

**PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON JUNE 24, 2014 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, 2014 with the following persons present:

Commissioner, Buddy Mansfield, Dist#1	HR Director, Don Kesterson
Commissioner, James Selph, Dist#2	Fire Chief, Larry Taylor
Commissioner, Gabriel Quave, Dist#3	Purchasing Director, Cindy Talamantez
Chairman, Elton Langford, Dist#4	Utilities Director, Eddie Miller
Commissioner, Bob Miller, Dist#5	County Engineer, Mike Giardullo
Interim Administrator, Mandy Hines	Office Manager, Lauri Terry
County Attorney, Don Conn	Social Services Director, Peggy Waters
Transcribing Secretary, Jill Thompson	Parks Director, Tara Anderson
Administrative Services Director, Linda Nipper	Turner Center Director, Jody Sullivan
Road & Bridge Director, Shawn Edwards	Env. Services Director, Henry Grimes
Compliance Director, Jorge Hernandez	Building Official, Lester Hornbake
Facilities Director, Richard Metzger	

CALL TO ORDER 3:00 PM

PRAYER- Pastor John Stamey/ Nocatee Church of God

PLEDGE OF ALLEGIANCE

INTRODUCTION OF ELECTED OFFICIALS

Sheriff Will Wise, Former Commissioner Ed Johnson, Representative Ben Albritton, Karen Whaley with Representative Ben Albritton's office.

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

PUBLIC FORUM FOR NON-AGENDA ITEMS

Becky Sue Mercer gave an update that the Arcadia Housing Authority and their 501C3 have partnered with DeSoto Cares Membership, which is a volunteer organization to seek solutions and coordinate services for the homeless. DeSoto Cares Membership meets on a regular basis at the Housing Authority office. Ms. Mercer urged all to come forward with questions and/or attend the meetings.

CONSENT AGENDA-MOTION TO APPROVE

A motion was made by Commissioner Mansfield to approve the Accounts and Warrants drawn according to schedule of bills payable; Minutes of May 27, 2014 BOCC Public Meeting; Minutes of May 27, 2014 LDR Workshop; Declaration of Surplus Property; Amendment extending the agreement with Seacoast National Bank for Banking Services and Sufficiency of the Surety Bonds for County Officials. Seconded by Commissioner Quave. Motion carried unanimously.

ADDRESS THE BOARD

Representative Ben Albritton spoke regarding the late Guy Maxcy and his legacy. Chairman Elton Langford read a tribute from Member of Florida House of Representatives, Ben Albritton. Chet Maxcy thanked the Board for the opportunity and trust in his father to serve DeSoto County.

PRESENTATION

7. Proclamation/CFRPC

Pat Steed commented that she had the pleasure of working with Guy Maxcy as a Commissioner and as an Administrator.

Ms. Steed commented the Central Florida Regional Planning Council is celebrating its 40th Anniversary and reviewed some of the history. Information can be found at www.Heartland2060.com.

Mandy Hines read the Proclamation into record. The CFRPC was created in July 1979 with a mission to provide support to the citizens, cities and counties of the region in seeking resources and providing planning and programs to serve them. A motion was made by Commissioner Mansfield to approve the Proclamation honoring the 40th Anniversary of the Central Florida Regional Planning Council. Seconded by Commissioner Quave. Motion carried unanimously. Commissioner Mansfield presented the Proclamation to Pat Steed.

REGULAR BUSINESS

8. Resolution/Water Improvement Acceptance

Eddie Miller presented the request to the Board. He stated Lettuce Lake will be forthcoming and this request is for the Oak Haven portion. A motion was made by Commissioner Quave to adopt a Resolution accepting water improvement constructed by Oak Haven Park, LLC within the DeSoto County easement to property. Seconded by Commissioner Mansfield. Motion carried unanimously.

9. Policy/Lightning Detection System

Mandy Hines presented a request by DeSoto County Youth Baseball to amend the current policy regarding lightning detection at Brewer Park. Tara Anderson requested Board direction regarding the current policy. Staff recommends maintaining the current policy including the provision for active enforcement. The basis for this recommendation is the knowledge of the prominence of lightning strikes in the park. At least twice a year something at the park is struck by lightning.

Commissioner Quave feels the policy is working but he still receives phone calls regarding this issue. Ms. Anderson suggested keeping the policy the same. The reason for closing the gates is to protect the people that have not heard the alarm go off.

