Approve the updated and revised Bannerman Road Maintenance Map for recording in the Public Records of Leon County

17. Adoption of Resolution Authorizing the Conveyance of Two Parcels of County Property for Rights-of-Way to Blueprint 2000 for the Widening of Capital Circle NW/SW.

The Board approved Option 1: Adopt the Resolution authorizing conveyance of County property for rights-of-way to Blueprint 2000, and authorize the Chairman to execute the corresponding County Deed.

18. Adoption of Enabling Resolutions to Establish Citizen's Advisory Committees to Update the Miccosukee Canopy Road Greenways and the J.R. Alford Greenways Management Plans

The Board approved Option 1: Adopt the Enabling Resolutions establishing the Citizen's Advisory Committees to update the Miccosukee Canopy Road Greenways and the J.R. Alford Greenways Management Plans.

19. Approval to Convey a Cable Easement to Embarq Florida, Inc. for the Installation of a Fiber Optic Cable at the Apalachee Solid Waste Management Facility.

The Board approved Option 1: Approve the conveyance of a cable easement to Embarq Florida, Inc. for the installation of a fiber optic cable at the Apalachee Solid Waste Management Facility, and authorize the Chairman to execute.

20. Acceptance of the Fiscal Year 2009/2010 Tangible Personal Property Annual Report

The Board approved Options 1 & 2: 1) Accept the FY 09/10 Tangible Personal Property Annual Report, and 2) Authorize the deletion of 459 tangible personal property items from the Property Control records.

21. Adoption of Resolution for Acquisition of Property by Eminent Domain for Killlearn Lakes Stormwater Capital Improvement Project

The Board approved Option 1: Adopt the Resolution for Acquisition of Property by Eminent Domain for Killlearn Lakes Stormwater Capital Improvement Project.

22. Acceptance of the FY 2009-2010 Third Quarter and Ongoing Commissioner Discussion Items Status Report

Commissioner Proctor requested the item be pulled for further discussion.

Commissioner Proctor moved, duly seconded by Commissioner Akinyemi, to approve Option 1: Accept the FY 2009-2010 Third Quarter and Ongoing Commissioner Discussion Items Status Report. The motion carried 6-0 (Commissioner Dailey out of Chambers).

23. Acceptance of the FY 2009-2010 Third Quarter County Grant Program Quarterly Leveraging Status Report

The Board approved Options 1: Accept the FY 2009-2010 Third Quarter County Grant Program Quarterly Leveraging Status Report

24. Acceptance of Status Report on the American Recovery and Reinvestment Act of 2009

Commissioner Proctor requested the item be pulled for further discussion.

Commissioner Proctor questioned the use of Recovery Zone monies for the "Walgreens" project at the corner of Tennessee and Monroe Streets. He opined that the project did not meet the spirit and definition of a "recovery zone." He suggested that the monies should be directed to local businesses. He also expressed disappointment over the lack of proposals received for the funds and asserted that the process should be "done over".

Ken Morris, Director of Legislative Affairs and Economic Development, explained that the Board had approved a Resolution transferring the County's Recovery Zone Facility Bond allocation to the City to streamline the application process, create local employment opportunities, and enhance capital investment in the downtown area. He added that the mixed-use retail and office site project is by a local developer, with one of the tenants being Walgreen's. The Board was assured that the availability of the bond money was advertised throughout the community (in partnership with the Economic Development Council).

Commissioner Desloge commented that the Board had discussed the issue and made the decision to overlay the recovery zone over the existing CRA. He noted the time limitations for monies to be allocated and submitted that the project could become a "showcase" property for the area.

Commissioner Desloge moved, duly seconded by Commissioner Dailey, to approve Option 1: Accept the status report on the American Recovery and Reinvestment Act of 2009.

Commissioner Akinyemi stated that he agreed with some of Commissioner Proctor's concerns; however would reluctantly support the motion. He encouraged better communication throughout the community regarding the availability of funds and stated that he would have favored more smaller projects.

Commissioner Dailey reminded his colleagues that this is not a "Walgreens project", but a local developer who will lease space to the national retailer (Walgreens). He recalled that the Board had, on a unanimous vote, set the jurisdiction to match the CRA. He indicated his support for the project.

The question was called by Commissioner Dailey.

The motion to approve Option 1 carried 6-1 (Commissioner Proctor in opposition)

25. Acceptance of the FY10 Third Quarter Status Report on the County Sustainability Program

Commissioner Akinyemi requested the item be pulled for further discussion.

Commissioner Akinyemi stated that he continues to be impressed with the progress of the program. He requested an update on the issuance of the Invitation to Negotiate (ITN) for installation of a power production project at the Apalachée Solid Waste Management Facility and the installation of solar panels at the Courthouse, Main Library and Public Works.

Maggie Theriot, Office of Sustainability, introduced Charles Kidd, Energy Coordinator, whose primary responsibility will be the reduction of energy consumption throughout County facilities.

Ms. Theriot in response to Commissioner Akinyemi's update request reported that the ITN had been released and two qualified responses received. She shared that the Evaluation Committee will meet and a recommendation will be brought back to the Board. She shared that the Sustainability Office is moving forward as appropriate in the installation of solar panels, and cited their inclusion in the new Southeast Branch Library. Ms. Theriot informed the Board that staff had submitted a proposal in response to a Clean Energy Grant, which would enable the County to significantly advance energy conservation and alternative energy goals.

