

**PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON MAY 14, 2013 AT 9:00 AM
IN THE COUNTY COMMISSIONERS' MEETING ROOM
ROOM 103, ADMINISTRATION BUILDING
ARCADIA, FLORIDA**

The Board of County Commissioners held a Public Meeting on May 14, 2013 with the following persons present:

Commissioner, Buddy Mansfield, Dist#1	Code Enforcement Mgr., Jorge Hernandez
Chairman, James Selph, Dist#2	Utilities Director, Eddie Miller
Commissioner, Gabriel Quave, Dist#3	Social Services Director, Peggy Waters
Commissioner, Elton Langford, Dist#4	Fire Chief, Glenn Prescott
Commissioner, Bob Miller, Dist#5	Environmental Svs. Director, Henry Grimes
County Administrator, C. Guy Maxcy	Building Official, Lester Hornbake
County Attorney, Donald Conn	HR Manager, Don Kesterson
Facilities Director, Richard Metzger	Purchasing Director, Cindy Talamantez
Office Manager, Lauri Jones	County Coordinator, Mandy Hines
Transcribing Secretary, Jill Thompson	DeSoto County Sheriff, Will Wise
Event Coordinator, Jody Sullivan	Parks & Recreations Director, Tara Anderson
County Engineer, Mike Giardullo	Road & Bridge Director, Shawn Edwards
County Planner, Tom Cookingham	Administrative Services Director, Linda Nipper
Veterans Services Officer, Lee Gallagher	

CALL TO ORDER

9:00 AM

PRAYER- John Stamey/Church of God Nocatee

PLEDGE OF ALLEGIANCE

INTRODUCTION OF ELECTED OFFICIALS

Sheriff Will Wise and Bob Allen, City Councilman

SET/AMEND-A motion was made by Commissioner Mansfield to set the agenda as presented. Seconded by Commissioner Quave. Motion carried unanimously.

PUBLIC FORUM FOR NON-AGENDA ITEMS

None

CONSENT AGENDA-MOTION TO APPROVE

A motion was made by Commissioner Langford to approve the Accounts and Warrants drawn according to schedule of bills payable; Minutes of March 26, 2013 Public Meeting; Minutes of April 9, 2013 Public Meeting; Minutes of April 23, 2013 Public Meeting; Agreement-Agent of Record Letter for Insurance with Brown & Brown/PRIA; Agreement Extension Amendment with Public Risk Insurance Agency; Agreement Amendment with Cabana Construction of S.W. FL., Inc.; Authorization Letter to Clarke Environmental Mosquito Management-Dynamic Aviation, Inc. Seconded by Commissioner Mansfield. Motion carried unanimously.

PROCLAMATIONS

7. Mr. Maxcy read into record a Proclamation declaring May 18, 2013 as SSG Christopher M. Ward Day. SSG Ward was a longtime resident of DeSoto County who served in the United States Army. On April 6, 2013 he made the ultimate sacrifice in the name of his Country. A motion was

made by Commissioner Mansfield to proclaim May 18, 2013 as SSG Christopher M. Ward Day. Seconded by Commissioner Langford. Motion carried unanimously. Nancy Ward accepted the Proclamation.

PRESENTATION

8. Award/Distinguished Citizen

Commissioner Langford presented Adrian Cline with the Distinguished Citizens Award for the 2013 second quarter. Mr. Cline gave a brief statement and thanked the Board

9. 2011/2012 Audit Presentation

This presentation was deferred due to Purvis & Gray not being present.

REGULAR BUSINESS

10. Resolution/Budget Amendment

Linda Nipper requested to move funds from reserves to refurbish the jail elevator and transfer requested by Sheriff Wise to move court funds to his budget in the amount of \$175.00. A motion was made by Commissioner Miller to adopt the Resolution amending the 2012/2013 budget including attachments. Seconded by Commissioner Mansfield. Motion carried unanimously.

11. Resolution/Inventory of Affordable Housing Properties

Peggy Waters requested approval of an inventory list. Ms. Waters commented the Florida Legislature has passed a bill that requires the County to prepare an inventory list of all Real Property which the County holds Fee Simple Title and is appropriate for Affordable Housing use. A motion was made by Commissioner Langford to adopt the Resolution listing publicly owned properties that is appropriate for the development of Affordable Housing. Seconded by Commissioner Mansfield. Motion carried unanimously.

