

**PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON JULY 8, 2014 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 July 8, 2014 with the following persons present:

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

CALL TO ORDER 9:00 AM

PRAYER- Pastor Doug King / Temple Baptist Church

PLEDGE OF ALLEGIANCE

INTRODUCTION OF ELECTED OFFICIALS

Tax Collector, Kathy Hill, Former County Commissioner Ed Johnson, Retired Commissioner Ronald Neads, City Administrator Tom Slaughter and Karen Whaley with Rep. Ben Albritton's Office.

SET/AMEND- A motion was made to waive the Policy. Seconded by Commissioner Selph. Motion carried unanimously. A motion was made by Commissioner Mansfield to add the Detail Work Plan for Mosquito Control to the Consent Agenda. Seconded by Commissioner Quave. Motion carried unanimously.

PUBLIC FORUM FOR NON-AGENDA ITEMS

George Lempenau commented that his son was recently chosen to serve on the Charlotte County Water Authority. Discussion was had regarding a line of credit for the gap in their taxation period at no cost with First State Bank of Arcadia. He suggested the Board be more diligent when banking matters arise. He also commented the young boy that was killed by a lightning strike in Ft. Myers happened with clear blue skies and no system will help with those kinds of circumstances.

CONSENT AGENDA-MOTION TO APPROVE

A motion was made by Commissioner Quave to approve the Accounts and Warrants drawn according to schedule of bills payable; Minutes of June 10, 2014 BOCC Public Meeting; Minutes of June 10, 2014 Hospital Workshop; Declaration of Surplus Property and Tax Roll Recapitulation for 2013. Seconded by Commissioner Mansfield. Motion carried unanimously.

REGULAR BUSINESS

5. Resolution/Florida Department of Transportation

Peggy Waters stated that due to the state contracts increasing, the grant was not enough to pay for both of the vehicles so staff requested from FDOT any leftover funds from 2012/13. These funds will purchase 2 ADA accessible minivans. A motion was made to adopt the Resolution and authorize the Chairman to sign all related documents for the Florida Department of Transportation Section 5310 program. Seconded by Commissioner Selph. The 10% is the local match that is always budgeted out of General Funds. Motion carried 4-0 with Commissioner Mansfield abstaining.

6. Contract Change Order/Go Underground Utilities, LLC

Eddie Miller presented change order #2 for the Lake Suzy Forcemain Extension. Piping from Lift Station #2 will be taken to the new Main Master Lift Station at no additional cost. A motion was made by Commissioner Selph to approve Change Order #2 for additional piping from existing Lift Station #2 to new Master Lift Station. Seconded by Commissioner Mansfield. Motion carried unanimously.

7. Piggyback Contract/GML Coatings, LLC

Eddie Miller commented this request is for manhole and lift station rehabilitation services. A motion was made by Commissioner Quave to approve Piggyback Contract and Proposal #1 with GML Coatings, LLC for manhole and lift station rehabilitation services and authorize the Chairman to execute the contract. Seconded by Commissioner Mansfield. Mr. Miller commented that "certain areas" refers to Lake Suzy and DCI. Motion carried unanimously.

8. Agreement Amendment/Benchmark Environmental, Inc.

Eddie Miller stated this is to approve the agreement amendment for water/wastewater quality sampling and laboratory testing services. A motion was made by Commissioner Mansfield to approve the Agreement Amendment and authorize the Chairman to execute the Amendment. Seconded by Commissioner Selph. Motion carried unanimously.

9. Master Agreement/FPL Services

Cindy Talamantez stated the BOCC has discussed Performance Contracting in the past. The County signed a Master Agreement with FPL in 2000 with the intent of working towards what is trying to be accomplished presently. The intent is to try and reduce utility billing and cut expenses. In order to accomplish this, a Master Agreement needs to be in place. After the Master Agreement is in place, the County will negotiate a scope and present to the Board with costs associated at that point.