Commissioner Akinyemi moved, duly seconded by Commissioner Desloge, to approve Option 1: Accept the FY10 third quarter status report on the County Sustainability Program.

Commissioner Thaele cited the great strides in this area made by staff and commended Ms. Theriot for her efforts. He acknowledged receipt of the Energy Efficiency Conservation Block Grant award of \$1.17 million which will be used to implement energy conservation measures, which will result in an anticipated annual savings of \$164,000. Commissioner Thaele inquired of any obstacles in the implementation of the Leon County Energy Assistance Program. Ms. Theriot responded that the pilot project is proving valuable and has allowed staff an opportunity to establish and streamline internal processes and develop better partnering with Talquin. Commissioner Thaele commented on the significant progress being made toward the Ft. Braden community garden initiative.

The motion to accept Option 1 carried 7-0.

26. Acceptance of Status Report on the Hawkbill Court Culvert Project

Commissioner Dailey requested that action on this issue be deferred as there are issues upstream and downstream that need to be addressed.

Commissioner Dailey moved, duly seconded by Commissioner Thaeil, to continue the item until a future meeting. The motion carried 7-0.

Commissioner Thaeil encouraged the County Administrator to visit the property, meet with neighbors and use his engineering expertise to review alternatives.

Speakers:

- Janel Caine, 3351 John Hancock Dr., urged the Board to not support the plan. She stated that the proposed project could cause flooding problems upstream and downstream. She suggested that a debris catcher be installed on the culvert. She also expressed concern about the safety and integrity of her home should the project be approved.
- Douglas Garthwait, 3351 John Hancock Dr., voiced concerns about flooding to his home and requested that staff review alternatives to mitigate the impacts in future storm events.

The Board entered recess at 5:19 p.m. and reconvened at 6:00 to conduct the Public Hearings (Items 30 - 37).

Citizens to be Heard on Non-Agendaed Items:

- Chairman Rackleff confirmed that there were no speakers.

General Business

27. Approval to Award Bid to Sperry & Associates, Inc. in the Amount of \$358,992 for the Woodville Community Center Branch Library Project

County Administrator Alam reported that staff recommends approval of Sperry & Associates, which is the second lowest bidder. He advised that the difference between the low bidder, RAM Construction, and Sperry & Associates was \$437; however, there was a significant difference in the MWBE participation contained in the two bids, 29.03% for Sperry and opposed to 2.25% for RAM. He recommended that the Board find and declare it to be in the best interest of the County to award the bid to Sperry & Associates.

Commissioner Proctor moved, duly seconded by Commissioner Sauls, to approve Option 1: Find and declare it to be in the best interest of the County to award the bid to Sperry & Associates, and authorize the County Administrator to execute a final contract, in a form approved by the County Attorney. The motion carried 7-0.

28. Adoption of an Enabling Resolution Establishing the Frenchtown/Southside Revitalization Citizen Advisory Committee

Commissioner Thaeil moved, duly seconded by Commissioner Proctor, to approve Option 1: Adopt the Enabling Resolution creating the Frenchtown/Southside Revitalization Advisory Committee.

At Commissioner Proctor's request, Iranetta Burnett, MWSBE Director, provided an update on the efforts to include a youth entrepreneurial mentoring program in the revitalization efforts.

Ms. Burnett shared that she is awaiting additional information regarding a similar program in New Jersey and meetings have been held with Workforce Plus and Leon County School Board to develop the program, which will be targeted to middle and high school students. Commissioner Proctor shared that status reports would be brought to the Board as the project progresses.

Commissioner Thael mentioned that meetings have been held with local businesses in the Frenchtown/Southside areas and shared the excitement within the community regarding the project.

The motion to approve Option 1 carried 7-0.

29. Board Direction Regarding a North Florida Fairgrounds Redevelopment Study

County Administrator Alam stated that the study, if approved, would evaluate the highest and best use of the current fairgrounds site. He advised that the estimated fee for the study was \$75,000.

Commissioner Thael announced his support for the study as it would establish the appropriate regulatory zoning and comprehensive plan amendments necessary should a developer come forward with an interest in developing the property.

Commissioner Thael moved, duly seconded by Commissioner Akinyemi, to approve Options 1, 2, & 3: 1) Authorize the County Administrator to issue a Request for Qualifications for a North Florida Fairgrounds Redevelopment Study, based on the scope of services provided herein; 2) Approve the Budget Amendment Request realizing \$75,000 from the General Fund Contingency for the consultant fee, and 3) Direct staff to prepare a conceptual Comprehensive Plan Future Land Use Map Amendment for the Fairgrounds parcels to allow for a mixed use urban development pattern.

Commissioners Desloge noted that the proposed actions would place the County in a position to redevelop the property.

Commissioner Akinyemi asserted that southside residents deserved an investment of this type.

The motion carried 7-0.

Chairman Rackleff reconvened the Board at 6:00 to conduct the Public Hearings.

Scheduled Public Hearings, 6:00 p.m.

30. First and Only Public Hearing to Consider the Proposed Abandonment of a Portion of Williams Street Within the Town of Woodville Plat and Adoption of An Abandonment Resolution

Chairman Rackleff announced the Public Hearing.

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

Commissioner Thael moved, duly seconded by Commissioner Desloge, to approve Option 1: Conduct the first and only public hearing and adopt the Abandonment Resolution for a portion of Williams Street within the Town of Woodville Plat, and authorize the Chairman to execute a County Deed conveying the right-of-way. The motion carried 5-0 (Commissioners Akinyemi and Proctor out of Chambers).