12. Resolution/Employment Policy

Don Kesterson presented a request to approve the revised Employment Policy for department Directors positions. Mr. Kesterson commented the original Policy was passed in 1996 and was rescinded March 26, 2013. Commissioner Quave requested a change in Attachment A, Section 5A. A motion was made by Commissioner Quave to adopt the Resolution to approve the revised Employment Policy for Department and or Division Director Positions with the change of Attachment A, Section 5A from “will” to “may”. Seconded by Commissioner Langford. Motion carried unanimously.

13. Lease Amendments-License Agreements/Wireless Communication Equipment

Mandy Hines requested approval or consideration of Amendment 1 to five separate leases that were entered into in March 2012. The lease facilities include the DeSoto County Administration building, Courthouse, Turner Center, a Tower at Transportation and a Public Safety Tower. Ms. Hines reviewed the amendments. A motion was made by Commissioner Quave to approve Amendment 1 License Agreement for Wireless Communication Equipment Facilities between the County and Florida’s Rural Broadband Alliance for the Courthouse, Administration Building, Turner Center, Transportation Tower and Fire Station Tower as presented. Seconded by Commissioner Miller. Motion carried unanimously.

14. Bid Award-Contract/Landfill Access Road Ditch Paving and Repair Services

Mike Giardullo commented there are two locations. The first location is the base of Landfill access road that was recently constructed. The second location is in the back of the Landfill. Three bids were received. A motion was made by Commissioner Langford to award the bid for the Landfill Access Road Ditch Paving and Repair Services to Central Concrete Inc., and authorize the Chairman to execute the contract. Seconded by Commissioner Mansfield. Motion carried unanimously.

15. Agreement/FDOT

Eddie Miller presented a request for approval of the Utility Design by FDOT Consultant Agreement. Mr. Miller commented this Agreement will help shape the future of DeSoto County forever. Commissioner Miller suggested having a better understanding of expenditures and revenues. Mr. Miller stated there are 118 residential units available and 64 commercial units available along the 4-5 mile area. He also commented that the time frame is critical. Cindy Talamantez commented the State needs an answer before the start of their fiscal year in July.

Robert Womack requested the Board to consider the plat and size of lots in Nocatee. Mr. Womack spoke in favor of the agreement. Mr. Miller gave further reasons as to why this project would be a smart decision. Further discussion was had. Commissioner Miller expressed his concerns and would to schedule a Workshop. Mr. Maxcy commented that Lighthouse Consulting has included this project in the Rate Study. Commissioner Langford stated he is against forcing residents to tie into the utility line. Commissioner Quave is against spending more money for a study. Commissioner Miller again requested to schedule a Workshop on the matter. Don Conn stated this could be discussed at the next Workshop scheduled for May 28th.

Ed Johnson agrees with Commissioner Langford and feels costs will add up quickly.

Chairman Selph suggested meeting the window of opportunity before it passes.

Mandy Hines stated there are funds in escrow for construction. The agenda item was tabled until further information was received. Eddie Miller stated later in the meeting that he had spoke to Kevin Newton, and the 2 week time frame would be agreeable. A motion was made by Commissioner Mansfield to approve the Utility Design by FDOT Consultant Agreement, funding and scope of services for the Highway 17 Phase III Utility Extension design phase and authorize the Chairman to execute the agreement. Seconded by Commissioner Quave. Motion carried 4-1 with Commissioner Miller dissenting.

9. 2011/2012 Audit Presentation

Joe Welch with Purvis & Grey reviewed audited financial statements. The audit included a review of the internal controls of the County and the Commissioners. Mr. Welch reviewed the items that were included in the audit. A motion was made by Commissioner Quave to approve the completed 2011/2012 Audit as presented. Seconded by Commissioner Langford. Motion carried unanimously.

16. Agreement/ERU Pool

Don Conn spoke on behalf of Eddie Miller. It was anticipated that those parties that were given an allocation, would move quickly towards a final agreement and file a formal request for utility service. In most instances, that has not been the case. Some of the individuals have not made a commitment on the use of the allocations. A form presented to the Board would establish a process to aid an individual when requesting an allocation. Further discussion was had. A motion was made by Commissioner Langford to approve the use of the ERU Pool Agreement for allocations for the ERU Pool with striking out the last phrase in Exhibit B under 1C (striking: unless this agreement is extended by the Board of County Commissioners for an additional 6 month period) & (adding: henceforth anyone receiving ERU's from our pool will need to sign a Service and Conveyance Agreement when agreed to take the pool) and also in the Agreement to change from a 6 month grace period to a 90 day grace period found in Exhibit B under 1A. Seconded by Commissioner Quave. Motion carried unanimously.

