

**SPECIAL MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD AUGUST 7, 2012 AT 9:00 AM
IN THE COUNTY COMMISSIONERS' MEETING ROOM
ROOM 103, ADMINISTRATION BUILDING
ARCADIA, FLORIDA**

The Board of County Commissioners held a Special Meeting on August 7, 2012 with the following persons present:

Chairman, Buddy Mansfield, Dist#1
Commissioner, Jim Selph, Dist#2
Commissioner, Judy Schaefer, Dist#3
Commissioner, Elton A. Langford, Dist#4
Commissioner Ronald P. Neads, Dist#5
County Attorney, Donald C. Conn
Administrative Services Dir., Linda Nipper

County Administrator, C. Guy Maxcy
County Coordinator, Mandy Hines
Events Coordinator, Jody Sullivan
Office Manager, Lauri Jones
Transcribing Secretary, Jill Thompson
Facilities Director, Richard Metzger

CALL TO ORDER

Chairman Mansfield stated the meeting will discuss the Agreement between the Rodeo Association and the County.

County Attorney, Donn Conn addressed the Rodeo Purchase and Sale Agreement. He stated the Agreement was prepared and a draft was sent to the Rodeo Association. A draft was returned and that is what is presented before the Board today, which is titled The Third Amendment. Mr. Conn also stated the Attorney as well as the President of the Rodeo Association did not feel it was necessary to discuss the changes. Mr. Conn stated he had no hesitancy in recommending to the Board to approve the Third Amendment. Mr. Conn then spoke briefly on the positive aspects of the Third Amendment.

Commissioner Schaefer referred to #3 of the Deed. She questioned Mr. Conn on how the 125% was decided upon. Mr. Conn reported the Rodeo Association decided on the percentage. He could not answer the question due to not having a meeting with the Rodeo Association as to what basis there was for the 125%. Commissioner Langford then referred to #2 of the Deed stating he did not like "replacement cost" and preferred "appraised value" with the reason being it would figure in depreciation. He does agree with #3 of the Deed. Commissioner Selph agreed with Commissioner Langford that he did not agree with the 75% and it is a viable concern for the Board. Further discussion followed.

Commissioner Neads then commented on the lengthy process concerning the purchase and sell between the Rodeo Association and the Board and made a motion to approve Amendment #3. There was further discussion on the matter. Mr. Conn commented there is no perfect contract and this is a product of give and take. Mr. Conn also commented that this is a valid agreement and the Rodeo Association can legally hold the Board responsible if they did not continue with the closing.

Commissioner Mansfield stated the two facilities would work well together and complement each other. Further discussion followed.

Donn Conn stated the closing deadline for the purchase is August 16, 2012 but the Rodeo Association would like to close this week if possible.

Commissioner Neads continued his previous and original motion that the closing date is August 9, 2012 and to approve Third Amendment to Agreement. Motion died for lack of second.

Further discussion followed including comments from Mr. Robert Staton.

Donn Conn stated the Board was not subject to anything until August 16th and if no decision has been made at that time, it will result in breach of contract. Again, Commissioner Neads suggested the Board move forward and avoid a law suit. Further discussion followed including comments from Mr. Ed Johnson, Ms. Jan Harvin and Judge Parker. Judge Parker suggested having the closing then work on any issues with the contract.

Mr. Conn feels that Amendment #3 is a good modification of the Agreement and there may be consequences if there is no closing by August 16, 2012.

Commissioner Neads motioned for a second on his original motion to approve Amendment #3. Commissioner Mansfield questioned Mr. Conn if this would be his recommendation. Mr. Conn replied that this is a binding agreement made better by Amendment #3 and the Board needs to make a decision and honor the Agreement. Commissioner Neads again motioned to approve Amendment #3 and proceed with the closing on Thursday, August 9, 2012. Seconded by Commissioner Mansfield. Motion failed 3-2. Commissioner Schaefer, Commissioner Selph and Commissioner Langford opposed. Commissioner Langford made a motion not to have the closing on Thursday, August 16, 2012. Seconded by Commissioner Selph. Motion failed 3-2. Commissioner Neads, Commissioner Mansfield and Commissioner Schaefer opposed. Mr. Maxcy questioned Mr. Conn if the closing will take place on Thursday, August 16, 2012. Mr. Conn again asked the Board if they are going to proceed to closing, consider and approve Amendment #3. If the Board fails in giving direction, the staff will proceed with the closing before August 16th in which Amendment #3 would not be a part of. Commissioner Neads made a motion to approve Amendment #3 and move forward with the closing date of Thursday, August 9, 2012. Seconded by Commissioner Selph. Motion carried 4-1. Commissioner Langford opposed.

ADJOURNMENT

There being no further business, Chairman Mansfield adjourned the meeting at 11:01 AM.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
DESOLO COUNTY, FLORIDA**



C. GUY MAXCY
COUNTY ADMINISTRATOR



JURIL O. MANSFIELD
CHAIRMAN