31. First and Only Public Hearing on a Proposed Ordinance To Amend the Leon County Charter, Upon Voter Approval on the November 2, 2010 General Election Ballot, with a Charter Amendment Proposed by the Citizen Charter Review Committee to be Effective on January 1, 2011 and to be Entitled: Petition Thresholds and Prohibited Subjects As Proposed by the Citizen Charter Review Committee

Chairman Rackleff announced the Public Hearing.

Chairman Rackleff requested that staff provide explanation of the proposed amendment. Shington Lamy, Special Projects Coordinator, explained that the proposed charter amendment would lower the current petition threshold from 10% countywide and for the five districts to seven percent countywide and five percent within each of the five districts. In addition, the amendment would also clarify that existing prohibited subjects apply to Charter amendments in addition to ordinances.

Speakers:

- Michael Rosenthal, 4045 Kilmartin Drive, spoke on the entire Charter amendment process. He suggested that more focus should be given to limiting government spending and reducing taxes. He expressed support for a Charter Amendment to create a Tax Payer Bill of Rights.
- Curtis Baynes, 1323 E. Tennessee St., expressed general support for the proposal; however requested clarification regarding language “*or matters inconsistent with the Constitution or general laws of the State of Florida.*”
 - County Attorney Thiele explained that the phrase is intended to prohibit an individual from initiating a Charter Amendment which would do or authorize an act that is prohibited by Florida constitution or statute.

Commissioner Desloge moved, duly seconded by Commissioner Sauls, to approve Option 1: Conduct the first and only public hearing and adopt the proposed ordinance to amend, upon voter approve on the November 2, 2010 general election ballot, the Leon County Charter with a Charter amendment proposed by the Citizen Charter Review Committee to be effective on January 1, 2011 and to be entitled: Petition Thresholds and Prohibited Subjects as Proposed by the Citizen Charter Review Committee.

32. First and Only Public Hearing on a Proposed Ordinance To Amend the Leon County Charter, Upon Voter Approval on the November 2, 2010 General Election Ballot, with a Charter Amendment Proposed by the Citizen Charter Review Committee to be Effective on January 1, 2011 and to be Entitled: Revising the Citizen Charter Review Committee Process as Proposed by the Citizen Charter Review Committee

Chairman Rackleff announced the Public Hearing.

Vince Long, Deputy County Administrator, stated that the amendment includes a recommendation that those proposed Charter Amendments, approved by three-fifths vote of future Charter Review Committees go to the County Commission for consideration; while proposed Charter amendments approved by four-fifths vote go directly to the ballot thus bypassing the County Commission. He added that this would be a unique charter provision as he was unaware of any other County Charter containing this provision.

Speaker:

- Curtis Baynes, 1323 E. Tennessee St., opined that the action would limit the opportunity for public input and recommended that the Board not adopt the proposed amendment.

Commissioner Proctor expressed concerns about delegating this type of authority to a Committee and cited Mr. Long's remark that this action would be an unprecedented move by a County Commission. He also noted that Constitutional Officers were assured when the Charter was initiated that they would have opportunity to speak to any issue that affected their area of responsibility.

Commissioner Proctor moved, duly seconded by Commissioner Sauls, to approve Option 2: Conduct the first and only public hearing and do not adopt a proposed Ordinance amending the Leon County Charter with a Charter amendment proposed by the Citizen Charter Review Committee entitled: Revising the Citizen Charter Review Committee Process as Proposed by the Citizen Charter Review Committee.

Commissioner Akinyemi confirmed with County Attorney Thiele that the proposed amendments cannot be amended and must be voted "up or down" as presented. Commissioner Akinyemi also learned that, should the motion be adopted, the Board could accept the recommendation of the CRC to appoint future CRC members 15 months prior to a general election, instead of 12 as a County policy.

Commissioner Desloge voiced support for the original intent of the amendment.

Commissioner Desloge made a substitute motion, duly seconded by Commissioner Dailey, to approve Option 1: Conduct the first and only public hearing and adopt a proposed Ordinance to amend, upon voter approval on the November 2, 2010 general election ballot, the Leon County Charter with a Charter amendment proposed by the Citizen Charter Review Committee, to be effective on January 1, 2011, and to be entitled: Revising the Citizen Charter Review Committee Process as Proposed by the Citizen Charter Review Committee.

Commissioner Dailey stated that while he does not know at this time how he will vote personally on this issue in November, he will support the Committee's recommendation.

The substitute motion to approve Option 1 failed 3-4 (Commissioners Proctor, Sauls, Akinyemi and Rackleff in opposition)

The original motion to approve Option 2 carried 5-2 (Commissioners Desloge and Dailey in opposition)

33. First and Only Public Hearing on a Proposed Ordinance To Amend the Leon County Charter, Upon Voter Approval on the November 2, 2010 General Election Ballot, with a Charter Amendment Proposed by the Citizen Charter Review Committee to be Effective on January 1, 2011 and to be Entitled: Limitation on Local Campaign Contributions as Proposed by the Citizen Charter Review Committee

Chairman Rackleff announced the Public Hearing.

Deputy Administrator Long explained that that the Charter amendment provides that campaign contributions for candidates for county office (county commission and constitutional office seats) should be limited to \$250 per individual and political committees.

Speakers:

- Curtis Baynes, 1323 E. Tennessee St., spoke in opposition to the amendment. He asserted that the campaign limitation would not accomplish what is intended; however, would have

an adverse affect on a challenger's ability to raise funds for a viable political campaign against an incumbent.