Chris Gibson with FPL Services stated Performance Contracting is a partnership between an energy services company and DeSoto County to define, develop, implement and manage infrastructure improvement programs that are self funding. Mr. Gibson suggested a Workshop to look at the possible scope of a project and define the payback period which will eventually be in a feasibility study of a potential project that will be brought back to the Board. Commissioner Quave commented he is concerned with the increase in usage moving forward. Mr. Gibson commented that some type of baseline will be established. Further explanation ensued. By law, this cannot have a negative impact on the budget.

Mandy Hines stated action taken today would update the current Master Service Agreement then a scope could be developed. Once a scope is developed and a very in depth energy audit of all our facilities, we have the option to pay for the study or move forward with the Performance Based Contracting. Mr. Gibson stated that at the minimum, the intent of the project is to be budget neutral. A motion was made by Commissioner Quave to approve the Master Agreement with Florida Power and Light for Demand Side Management and Energy Efficiency Services and authorize the Chairman to execute the Agreement. Seconded by Commissioner Selph. Motion carried

unanimously.

10. Interlocal Agreement/DeSoto County School Board.

Don Conn discussed a Draft Proposed Agreement received from Mr. Waldron on behalf of the DeSoto County School Board. He feels it is important for the Board to review the draft. The draft refers to the DeSoto Payment that the County receives from the Water Authority annually in the amount of \$750,000. The draft presents this as a policy decision that both Boards would make to divide that DeSoto payment 50/50. Mr. Conn stated the agreement basically states that whatever costs the County incurs as a result of membership in the Water Authority, come off the top of the \$750,000. Gross receipts minus total costs result in a net receipt number, which may vary from year to year. The net receipt number is split 50/50. The draft provides for a payment mechanism of \$10,000 per month that the County would make to the School Board with a "true up" at the end of the year. There is a section that states if the County does not receive payments from the Water Authority, there is no obligation on the part of the County to make any payments. The term of the agreement is proposed until September 2040. Mr. Conn suggested the BOCC to look at the tentative budget and defer the Workshop until they have a better opportunity to review the agreement.

Commissioner Miller questioned why the verbiage changed and was the School Board aware of the change? Who took the authority to not send the payments? Why didn't the School Board catch the error of not receiving the payments? He feels the money is owed to the School Board and the County should have never stopped making payments. He does not feel the County's budget is applicable.

Commissioner Selph questioned the end date of the original contract? Mr. Conn commented to his best recollection, it was 2003. He also questioned that if the contract is not renegotiated and we have no contract to pay, can we legally make payments? Mr. Conn stated no. Chairman Langford commented that in the beginning it was discussed that this would be a payment in lieu of taxes. The original intent of the money that they were going to pay to the County was to offset the taxes that were being taken away from the School Board and the County. He is not opposed to giving the School Board their portion of the money. Further discussion ensued. Payment is received quarterly from PRMRWSA. Commissioner Quave feels the Board should do the right thing and resolve the issue in a policy rather than a legal obligation. He also questioned the fiscal year. He feels the County should send the School Board a check quarterly, 48 hours after it hits the County account. Mr. Conn verified the requested revisions of beginning on October 1, 2014 and in lieu of monthly payments, it would be quarterly payments. This will be brought back to the Board when there is an agreement that the School Board is comfortable with and a proposed action. There will be notice of cancellation of the Workshop. Further discussion ensued.

INTERIM-ADMINISTRATOR'S REPORT

Mandy Hines requested direction regarding the County/City Fire Merger Agreement. At a meeting with the City, the agreement was discussed and the provision that requires the County to utilize the old Coca Cola Bottling Plant property for Fire/EMS within a certain time period. The expiration is July 2016 and given the fiscal state of the County, she would like to formally request to the City an extension of time for another 5 year term. There was consensus of the Board to move forward with the request.

Ms. Hines stated the County has received a request for funding from the Heartland Career Source for \$1,500. Funds were also requested from Hardee and Highlands counties for fundraising to provide training for employees of local businesses. There are funds available within the Economic Development budget that Ms. Hines would like to utilize for this onetime payment.

