

**PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS  
HELD ON MAY 28, 2013 AT 3:00 PM  
IN THE COUNTY COMMISSIONERS' MEETING ROOM  
ROOM 103, ADMINISTRATION BUILDING  
ARCADIA, FLORIDA**

The Board of County Commissioners held a Public Meeting on May 28, 2013 with the following persons present:

Commissioner, Buddy Mansfield, Dist#1	Code Compliance Director, 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	Building Official, Lester Hornbake
County Administrator, C. Guy Maxcy	HR Director, Don Kesterson
County Attorney, Don Conn	Purchasing Director, Cindy Talamantez
Office Manager, Lauri Jones	Facilities Director, Richard Metzger
County Coordinator, Mandy Hines	DeSoto County Sheriff, Will Wise
Transcribing Secretary, Jill Thompson	County Engineer, Mike Giardullo
Turner Center Director, Jody Sullivan	Administrative Services Director, Linda Nipper
Road & Bridge Director, Shawn Edwards	Dep. Fire Chief, Larry Taylor
Planning Manager, Tom Cookingham	County Extension Director, Ken Johnson
Environmental Svcs. Director, Henry Grimes	Parks & Recreation Director, Tara Anderson
Emergency Mgmt. Director, Doug Christ	Compliance Specialist, Cathy Miller

**CALL TO ORDER 3:00 PM**

**PRAYER**- Commissioner Langford

**PLEDGE OF ALLEGIANCE**

**INTRODUCTION OF ELECTED OFFICIALS**

Sheriff Will Wise, Kathy Hill

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

**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 May 14, 2013 Public Meeting and Minutes of May 14, 2013 I. Seconded by Commissioner Mansfield. Motion carried unanimously.

**PUBLIC FORUM FOR NON-AGENDA ITEMS**

None

**PRESENTATION**

**3. Presentation/District 12, Chief Medical Examiner**

Dr. Russell Vega, Chief Medical Examiner District 12 presented information on how he and his staff operate and how his budget is developed. Mr. Vega reviewed different topics such as The Medical Examiner Act, districts, staff, death investigations, cremations, investigative authority, public health, mass fatality events, budget, expenses, the current ME budget, facility expenses and body transport expense. Chairman Selph thanked Dr. Vega for his presentation and requested an annual report.

#### **4. Presentation/Pepper Ave. Bridge #044036**

Mike Giardullo gave a presentation regarding the poor condition of Pepper Ave. Bridge. Mr. Giardullo commented the bridge was constructed in 1927. The bridge has cracking, exposed steel, decaying foundation and undermining of abutment. Mr. Giardullo reviewed different options to solve the problem of the declining bridge. Two options included replacing or removing the bridge.

Ken Pepper commented that both he and Steve Sorrels are ok with any solution the County decides upon. Shawn Edwards commented that if the Board decides to close the road, the County will continue to maintain the drainage. Mike Giardullo will bring back to the Board as an agenda item. He also suggested closing the road immediately until a final decision is made. A motion was made by Commissioner Quave to close Pepper Ave. Rd and bridge as soon as possible with the correct barrier and signage. Seconded by Commissioner Langford. Motion carried unanimously.

#### **PROCLAMATION**

#### **5. Proclamation/Civility Month**

Guy Maxcy read into record the Proclamation declaring May 2013 as Civility Month. A motion was made by Commissioner Miller to proclaim the month of May as Civility Month. Seconded by Commissioner Quave. Motion carried unanimously.

#### **REGULAR BUSINESS**

#### **6. Resolution/Budget Amendments**

Linda Nipper requested the Board to approve Amendments #2013-67,# 2013-70, #2013-71 and #2013-72. A motion was made by Commissioner Langford to adopt the Resolution amending the 2012/2013 Budget including attachments. Seconded by Commissioner Mansfield. Motion carried unanimously.

#### **7. Resolution/Economic Development Advisory Committee Appointment**

Mandy Hines commented there are three sectors that are mandated by the Board as participants in EDAC and those are the Chamber, Education and the City. The new members are Dr. Karen Gary, Penny Kurtz and Tom Slaughter. Ms. Hines also requested the Board to appoint a member to serve on the EDAC. Staff recommends to incorporate Planning into this process and appoint Tom Cookingham. A motion was made by Commissioner Langford to adopt the Resolution appointing members to serve on the Economic Development Advisory Committee as presented and to appoint Mr. Tom Cookingham, Planning Manager as the County Commission appointee. Seconded by Commissioner Miller. Motion carried unanimously.

#### **8. Letter of Commitment/Community Development Block Grant**

Mandy Hines stated this is an amended Letter of Commitment that's relative to the CDBG Block Grant application on behalf of Allied Recycling. A motion was made by Commissioner Mansfield to approve the revised Letter of Commitment as presented. Seconded by Commissioner Quave. Motion carried unanimously.

#### **9. Short Sale/SHIP Mortgage forgiveness**

Peggy Waters stated the County holds a second mortgage on said property. Due to the economic situation of the homeowner, the property is in foreclosure. The first mortgage holder has agreed to the short sale and is allowing DeSoto County \$6,000.00 satisfaction to the second mortgage. A motion was made by Commissioner Quave to approve the short sale offer of \$6,000.00 as payment for the SHIP second mortgage on a home located at 235 Columbia St. Seconded by Commissioner Mansfield. Motion carried unanimously.