Mandy Hines commented there are management challenges with the enforcement of the system because of the gate closure, the pile ups and difficulty in forcing people off the park. There were 3 requests by the DCYB; reducing the radius setting from 10 miles to between 5-8 miles, to remove the provision that gives the Park Director the authority to close the gates and an active or passive enforcement.

Commissioner Quave is concerned with sending staff out into dangerous situations to close the gate. Commissioner Selph commented that he has visited fields and they all have these systems. He feels we cannot force people to do something. He sees more difficulty in closing the gate than keeping it open. He has no problem with reducing the warning system to an 8 mile radius but does not feel staff should take an active role in clearing the park.

Don Conn commented that a sufficient warning sign along with the lightning detection system still in place is adequate protection. He is concerned also with the closing of the gates.

Commissioner Miller questioned the request to reduce the system below 10 miles.

Nicole Adams stated that the first priority is the safety of the kids. She would like the system to be used as only a warning and indication for storms that may be approaching. She would like the system used as a tool and not an authority. Ms. Adams feels 8 miles is more than adequate and more often than not, the alarm is set off in the 8-10 mile radius.

Commissioner Mansfield is comfortable with the 10 mile radius. The National Weather Service

recommends a 10-12 mile radius. Further discussion ensued.

Commissioner Miller is not in favor of reducing the warning to an 8 mile radius.

Ms. Adams feels the flaws in the policy are being kicked out of the park and the gates being closed and/or locked.

Mr. Conn commented that he does not want to see people locked in the park or made difficult for them to exit. If the LDS is in place, let it do its job.

Chairman Langford commented the LDS may be somewhat of an inconvenience to some but he doesn't want a child getting hurt or killed on his conscience.

Commissioner Quave is opposed to the gates being closed or locked.

Ms. Hines stated the gates do not have to be closed.

Mr. Conn encouraged the "active" policy to stay in effect.

It was consensus of the Board when the alarm sounds to have the gates remain open, clear the park and remain in vehicles until safety is restored.

10. Maintenance and Support/VTScada from Trihedral Engineering Limited

Eddie Miller presented the request. Commissioner Quave commented the current system has no way of reinstalling the software. He was aware this is a pressing issue but did not realize how big of a problem this really is. The cost of this system is just under \$25,000.00. Robert Davies commented that there is a server off site to take control of the system and can be operated off site.

Commissioner Miller questioned budgeting. Commissioner Selph commented this is a large ticket item and could this be put out to bid? Mr. Davies commented this company is international and provides support 24 hours a day, 7 days a week. There is an opportunity for several employees to grow with this system, which would eliminate the need for outside support. Commissioner Quave is content with the amount of research that Mr. Miller has completed regarding this matter. Cindy Talamantez is comfortable with this decision. Commissioner Mansfield questioned if this system would update the equipment that is already there. Mr. Miller commented it would update/replace the entire system as well as meet DEP requirements. Don Conn stated the issue at hand is if there is indeed an emergency. Mr. Miller did not comprehend the severity of the problem until Mr. Davies evaluated the system. A motion was made by Commissioner Mansfield to authorize the non-competitive implementation of VTScada as an emergency measure directing staff to process a Purchase Order. Seconded by Commissioner Quave. Motion carried unanimously.

11. Bid Award/State Housing Initiative Partnership Program

Peggy Waters stated the request is for one rehab. Sealed bids were received on June 13, 2014. She requests the lowest bidder be awarded the project, which is Jewel Contracting. Chairman Langford questioned the large difference in price compared to the other bids received. Ms. Waters commented Jewel Contracting is family owned and does not have a lot of overhead. A motion was made by Commissioner Quave to approve the bid award as presented and authorize the Administrator to execute all related documents for rehabilitation of the units. Seconded by Commissioner Mansfield. Motion carried unanimously.

12. Offer Acceptance-Sales Agreement/8463 SW Riverside Drive

Cindy Talamantez stated this is the sale of County owned property. This property had a structure that was demolished by the County along with attorney fees attached. A Quit Claim Deed will be written and transferred into the new owner, Mr. Buckner's name. A motion was made by Commissioner Selph to accept the offer for the County owned property located at 8463 SW Riverside Drive and authorize the Chairman to execute the Sales Agreement. Seconded by Commissioner Miller. Motion carried unanimously.

13. Offer Acceptance-Sales Agreement/1276 SE Maple Drive

Cindy Talamantez stated this is the sale of County owned property received through a Tax Deed. A Quit Claim Deed will be written and transferred into the new owner's name. A motion was made by Commissioner Miller to accept the offer for the County owned property located at 1276 SE Maple Drive and authorize the Chairman to execute the Sales Agreement. Seconded by Commissioner Selph. Motion carried unanimously.