- Larry Hendrix, 406 Alpha Avenue, requested that the Board consider reducing the limit to \$100.
 - Chairman Rackleff articulated that the County Attorney has advised that the Board cannot make any changes to the proposed amendments. Mr. Hendrix asserted that an opportunity should have been made available to the public to make suggested changes to the amendments.
- Rick Malphurs, 4861 Lake Park Dr., stated that although the premise of the proposed amendment was well intended, individuals will continue to find a way to financially support a candidate.

Commissioner Dailey in an effort to address Mr. Hendrix concerns established that citizens had many opportunities to address proposed amendments throughout the Charter review process. Commissioner Dailey noted that campaign finance reform has been discussed at the state and national levels and inquired from County Attorney Thiele if there was anything that would preclude the amendment from being placed on the ballot. Mr. Thiele responded that in his opinion the proposed amendment did not conflict with state statute. Commissioner Dailey also confirmed that the funding limit would only apply to county commissioners and constitutional officers and would not apply to City or State elections.

Commissioner Akinyemi expressed his concern over the lack of opportunity to provide change or input to the amendments or to introduce amendments.

Commissioner Akinyemi in an effort to seek "true financial reform" offered the following additions to the proposed amendment:

1. Craft specific language to submit to the legislature and encourage the county, FAC and other stake holders to lobby for its passage and statewide application.
2. Craft language that candidates will be asked to voluntarily sign on to regarding their conduct and fundraising practices.

Mr. Thiele reiterated that no changes or amendments can be made to the proposed charter amendments. He noted that should the Board have an interest in pursuing the recommendations, staff should be directed to bring back suggestions for their implementation. He mentioned that the Board could request the Chairman to write a letter to the legislature urging campaign reform.

Commissioner Proctor conveyed that he could not support a recommendation for a 50% reduction in campaign contributions, as he has not been presented with compelling evidence to convince him that the action would not negatively impact political races. He also expressed concern that the limitation would apply to constitutional officer positions who have not been offered an opportunity to express their opinion on the matter.

Commissioner Desloge spoke to the time spent by the CRC on the issues and submitted that in an effort to receive as much public input as possible, meetings and public hearings on the proposed amendments were held during evening hours. He publicly thanked his Committee appointments, Ms. Sue Dick and Mr. Chris Holley, on their engagement in and the time they gave to this endeavor. He asserted that the Board should not at this point start "second guessing" the recommendations brought forward and will support moving the amendment forward.

Commissioner Desloge moved, duly seconded by Commissioner Dailey, to approve Option 1: Conduct the first and only public hearing and adopt ordinance to amend the Leon County Charter, upon voter approval on the November 2, 2010 General Election Ballot, with a charter amendment proposed by the Citizen Charter Review Committee to be effective on January 1, 2011 and to be entitled: Limitation on Local Campaign Contributions As Proposed by the Citizen Charter Review Committee.

Commissioner Thaeil stated that he would support the motion as it is a good first step in the right direction. He cited the efforts of Alachua and Sarasota Counties in limiting campaigns and the positive effects it has had on those local races.

Commissioner Proctor confirmed with Mr. Thiele that the amendment could not be amended to exclude the constitutional officers.

The motion to approve Option 1 carried 7-0.

Commissioner Akinyemi requested an opportunity to present his two recommendations to the Board for action.

Commissioner Akinyemi moved, duly seconded by Commissioner Thaeil to request the Chairman write a letter to the legislature asking that consideration be given to a statewide campaign contribution of \$250. The motion passed without objection.

Commissioner Akinyemi moved, duly seconded by Commissioner Thaeil, to direct staff to develop a voluntary code of conduct for campaign and fundraising practices and bring back to the Board as an agenda item.

Commissioner Proctor dialogued with the County Attorney on the Board's authority to adopt an ordinance to place a self-imposed \$100 cap on campaign contributions. Mr. Thiele stated that if the proposed amendment to place limitation at \$250 was approved at referendum, then an argument could be made that an ordinance to amend would be inconsistent with the Charter and most likely could not be adopted.

Commissioner Proctor offered a substitute motion to direct staff to bring back an ordinance for a \$100 campaign contribution limit for county commissioners. The motion died for lack of a second.

There continued to be discussion regarding Commissioner Akinyemi's proposal and campaign finance reform.

The motion carried 4-3 (Commissioners Dailey, Desloge and Proctor in opposition).

Deputy Administrator Long shared that considerable effort had been made by staff and the Charter Review Committee to allow as much public input as possible into the process. He recalled that the committee met for almost six months, held 14 meetings, which were televised and web cast and a link was placed on the County's web site for citizens to be updated and informed on the committee's progress. He also mentioned that at the May 11 workshop, the Board was offered an opportunity to offer Board initiated amendments to be presented at the July public hearings.

34. First and Only Public Hearing on a Proposed Ordinance To Amend the Leon County Charter, Upon Voter Approval on the November 2, 2010 General Election Ballot, with a Charter Amendment Proposed by the Citizen Charter Review Committee to be Effective on April 1, 2011 and to be Entitled: Minimum Countywide Environmental Regulations as Proposed by the Citizen Charter Review Committee.

Chairman Rackleff announced the public hearing.

Deputy Administrator Long stated that the proposed ordinance would not prohibit the municipality from establishing a more stringent environmental ordinance within the municipality.

Chairman Rackleff confirmed that there were no public speakers on this issue.