Commissioner Miller wants to see these funds utilized properly. There was consensus of the Board

to proceed with the request.

Ms. Hines stated Administration would like to partner with Womack Sanitation on an educational campaign regarding the use of receptacles that are dangerous or unsafe and identifying parcels with trash that have no assessment for trash pick-up. Residents would be given 3 months to come into compliance. There was consensus of the Board to proceed with the request. Further discussion ensued.

Ms. Hines requested direction from the Board regarding meeting dates. The November 11, 2014 Board Meeting will be rescheduled to November 10, 2014 at 9am. The December 23, 2014 meeting will be rescheduled to December 9, 2014 at 3pm.

Reynolds Road Bridge will be closed due to being in need of repairs. Shawn Edwards commented he would like to replace the stringers along with all the decking. He requested approval to close the bridge beginning July 14, 2014. Mr. Edwards stated that he has budgeted \$65,000 for the project. He is attempting to receive funding from FDOT and should know something by late December 2014

COUNTY ATTORNEY'S REPORT

See written report.

BOARD MEMBER COMMENTS

Commissioner Quave commented that he watched the FFA Convention held in Orlando and the kids did an amazing job. July 4th was a great night with spectacular fireworks at the Turner Center. He greatly enjoyed the Town Hall Meeting last night.

Commissioner Mansfield commented the fireworks were good even though all of them were not delivered. He also attended the Town Hall Meeting and he received questions regarding the County Administrator position. He feels Mandy Hines is doing a great job and would like the Administrator position offered to her.

Commissioner Miller has been impressed by Ms. Hines from the beginning and feels she is totally capable of doing the job. He is concerned with the possibility of losing her and would like her protected in some way. He believes it is a good idea and is 100% behind it.

Commissioner Quave encouraged Ms. Hines and Mr. Conn to meet and come up with some ideas. He would like time to discuss the matter and determine what requirements are not negotiable that Ms. Hines may feel are that important.

Commissioner Selph feels Ms. Hines meets all the attributes he feels are important. The biggest problem he sees is that we lose her as the Coordinator and doing the tasks that are extremely critical and finding a replacement. He does not want her to feel the Board has pushed her into the position. He is in favor of Ms. Hines filling the position only if that is what she wants to do.

Chairman Langford expressed his concerns with hiring an Administrator from the outside. He questioned who will fill her position of County Coordinator? He would prefer to search for a new person to hire as Coordinator, if given a choice.

Mr. Conn suggested, if it is acceptable to the Board, he will meet with Ms. Hines to discuss terms of a contract that she would find acceptable. There was consensus of the Board to allow Mr. Conn's request.

George Lempenau questioned the results of the outside search for County Administrator? He feels it is nice to have choices but hasn't seen any yet. He would endorse Ms. Hines but thinks this process needs to be done correctly. He suggested the Board make a decision with more than one choice.

Ed Johnson agrees with the Board's offer to hire Mandy Hines as County Administrator.

Commissioner Selph commented July 4th parade was excellent. He thanked the Arcadian for hosting the Forum last night and all who attended. He felt the fireworks were great and a good attendance.

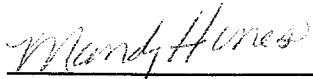
Commissioner Miller commented the July 4th parade was nice but not as well attended as he hoped. He did not attend the fireworks but was able to hear them from his home. He is very confident in hiring Ms. Hines as County Administrator and has some ideas regarding the opportunity for her to resume her previous position as County Coordinator.

Chairman Langford attended the parade and the fireworks. He thanked Steve and the Arcadian for hosting the Forum. He urged all to vote and express the right they were given.


ADJOURNMENT

There being no further business, Chairman Langford adjourned the meeting at 10:35 AM.

ATTEST:



MANDY HINES
INTERIM-COUNTY ADMINISTRATOR

BOARD OF COUNTY COMMISSION
DESOTO COUNTY, FLORIDA


ELTON A. LANGFORD
CHAIRMAN