

**PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON JUNE 24, 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 June 24, 2013 with the following persons present:

Commissioner, Buddy Mansfield, Dist#1	
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	Purchasing Director, Cindy Talamantez
County Administrator, C. Guy Maxcy	HR Director, Don Kesterson
County Attorney, Don Conn	Parks & Recreation Director, Tara Anderson
Facilities Director, Richard Metzger	County Coordinator, Mandy Hines
Environmental Svcs. Director, Henry Grimes	EM Director, Doug Christ
Transcribing Secretary, Jill Thompson	Library Director, Lorel Reinstrom
Administrative Services Director, Linda Nipper	
Road & Bridge Director, Shawn Edwards	

CALL TO ORDER 3:00 PM

PRAYER- Pastor Will Brown, First Presbyterian Church

PLEDGE OF ALLEGIANCE

INTRODUCTION OF ELECTED OFFICIALS

SET/AMEND-Mr. Maxcy requested to remove agenda item #5. A motion was made by Commissioner Mansfield to set the agenda including removing agenda item #5. 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 Miller to move agenda item #3 to discussion. Seconded by Commissioner Quave. Motion carried unanimously. A motion was made by Commissioner Langford to approve the Accounts and Warrants drawn according to schedule of bills payable; Minutes of June 11, 2013 Public Meeting; Minutes of June 11, 2013 Executive Session; Minutes of June 11, 2013 Workshop; Resolution for Transportation Disadvantage Planning Grant Agreement. Seconded by Commissioner Mansfield. Motion carried unanimously.

DISCUSSION

5. 2014 Holiday Schedule

Commissioner Miller commented that the County has an abundance of Holiday Days. He also commented that Holidays are expensive as far as paid hours. Don Kesterson stated that the number of paid Holidays is partially due to keeping in sync with the Constitutional Offices and partially to compensate employees for not receiving a raise for several years. He believes 13 Holidays is more than what County employees should receive. Commissioner Miller would like all to be aware of the

generous Holiday schedule. Commissioner Quave questioned if part-time employees receive paid Holidays. Don Kesterson stated that only employees that work 30 hours per week receive a prorated amount. Further discussion was had. Guy Maxcy stated that Mr. Womack of Womack's Sanitation is aware of the Holiday schedule. Mr. Kesterson stated the schedule will also be included with tax bills. A motion was made by Commissioner Quave to approve the 2014 Holiday Schedule. Seconded by Commissioner Miller. Motion carried unanimously.

PRESENTATION

6. Presentation/Economic Development

Mandy Hines stated the purpose of the presentation is to inform the Board of the last several years and where efforts have been focused; and also to advise the Board of a plan that she would like to utilize moving forward and receive feedback. Ms. Hines stated the role of an Economic Developer is to serve as a liaison for businesses or people with a business interest in the community. The role also markets the community to industry from a tourism perspective as well as work with the Board and all community departments to provide a positive business environment. Ms. Hines spoke regarding the Economic Development website. Additional points discussed were infrastructure, VEC (Florida Virtual Entrepreneur Center), and many partners. Two very important partnerships are the Small Business Development Center and The Economic Development Investment Fund. Ms. Hines stated the Bed Tax was implemented in 2010 and started collecting in January 2011. The Visit DeSoto site was created as a result of the bed tax. A brochure was designed that is now placed in all Florida Welcome Centers. Ms. Hines spoke regarding television advertising; Fox 4 Morning Blend and Road Trippin.

Larry Hudson thanked the Board for speaking individually to the EDAC Committee. Commissioner Quave requested that Ms. Hines research the different options available to request information from visitors to the Economic Development website. Further discussion followed.

REGULAR BUSINESS

7. Resolution/Budget Amendments

Linda Nipper request adoption of the Resolution amending the 2012/13 budget including attachments #2013-83, #2013-84 and #2013-86. 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.

8. Resolution/Policy/Lightning Risk Warning

Tara Anderson requested adoption of the Lightning Risk Warning Policy. Currently the lightning detection is set to 12 miles for advanced warning. Commissioner Mansfield suggested displaying signs that the pavilions are not a safe place to retreat from lightning. A motion was made by Commissioner Langford to adopt the Resolution regarding procedures for a Lightning Risk Warning Policy at the Walt Brewer Sports Park. Seconded by Commissioner Mansfield. Motion carried unanimously.