Commissioner Proctor established that the CRC vote on this measure was 11-2 and learned that any project that had been issued a development order would follow the regulations in affect at the time the development order was issued. Commissioner Proctor ascertained from Mr. Long that the County would take a "conservative approach" to inform and educate the public on the proposed amendments, as the County is prohibited from promoting or taking a position on any of the proposed amendments.

Commissioner Desloge remarked that the proposed ordinance was acceptable to the City and opined that this was a good starting point and a step in the right direction toward bringing growth management closer together.

Commissioner Desloge moved, duly seconded by Commissioner Dailey, to approve Option 1: Conduct the first and only public hearing and adopt ordinance to amend, upon voter approval on the November 2, 2010 general election ballot, the Leon County Charter with a charter amendment proposed by the Citizen Charter Review Committee to be effective on April 1, 2011 and to be entitled: Minimum Countywide Environmental Regulations as Proposed by the Citizen Charter Review Committee.

Commissioner Akinyemi offered that he would support the motion as it sets the stage for consolidation of growth management.

Commissioner Dailey stated that this was one of the most important amendments offered by the CRC as it establishes minimum standards while protecting the municipal home rule authority.

Deputy Administrator Long, in response to inquiry from Commissioner Proctor stated that the practical impact of the ordinance would be that City and County staff would work cooperatively in the development of environmental ordinances affecting stormwater and other environmental regulations and would provide consistency within the development process.

Commissioner Proctor asked if funds would be expended to educate the public on the ballot amendments. County Attorney Thiele explained that the County could spend public funds provided that the information is factual, not slanted and does not advocate a position. Mr. Thiele added however, that there is no prohibition on a County Commissioner advocating passage or defeat of an amendment.

Commissioner Sauls stated that this was a very important amendment and expressed her support.

Commissioner Thaeil articulated that he was "solidly behind" the amendment as it will bring more predictability to the development process and would improve City and County relations.

Commissioner Akinyemi suggested that information be brought back to the Board on appropriate ways to educate the public on amendment issues. The recommendation was accepted.

The motion as amended carried 7-0.

35. First and Only Public Hearing on a Proposed Ordinance To Amend the Leon County Charter, Upon Voter Approval on the November 2, 2010 General Election Ballot, with a Charter Amendment Proposed by the Citizen Charter Review Committee to be Effective on January 1, 2011 and to be Entitled: Tourist Development Council Management Structure As Proposed by the Citizen Charter Review Committee

Chairman Rackleff announced the Public Hearing.

Mr. Long explained that the proposed amendment would reflect the current practice of Tourist Development Council staff reporting to the County Administrator.

Commissioner Dailey moved, duly seconded by Commissioner Akinyemi, to approve Option 1: Conduct the first and only public hearing and adopt ordinance to amend, upon voter approval on the November 2, 2010 general election ballot, the Leon County Charter with a charter amendment proposed by the Citizen Charter Review Committee to be effective on January 1, 2011 and to be entitled: Tourist Development Council Management Structure as Proposed by the Citizen Charter Review Committee.

The motion carried 6-0 (Commissioner Sauls out of Chambers)

36. First and Only Public Hearing on a Proposed Ordinance To Amend the Leon County Charter, Upon Voter Approval on the November 2, 2010 General Election Ballot, with a Charter Amendment Proposed by the Citizen Charter Review Committee to be Effective on January 1, 2011 and to be Entitled: Employment of the County Administrator As Proposed by the Citizen Charter Review Committee

Chairman Rackleff announced the Public Hearing.

Mr. Long reported that the proposed amendment would provide that the County Administrator be employed by an affirmative vote of a majority plus one of the Board; and would also require an affirmative vote of a majority plus one of the Board to terminate the County Administration. He added that the termination would have to occur following the first regularly scheduled meeting of the Board after a motion expressing intent to remove was approved by a simple majority.

Speaker:

- Curtis Baynes, 1323 E. Tennessee St., stated that the amendment was unnecessary and urged the Commission to reject the proposal.

Commissioner Thaeil opined that he did not see the value in the amendment as the Board operates under majority rule in almost every issue.

Commissioner Thaeil moved, duly seconded by Commissioner Proctor, to approve Option 2: Conduct the first and only public hearing and do not adopt a proposed Ordinance amending the Leon County Charter with a Charter amendment proposed by the Citizen

Charter Review Committee entitled: Employment of the County Administrator as Proposed by the Citizen Charter Review Committee.

Commissioner Dailey voiced opposition to the motion as he will respect the recommendation of the CRC and suggested that an action to hire/fire the County Administrator was extremely important to the operation of the County and should require more than a simple majority vote.

Commissioner Akinyemi offered a substitute motion, duly seconded by Commissioner Desloge, to approve Option 1: Conduct the first and only public hearing and adopt ordinance to amend, upon voter approval on the November 2, 2010 General Election Ballot, the Leon County Charter with a charter amendment proposed by the Citizen Charter Review Committee to be effective on January 1, 2011 and to be entitled: Employment of the County Administrator as Proposed by the Citizen Charter Review Committee.

The substitute motion carried 7-0.

37. First and Only Public Hearing on a Proposed Ordinance To Amend the Leon County Charter, Upon Voter Approval on the November 2, 2010 General Election Ballot, with a Charter Amendment Proposed by the Citizen Charter Review Committee to be Effective on January 1, 2011 and to be Entitled: Non-Interference Policy As Proposed by the Citizen Charter Review Committee

Chairman Rackleff announced the Public Hearing.