ADMINISTRATOR'S REPORT

Mandy Hines requested approval to fill a vacant part-time Kennel Tech. There was consensus of the Board. There has been inquires from a vendor that would like to set up at a county park. Ms. Hines feels this may be good source of revenue but unsure of the operational impact. There is not a current policy on this issue but if the Board so desires, Ms. Hines will work on developing a policy and process. This particular request is for a food vendor. Commissioner Selph feels there may be liabilities. There was consensus of the Board not to allow this request.

Ms. Hines stated a meeting was held with the owners and representatives of the two properties that were previously identified as suitable sites for the future Sheriff's Complex. One property has the potential for a 2 year option and the other property affords approximately 1 year. There is a significant gap in the asking price and the appraised price of the property. She feels there could be negotiation between the two. Ms. Hines requested direction from the Board to continue negotiation for the best possible deal on each or either of the properties or how to move forward.

Mr. Conn feels the real issue is that one property wants a relatively quick sale, which would then require the Board to make a quick decision regarding the purchase. The other property is open to an option that may allow the Board possibly up to 2 years to make a decision. He suggested that if the Board is not prepared to purchase a property within the next few months, concentrate on the property that gives the option of bringing it back. The question at hand; is the Board ready to purchase within the next few months?

Commissioner Miller stated he has made it clear he is against this issue. Commissioner Quave feels due to limited control of the funds for the upcoming budget, he needs to be very conservative. Chairman Langford is not in favor of purchasing the property at this time. Commissioner Selph echoed Commissioner Quave's comments. At some point we will have to build a new jail but he is not in favor of making a decision in the near future. Commissioner Mansfield agreed with Commissioner Selph.

Ms. Hines requested to reschedule the August 26th Budget Workshop, BOCC Meeting and the Public Hearing due to a conflict with Election Day. There was consensus of the Board to reschedule the above to August 28, 2014 at 3:00 pm.

The newspaper requested use of the Board Room on July 7th or July 10th for a Candidate Forum for both the School Board and County Commission from 6:00-8:00 pm. There was Board consensus to allow this request.

The BOCC has been invited to attend the McDonalds ribbon cutting on June 28th.

Other items discussed were the opening of the Lettuce Lake boat ramp and the results of the number of impressions on the BOCC social media site.

Ms. Hines recognized Richard Metzger and his crew for a job well done on the acoustical sound tiles at the Turner Center Exhibit Hall. They also painted the Animal Control building in neutral colors.

She commented regarding a Letter to the Editor written by a constituent on a job well done by Ben Solomon and Randy Rumney of Fire Rescue.

COUNTY ATTORNEY'S REPORT

Don Conn commented tomorrow he will attend a hearing on the Gavriloff and Watson vs. DeSoto County regarding the PUD Motorcoach Resort case on the County, Thornton Creek and Sunny Breeze Golf Course motions to dismiss.

BOARD MEMBER COMMENTS

Commissioner Quave commented that he attended FAC in Orlando and he learned a lot.

Commissioner Mansfield apologized for not being able to attend the funeral of retired Commissioner Felton Garner due to required training in Tallahassee.

Commissioner Selph recognized and honored Felton Garner in his passing. He was required to attend the training in Tallahassee as well. He congratulated Commissioners Miller and Quave for completing all of the course work for Certified County Commissioner. He has been chosen to serve as District 26 Director within the Florida Association of Counties. He reminded everyone of the 4th of July celebration at the Turner Center.

Commissioner Miller commented it has been a tremendous asset to have the opportunity to attend the Certified County Commissioner classes and he attended all that were available. He believes the Community Conversations are great and has given thought to a section in the newspaper called Administrator's Corner or something that allows further communication with the constituents.

Chairman Langford commented that he did not attend FAC but had an eventful week in the county. He attended the Chamber Meeting and had the opportunity of introducing Senator Bill Galvano and Representative Ben Albritton. He feels DeSoto County is well represented. Everyone is aware of the greening issue and we have a 10 mil cap that we cannot go over. We need to look at alternative methods for funding some of our departments. Look at exemptions, MSTU or MSBU that would pick up revenue. If this is something the Board is interested in; have staff look into now for the next budget session.

ADJOURNMENT

There being no further business, Chairman Langford adjourned the meeting at 5:30 PM.

ATTEST:

Mandy Hines

**MANDY HINES
INTERIM-COUNTY ADMINISTRATOR**

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

Elton A. Langford

**ELTON A. LANGFORD
CHAIRMAN**