9. Resolution/County's Intent to Provide Utility Service to Customers if Available

Don Conn commented local businesses and mobile home parks that are contacting the County regarding the need for utility services. Under current law, municipalities have certain rights within 5 miles of the municipal boundaries. Mr. Conn stated he composed a Resolution that indicates the County intends to provide water and wastewater to customer within that 5 mile area; as long as the City has not adopted an Ordinance or does not have the ability to serve those residents. The City Attorney agrees with Mr. Conn's interpretation of this law. A motion was made by Commissioner Mansfield to adopt the Resolution confirming that the County's intent to provide water and/or

wastewater utility service to customers within 5 miles of the municipal boundary of the City of Arcadia if County services are available unless the area is included within an Ordinance adopted by the City identifying that area as one the City intends and has the ability to serve. Seconded by Commissioner Langford. Commissioner Miller questioned how the City Administrator or City Council feels regarding this issue and is the County in danger of committing a breach. Mr. Conn stated he discussed the situation with the City Attorney. Further discussion was had. Motion carried unanimously.

10. ERU Pool

Eddie Miller requested to rescind the ERU pool allocation for those that have not signed an ERU Pool Agreement. Mac Martin is the only respondent. Mr. Conn commented that the Board will see Mr. Martin's agreement at the next Board meeting which will confirm the 90 day period. A motion was made by Commissioner Langford to rescind the ERU pool allocations for those who have not signed the ERU Pool Agreement for allocations from the ERU pool. Seconded by Commissioner Miller. Motion carried unanimously.

11. MOU/BOCC and Department of Children and Families (DCF)

Doug Christ presented an MOU which in the event of a Presidentially declared emergency in DeSoto County; DCF will be allowed to utilize the Turner Center for the Food for Families Program. A motion was made by Commissioner Quave to approve the MOU and the Chairman to execute the Agreement. Seconded by Commissioner Langford. Motion carried unanimously.

12. Purchase/Tanker Truck

Chief Prescott stated that quotes were presented to the Board at a previous meeting. Additional quotes were received. Quote 1 totaled \$26,502.35; Quote 2 totaled \$63,869.45 and Quote 3 totaled \$138,543.00. Chief Prescott stated that a company in Miami can repair the frame for approximately \$5,500.00 but could possibly cost up to \$10,000.00. Shawn Edwards answered questions from the Board regarding the companies in question. A motion was made by Commissioner Quave to approve the repair of the existing tanker truck and authorize the County Administrator to execute a purchase order for Universal Truck. Commissioner Quave amended the motion to require a hard quote from Universal Truck not to exceed \$10,000.00 over the original quote; for a total not to exceed \$31,502.35. Seconded by Commissioner Langford. Motion carried unanimously.

ADMINISTRATOR'S REPORT

Mr. Maxcy requested the Board approve a vacant position to be posted internally for the Library. It was consensus of the Board to do so. Mr. Maxcy reported that an application has been received from the Motor Coach Resort Development.

COUNTY ATTORNEY'S REPORT

Mr. Conn commented on a question he was asked at the previous meeting regarding the County vacating a right of way. He stated that the County has the right to abandon the right of way. A Public Hearing would be required with the adoption of a Resolution abandoning the right of way which at that point the right of way would go into the ownership of the abutting property owners and equally divided.

Mr. Conn Spoke regarding Code Enforcement liens. He stated the County lien is always secondary. The County cannot foreclose and take priority over the rights of the prior mortgagor. Only one property located at 2912 SW Wallace Avenue with a lien of \$22,877.00 can be foreclosed on by the County and not be secondary. The foreclosure process would cost approximately \$5,000.00.

Payment was received on the parcel that the County Quit Claimed to FDOT for the widening of US 17.

BOARD MEMBER COMMENTS

Commissioner Quave commented that he is looking forward to FAC.

Commissioner Langford reminded everyone of the Hospice Rodeo on July 4th at the Turner Center. He also questioned Mr. Conn regarding the status of outstanding money owed to the Utility department for original ERU's. Mr. Conn stated there are utility liens that are placed on the properties for the amount due to the County by operation of law. The problem in terms of enforcement is that some of the properties are now owned by banks, in foreclosure or are in the process of bankruptcy. Mr. Conn stated a report could be presented to the Board to show the status of the properties. Further discussion was had.

Commissioner Mansfield thanked Tara Anderson for all her work and preparation at Brewer Park for the upcoming tournaments.

Commissioner Miller questioned if there has been a special exception requested regarding the Motor Coach Development in Sunny breeze. Mr. Conn suggested keeping a record of ex-parte communications on the matter.

Commissioner Selph commented that he has an issue that he would like considered for a future agenda item. He receives calls from an individual that is concerned with not being able to make an anonymous complaint to Code Enforcement. He would like this policy reviewed at the next Board meeting. He also commented that Commissioner Langford does a great job with the Ranch Rodeo on July 4th.

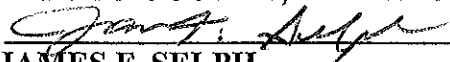
ADJOURNMENT

There being no further business, Chairman Selph adjourned the meeting at 4:51 PM.

ATTEST:



C. GUY MAXCY
COUNTY ADMINISTRATOR

BOARD OF COUNTY COMMISSION
DESOTO COUNTY, FLORIDA


JAMES F. SELPH
CHAIRMAN