Mr. Long explained that the proposed amendment would prohibit individual County Commissioners from giving instructions or directives to employees under the direct or indirect control of the County Administrator or County Attorney. He shared that this provision was fairly common in other County charters.

- Curtis Baynes, 1323 E. Tennessee St., appeared and voiced his opposition to the proposed amendment as it does not solve any existing problem.

Commissioner Dailey explained that an internal policy already exists which addresses this issue, the amendment only attempts to solidify that language into the Charter. He conveyed that the clause is intended to streamline communications between Commissioners and the County Administrator or County Attorney and keeps Commissioner out of the day to day operations of the County. Commissioner Dailey added that should the amendment not be approved by the voters, it would remain as a County policy.

Commissioner Dailey moved, duly seconded by Commissioner Thael, to approve Option 1: Conduct the first and only public hearing and adopt ordinance to amend, upon voter approval on the November 2, 1010 general election ballot, the Leon County Charter with a charter amendment proposed by the Citizen Charter Review Committee to be effective on January 1, 2011 and to be entitled: Non-Interference Policy as Proposed by the Citizen Charter Review Committee.

Commissioner Akinyemi stated that although he did not disagree with the intent of the amendment, expressed a concern over the language contained in the ordinance. He remarked that the Board does not write policy and was troubled that there was not language which addressed interference by staff in policymaking. He stated that an amendment was needed to "level the playing field" and address everybody's role.

Commissioner Akinyemi made a substitute motion, duly seconded by Commissioner Proctor to approve Option 2: Conduct the first and only public hearing and do not adopt a proposed Ordinance amending the Leon County Charter with a Charter amendment proposed by the Citizen Charter Review committee entitled: Non-Interference Policy as Proposed by the Citizen Charter Review Committee.

Commissioner Proctor expressed a concern that the ordinance goes too far as he is a very "hands on Commissioner" who in an effort to respond in an expeditious manner to constituent concerns has directly contacted staff to resolve an issue. He opined the penalty for violation of the non-interference policy too great and urged support of the substitute motion.

Commissioner Akinyemi spoke for the record that he was not opposed to the intent of the amendment; however, favored language that balanced the equity between the Board and staff.

The substitute motion failed 2-5 (Commissioners Rackleff, Dailey, Thael, Sauls and Desloge in opposition).

The original motion carried 5-2 (Commissioners Akinyemi and Proctor in opposition).

Chairman Rackleff announced the closing of the Public Hearings.

County Administrator Alam and Deputy Administrator Long acknowledged the hard work and tremendous job done by the Charter Review Committee. Chairman Rackleff recommended that thank you letters be written to all CRC members and that they be invited back at a later date for a more formal recognition. The recommendation was accepted without objection.

The Board continued discussion of the General Business Agenda, Item 27.

ADD:ON (Item 38 will be taken up under General Business)

38. Consideration of a Memorandum of Understanding (MOU) with the City of Tallahassee and the Leon County School Board Regarding the Palmer Munroe Teen Center and Restorative Justice Program Funding the Palmer Munroe Community Center in the Amount of \$150,000

County Administrator Alam explained that the MOU was presented to the Board on July 13; however, the Board directed staff to request the City to reconsider its levy of a facility lease charge in years two and three. Mr. Alam shared that he had met with the City Manager to address the Board's concerns. He referenced Paragraph 2.g. of the MOU, which states that no County funds would be used for rent; however, the City would still have the authority to charge rent after the proposed teen center's first year of operation.

Commissioner Desloge noted that the facility's grand opening is scheduled for August 27 and invited fellow commissioners to attend and show their support. In the spirit of cooperation he deemed it correct to move the item forward.

Commissioner Desloge moved, duly seconded by Commissioner Dailey, to approve Option 1: Approve the Memorandum of Understanding with the City of Tallahassee and the Leon County School Board regarding the Palmer Munroe Teen Center and Restorative Justice Program.

Commissioner Proctor applauded Commissioner Akinyemi's efforts in resolving the Board's concerns on the payment of rent.

Commissioner Akinyemi expressed dismay at the level of communication and lack of clarity related to this issue. He asserted that the County had made it clear that it did not want to pay rent in years two and three and that he had proposed a compromise (that was acceptable to the City) that the County's funding be shifted from "rent to maintenance". He indicated that there was a concern over the manner in which the recommendation had been presented to the City; however, he conveyed that the recommendation had been made with good intentions and should not be discarded because of the manner in which it was made.

Commissioner Akinyemi offered a friendly amendment, to adopt Option 1, but that rent not be charged and that County funds be redirected from rent to maintenance. Commissioner Desloge stated that once the money is allocated, it is an accounting issue that should be driven by staff. Commissioner Desloge did not accept the friendly amendment.

Commissioner Akinyemi offered a substitute motion, duly seconded by Commissioner Proctor, that the County's funding for the Center be redirected from rent to maintenance. The substitute motion failed 2-5 (Commissioners Rackleff, Dailey, Thaeil, Sauls and Desloge in opposition).

Commissioner Proctor dialogued with County Administrator Alam on issues such as Commissioner Akinyemi's proposal, clarified the MOU, City policy on charging rent for the use of their facilities, examples of cooperative ownership between the City and County, and future funding of the project by the County.

Commissioner Proctor requested a friendly amendment that the County's funding commitment in years two and three be tied to the City's level of funding, not to exceed \$150,000 in years two and three. The friendly amendment was accepted by Commissioner Desloge.