17. Resolution-Quit Claim Deed/FDOT

Don Conn commented FDOT has purchased approximately ½ acre from the County at the corner of US17 and SW Hillcrest St. A motion was made by Commissioner Langford to approve the Resolution and Quit Claim Deed conveying parcel 151 to Florida Department of Transportation

with the payment to the County of \$100,000.00. Seconded by Commissioner Mansfield. Motion carried unanimously.

ADMINISTRATOR'S REPORT

Mr. Maxcy called on Cindy Talamantez to present her finding regarding a lightning detection system. Ms. Talamantez presented 2 recommendations. The first being the SkyScan-Field Pro which is a more manual system and the second being the Weather Bug which is a more advanced system with internet capabilities. Ms. Talamantez gave further information regarding each system. It was consensus of the Board to purchase the Weather Bug lightning detection system. Chairman Selph requested a policy for procedures regarding the lightning. Ms. Talamantez stated she would collect the information for the policy.

Mr. Maxcy requested any discussion Board members may have regarding Fire Rescue or the local Fire Codes. Commissioner Miller commented he has concerns with the inspections at properties owned by Steven Game. He is also concerned that people will not have somewhere to live if the issue reaches the Special Master. Don Conn commented on the matter. Further discussion was had by the Board.

Mr. Maxcy requested any comments or concerns from the Board regarding Fire Safety such as operations or vehicles being used improperly. Commissioner Miller commented he is concerned with the use of funds and the deterioration of Fire Rescue equipment. He stated that the equipment is costly and age does not wear them out but mileage does. Commissioner Miller would like the Board to be aware of his concerns.

Chief Prescott commented that his employees work 24 hour shifts and they try to cook fresh meals and eat healthy. The issue of going to the grocery store has always seemed to be a problem. There are rules that are followed. Chief Prescott also addressed other concerns that he has been made aware of recently and in the past. Further discussion followed.

Commissioner Langford questioned Chief Prescott regarding the billing process for ambulance services.

Mr. Maxcy reminded everyone of the Workshop at 1pm regarding MSTU's and MSBU's.

COUNTY ATTORNEY'S REPORT

Mr. Conn commented there was a successful closing with Aqua Utilities and is now a part of the DeSoto County Utilities System. Mr. Conn also commented the County now has the Certificate of Title on the Braynen Property.

BOARD MEMBER COMMENTS

Commissioner Quave commented on the success of the Watermelon Festival. He also commented that the residents in DeSoto County should give their own to help support the community. Commissioner Quave expressed his gratitude towards EMS staff and also commented that it would deeply sadden him to see an Ethics violation brought against any of the Board members or that the Fire Inspectors as well as EMS intentions would be questioned.

Commissioner Langford commented that there is a pit on Hwy 31 that has shell and dirt that is willing to offer the County a very reasonable price. Commissioner Langford would like this option considered. He also reminded everyone of the July 4th Hospice Ranch Rodeo at the Turner Center.

Commissioner Mansfield thanked the Fire Department and the Sheriff's Department for their services. He also apologized to the citizens of DeSoto County for a statement that was printed in the newspaper and taken out of context.

Commissioner Miller apologized if he was perceived as being overzealous. His intent is to make the most of what we have as a County.

Chairman Selph commented there will be a Memorial Service at the Turner Center for SSG Chris

Ward on May 18th at 2pm and urged all to attend. He also commented that he appreciated Public Safety and what they do. Chairman Selph commented that District Twelve Medical Examiner out of Sarasota County will give a presentation at the next Board meeting regarding how funds from DeSoto County are allocated.

ADJOURNMENT

There being no further business, Chairman Selph adjourned the meeting at 12:08 PM.

ATTEST:

**C. GUY MAXCY
COUNTY ADMINISTRATOR**

**BOARD OF COUNTY COMMISSION
DESOTO COUNTY, FLORIDA**

**JAMES F. SELPH
CHAIRMAN**