#### **10. Bid Award-Agreement/BOCC and Emergency Response Educators & Consultants**

Doug Christ requested execution of a contract to conduct a learning exercise. A motion was made by Commissioner Quave to approve, award the bid and accept the agreement with EREC and

authorize the Chairman to execute the agreement. Seconded by Commissioner Mansfield. Motion carried unanimously.

**11. Agreement/Venice Island Development, Inc**

Eddie Miller stated Mr. Patterson has 16 homes he has started in the Lake Suzy area and has paid his reservation fees. A motion was made by Commissioner Langford to approve the Utility Service and Conveyance Agreement with Venice Island Development, Inc. Seconded by Commissioner Mansfield. Motion carried unanimously.

**ADMINISTRATOR'S REPORT**

Mr. Maxcy requested the addition of discussion on the Highway 17 utility project for the June 11, 2013 Workshop. There was consensus from the Board. Mr. Maxcy then requested Linda Nipper to present the MSBU rate revision review. Ms. Nipper stated there were concerns with the flat rate for commercial. The tiered method was decreased according to size. Further discussion was had. Mr. Maxcy suggested dividing the total square footage in the County and divide into the budget needed to see what that rate would be. Chairman Selph requested no more than 8.5 cent per acre regarding the Ag properties. Commissioner Quave feels to tax by square footage without regard to how that parcel is zoned, may affect the Property Appraiser. David Williams commented non-ad valorem assessments would have no affect on what he does. Commissioner Miller feels there is no way to offset the individuals due to the fact that the MSBU cannot fluctuate. Further discussion was had. The Board feels it is better to start higher and can always decrease if needed. Commissioner Mansfield requested that Ms. Nipper figure 8.5 cent per acre as well as 10 cent per acre to be brought back to the Board at the June 11<sup>th</sup> Board Meeting.

Mr. Maxcy called on Shawn Edwards and Robert Hamrick to discuss mitered ends. Mr. Edwards stated the mitered ends takes longer to install. Further discussion followed. Robert Hamrick will contact Road & Bridge along with Engineering and bring results back to the Board at the June 25<sup>th</sup> Board Meeting. Mr. Maxcy stated the LDR will need to be amended asked that Robert Hamrick work with Engineering as well as Road & Bridge for solutions on this issue.

Mr. Maxcy called on Peggy Waters to give a report regarding the withdrawal of commodity distribution by County employees. Ms Waters stated DeSoto County is the only local government left that is doing this program. The State will find another person or entity to continue with the program. Ms. Waters commented there is a wealth of different ways to help feed residents of the County. There will be a 30 day notice given due to the contract.

**COUNTY ATTORNEY'S REPORT**

Mr. Conn suggested setting an Executive Session regarding the status of the Astaldi Construction case. He suggested June 11, 2013 following the regular Board meeting.

**BOARD MEMBER COMMENTS**

Commissioner Quave commented on his trip to Orlando for Emergency Management training. He spoke at the British Memorial on Memorial Day. Commissioner Quave commended Lee Gallagher on a job well done regarding the Memorial Day Ceremony at the Courthouse.

Commissioner Langford had no comments.

Commissioner Mansfield had no comments.

Commissioner Miller thanked all for civility.

Chairman Selph announced that at 5:30 pm on June 5, 2013 at the Turner Center they will hold the Hurricane Seminar. He also commented about the Memorial Service for Sgt. Chris Ward. Chairman Selph commended Rotary for commemorating the loss of life of the British soldiers in WWII. He also commented the Governor had signed the State Budget.

Commissioner Mansfield asked that everyone remember the people in Moore, Oklahoma.

Dr. Louis Kirschner, Chairman of the Republican Executive Committee in DeSoto County, read to the Board a Resolution in opposition of the increase of taxes.

**RECESSED AT 5:17 PM UNTIL 6:30 PM PUBLIC HEARING**

**PUBLIC HEARING 6:30 PM**

**12. Ordinance/County Comprehensive Plan Text Changes**


Tom Cookingham presented a request for an amendment to the Comprehensive Plan. The text amendment is a result of the 10 year Water Facility Supply Plan. Mr. Cookingham stated that Chapter 163 requires local jurisdiction prepare a Water Supply Facility Plan based on the adopted Regional Water Supply Plan. The goals, objectives and policies of the Potable Water, Conservation and Intergovernmental Coordination Elements of the Comprehensive Plan were updated. A Public Hearing was held on November 12, 2013 and transmitted the changes to the Department of Economic Opportunity as required by state law. A response of no comment was received from The Department of Economic Opportunity and SWFWMD. Chairman Selph questioned why such a large reduction from 118 gallons to 95 gallons. Mr. Cookingham replied it is usually due to water or energy efficiency and other conservation methods that are part of the goals, objectives and policies in the Water Supply Plan as well as the other policies being adopted. A motion was made by Commissioner Mansfield to adopt the Ordinance implementing text changes to the Potable Water, Conservation and Intergovernmental Coordination Elements of the Comprehensive Plan. Seconded by Commissioner Miller. Motion carried unanimously.

**ADJOURNMENT**

There being no further business, Chairman Selph adjourned the meeting 6:37 PM.

ATTEST:

  
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C. GUY MAXCY  
COUNTY ADMINISTRATOR

**BOARD OF COUNTY COMMISSION  
DESOTO COUNTY, FLORIDA**  
  
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JAMES F. SELPH  
CHAIRMAN