Commissioner Thaeil offered that this was an important community investment in an effort to change behaviors and lives of young people. He urged development, as the program moves forward, of measurements to help determine the success of the investment.

Commissioner Akinyemi made clear his support for the project and stated that he would support the motion.

The motion as amended carried 7-0.

ADD ON: (Items 39 - 41 were taken up under Consent)

39. Approval of the Plat of Ashton Grove for Recording in the Public Records

Commissioner Desloge requested the item be pulled for further discussion.

Commissioner Desloge stated that there were concerns expressed by citizens that the recording of the Plat was not merely an administrative act.

County Attorney Thiele explained the proposed action and informed the Board that that approval of the plat was an administrative act. He noted that the plat meets the criteria set forth in County Ordinance and Florida Statute 177. He offered that the platting of the properties does not preclude residents from voicing comments or concerns regarding the development of the property; however, the appropriate forum for citizens to raise their concerns would be during the site plan approval process.

Commissioner Desloge was assured by Mr. Thiele that neighbors would have ample opportunity to voice concerns about any proposed development before it is finalized and any development would have to adhere to all existing comprehensive plan requirements.

Speakers:

- Jim Ervin, 6245 Rolling Hills Rd., representing the Northwood Subdivision, expressed concern that four acres of the subdivision would be removed due to the replatting and thus limits the application of the comp plan. He stated that residents are trying to preserve the integrity of the neighborhood and deter high-density intrusion. He asked the Board to consider the implications of the action.

Planning Director Wayne Tedder, at the request of Chairman Rackleff, explained the impact of the replat and future redevelopment of the property. Mr. Tedder remarked that there are comprehensive plan policies and strategies in place to address high density intrusions into subdivisions.

- Wade Pitt, 930 Thomasville Rd, spoke as a proponent for the replat. He stated that the proposed action was a result of meetings between County staff and the consulting group and was an administrative act. He stated that the overall density for this tract is proposed to be four units/acre which is approximately two-thirds or 66% of what would be allowed under the RP zoning.

Commissioner Akinyemi proclaimed that this item should not have been placed on the Consent Agenda.

Commissioner Akinyemi moved, duly seconded by Commissioner Desloge, to approve Option 1: Approve the plat of Ashton Grove for recording in the Public Records.

Commissioner Desloge went on record stating that his past experience with the developer had been positive and requested that he be "kept in the loop" on this issue.

The motion to approve Option 1 carried 7-0.

40. Request to Schedule a First and Only Public Hearing to Establish the Annual Solid Waste Disposal Service Charge and Adopt a Special Assessment Role for September 14, 2010 at 6:00 p.m.

The Board approved Option 1: Schedule the first and only public hearing to establish the annual solid waste disposal service charge and adopt a special assessment role for September 14, 2010 at 6:00 p.m.

41. Request to Schedule the First and Only Public Hearing to Adopt the Stormwater Non-ad Valorem Assessment Roll for September 14, 2010 at 6:00 p.m.

The Board approved Option 1: Schedule the first and only public hearing to adopt the Stormwater Non-Ad Valorem Assessment Roll for September 14, 2010 at 6:00 p.m.

Citizens to be Heard on Non-Agendaed Items

- Bonnie Hall, 8712 Manchester Court, appeared and presented a petition from the residents of the Meadows at Woodrun neighborhood, who are requesting assistance from the Board in the enforcement of the Noise Control Ordinance concerning two very loud dirt bikes that are ridden daily throughout the neighborhood. *A copy of the signed petition and a letter from The Stiffers is included for the record.

- Chris Mason, 8712 Manchester Court, reiterated the request for Board assistance in enforcing the Noise Control Ordinance. He stated that the noise is occurring on a daily basis and the situation is escalating.

After some discussion on enforcement, County Attorney Thiele offered to work with the Sheriff's Office and the residents in an effort to resolve the situation and report back to the Board at the September 14, 2010 meeting.

- Larry Hendrix, 406 Alpha Avenue, expressed disappointment that the Charter Review Committee did not address non-partisan elections and requested that the Board pursue more stringent campaign finance limits. He opined that it commissioners were an "ombudsman" for their constituents and should be permitted to communicate directly with staff on issues and concerns of residents. Mr. Hendrix complained about the noise from Marpan during early morning hours.
- Delaitre Hollinger, presented a proposal to rename Capital Park Beasley-Nims-Tookes Park, in honor of Dr. Nickie Beasley, Mr. Harry "Nick" Nims and Mrs. Dorothy Nash Tookes. He requested Board consideration of the proposal.
 - Chairman Rackleff established that the County owns the land, while the park is managed by the City. Mr. Thiele indicated that he would need to review the lease agreement between the County and the City related to the park.
 - Mr. Thiele reminded the Board that there is a County policy in regards to naming facilities and this issue would need to be agendaed.
 - Chairman Rackleff commended Mr. Hollinger for his work and indicated his support for the proposal.
 - Commissioner Thaeff confirmed that the families had been contacted and given their concurrence for the proposed renaming.
 - ***Commissioner Thaeff moved, duly seconded by Commissioner Sauls, to agenda a presentation on the proposal by Mr. Hollinger. The motion carried 7-0.***

Comments/Discussion Items

County Administrator Parwez Alam:

- None

County Attorney Herb Thiele:

- Mr. Thiele provided an update regarding the Board's previous authorization to file a clean water act claim against the City of Cairo, Georgia. A complete update was provided in a memorandum to the Board. As a result of filing the claim, a negotiated settlement was reached wherein the City of Cairo replaced their land application system and redid their entire sewage treatment plant system. Cairo guaranteed they would put in the nutrient treatment system and that it would work; they are now up for their five-year permit renewal. In addition, the County Attorney's Office (CAO) has reviewed documents related to their water monitoring wells and discovered that they are doing exactly what they are supposed to do and no violations were noted. The CAO continues to pursue the other entities upstream.
- The County Attorney's Office will bring an agenda item to the Board in September regarding a significant federal issue pending about the County's LEAP Program. He advised that federal lending institutions Fannie Mae and Freddie Mac will not participate if the County has energy improvement district loans on the property. President Obama has requested that this be changed, but they have not done so, and Congress has filed bills but they are not pursuing them. Both California and Sacramento County have filed lawsuits and the CAO recommends

the County join them in trying to force the federal government to get Fannie Mae and Freddie Mac to do what all the other lending institutions in the county are doing which is to cooperate with the County on its property assessment program.

- Regarding the settlement negotiations in the Birdwell Properties v. Leon County and Blueprint (Martha Wellman Park) litigation due to encroachments by the County on the ingress/egress of the adjoining property. As a result of the settlement discussions, the matter has been resolved with no funding to be paid by Leon County. The settlement proposes that the County exchange a piece of property on the other side of the site and get a release (or easement) from the property owner that will accommodate the park. Blueprint 2000 will pay attorneys fees and Mr. Thiele recommends the Board approve the settlement.

Commissioner Thaeil moved, duly seconded by Commissioner Dailey, to approve the negotiated Settlement. The motion carried 7-0.

Commissioner Discussion Items

Commissioner Proctor:

- Requested clarification on the 2,400 acres rezoning of Airport DRI to GO-2 with Planning Director Wayne Tedder.
 - Commissioner Proctor requested that detailed information be provided to him in writing so that he can respond to concerned citizens.
 - Commissioner Akinyemi confirmed with Mr. Tedder that everything has gone through comprehensive plan amendment process.
- Expressed appreciation to Superintendent Pons and the School Board for their support and participation in the Southside School Extravaganza recently held. He shared that it was a successful event in which 15 schools participated and highlighted talents of students.
- Requested that the Fairgrounds Redevelopment Study be expedited.
- Invited citizens to attend the Utility Rate Rally on Wednesday, August 18th from 4:30 – 6:00 p.m. at the Courthouse.
- Requested an accurate accounting of efforts by the County to stimulate the local economy.

Commissioner Desloge:

- Shared that citizens have expressed a concern over the mental health/substance abuse “disconnect” within the community and stated that 2-1-1, which is a directory source of social services within the community, was available to help provide the information.
 - ***Commissioner Desloge moved, duly seconded by Commissioner Akinyemi, to have an agenda item brought back regarding the feasibility of establishing a 2-1-1 Community Services Directory kiosk in the Courthouse rotunda. The motion carried 7-0.***
- ***Commissioner Desloge moved, duly seconded by Commissioner Proctor, to direct staff to work with the prison on Capital Circle NE regarding an unused parcel of property at the prison on the Tom Brown Park property that could be used as a Babe Ruth Baseball Park; to include a review of the feasibility of a long-term lease or possibly an exchange of property. The motion carried 7-0.***
- Mentioned that the Planning staff will be looking evaluating Market Square for possible development as another “midtown”.
- Requested a Resolution for National Literacy Month. Approved without objection.
- ***Commissioner Desloge moved, duly seconded by Commissioner Proctor, to bring back an agenda item regarding the County’s sponsorship in the Green Living Expo. The motion carried 7-0.***

Commissioner Akinyemi:

- **Commissioner Akinyemi moved, duly seconded by Commissioner Proctor, to bring back an agenda item to consider the creation of a Commission on the Status of Women. The motion carried 7-0.**
- Requested a Resolution for Poverty Awareness Day on August 21, 2010, to be presented at the Homeward Bound Rally at Kleman Plaza. Approved without objection.
- Requested a Resolution celebrating the 50th Anniversary of Nigerian Independence, to be presented at their conference on October 1, 2010. Approved without objection.
- Announced that he would provide a progress report on Homeward Bound.
- Requested a progress report on the City's reinstatement of its utility board, including minutes and types of issues being addressed. Chairman Rackleff agreed to make a written request for this information.

Commissioner Thael

- **Commissioner Thael moved, duly seconded by Commissioner Sauls, to have staff look at all issues regarding the assessment of permit fees (balancing revenue, alternatives, etc.) for Capital Area Community Action Agency Weatherization projects and bring back agenda item for September 14, 2010. The motion carried 7-0.**

Chairman Rackleff

- On behalf of Chairman Rackleff: **Commissioner Sauls moved, duly seconded by Commissioner Dailey, to authorize the County to participate with the Apalachee Regional Planning Council to sign-on as local government partner in the submission of a collation application for a Brownfields Assessment Grant from the U.S. Department of Environmental Protection. The motion carried 7-0.**
- Requested a Resolution recognizing Ovarian Cancer Awareness Month to be presented at the September 14, 2010 meeting. Approved without objection.

Receipt and File:

Leon County Research and Development Authority Financial Statements, Management Letter and Management Letter Response, Year Ended September 30, 2009

Adjourn:

There being no further business to come before the Board, the meeting was adjourned at 9:55 p.m.

LEON COUNTY, FLORIDA

ATTEST:

BY: _____
Bob Rackleff, Chairman
Board of County Commissioners

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