CALL TO ORDER

1. Bonding Requirements
   Discussion on bonding requirements for County Construction Projects.
2. Employee and Retiree Insurance Benefits
   Discussion and review of employee and retiree insurance benefits.

NOTE: If special accommodations are required in accordance with the Americans with Disabilities Act, individuals should contact the County Administrator’s Office by calling 863-993-4800 at least forty-eight hours prior to the hearing.
## FY 2013-14 UHC HEALTH PREMIUMS

<table>
<thead>
<tr>
<th>COUNTY</th>
<th>EMPLOYEE</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMPLOYEE ONLY</td>
<td>$667.90</td>
<td>$667.90</td>
</tr>
<tr>
<td>EMPLOYEE &amp; SPOUSE</td>
<td>$285.19</td>
<td>$1,238.28</td>
</tr>
<tr>
<td>EMPLOYEE &amp; CHILDREN</td>
<td>$258.14</td>
<td>$1,184.18</td>
</tr>
<tr>
<td>FAMILY</td>
<td>$341.63</td>
<td>$1,351.16</td>
</tr>
</tbody>
</table>

### BREAKDOWN OF PLAN USAGE

<table>
<thead>
<tr>
<th>(BOCC, CONSTITUTIONAL OFFICERS AND RETIREES)</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEMBERS</td>
</tr>
<tr>
<td>---------</td>
</tr>
<tr>
<td>EMPLOYEE ONLY</td>
</tr>
<tr>
<td>EMPLOYEE &amp; SPOUSE</td>
</tr>
<tr>
<td>EMPLOYEE &amp; CHILDREN</td>
</tr>
<tr>
<td>FAMILY</td>
</tr>
</tbody>
</table>

| TOTAL MEMBERS ON PLAN | 334  |

<table>
<thead>
<tr>
<th>MONTHLY TOTAL COST EMPLOYEE ONLY</th>
<th>COUNTY COST</th>
<th>EMPLOYEE COST</th>
<th>MONTHLY COST</th>
</tr>
</thead>
<tbody>
<tr>
<td>$139,591.10</td>
<td>$0.00</td>
<td>$139,591.10</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MONTHLY COST MINUS EMPLOYEE ONLY</th>
<th>COUNTY COST</th>
<th>EMPLOYEE COST</th>
<th>MONTHLY COST</th>
</tr>
</thead>
<tbody>
<tr>
<td>$121,905.18</td>
<td>$38,417.68</td>
<td>$160,322.86</td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL MONTHLY COST**  $299,913.96

<table>
<thead>
<tr>
<th>YEARLY COST EMPLOYEE ONLY</th>
<th>COUNTY COST</th>
<th>EMPLOYEE COST</th>
<th>MONTHLY COST</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,675,093.20</td>
<td>$0.00</td>
<td>$1,675,093.20</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>YEARLY COST MINUS EMPLOYEE ONLY</th>
<th>COUNTY COST</th>
<th>EMPLOYEE COST</th>
<th>MONTHLY COST</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,462,862.16</td>
<td>$461,012.16</td>
<td>$1,923,874.32</td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL YEARLY COST**  $3,598,967.52

RETIREES ARE INCLUDED IN THE USAGE NUMBERS
**Retiree Premium Information**

| MONTH | Retiree Health | Dep Health | New AARP Health | AARP RX | Health and RX Cost | Retiree Subsidy | Dep Subsidy | Retiree Paid Life | Retiree Paid Vision | Retiree Paid Dental | Total Premium | Total Subsidy | Retiree Cost | Medicare 2013 Rate | Retiree Premium as of Jan 2013 | Medicare Penalty Amount to be paid monthly |
|-------|----------------|------------|-----------------|--------|-------------------|-----------------|-------------|-----------------|-------------------|-------------------|---------------|--------------|-------------|------------------|-----------------------------|--------------------------------|------------------------------------------------|
| $16,697.50 | $5,220.26 | $3,171.77 | $1,227.00 | $26,316.53 | $18,983.40 | $5,099.33 | $127.40 | $48.72 | $454.44 | $26,947.09 | $24,750.63 | $2,193.86 | $419.60 | $696.00 | $276.40 |
| $200,370.00 | $62,643.12 | $38,061.24 | $14,724.00 | $315,798.36 | $227,800.80 | $61,191.96 | $1,528.80 | $584.64 | $5,453.28 | $323,365.08 | $297,007.56 | $26,326.32 | $5,035.20 | $8,352.00 | $3,316.80 |

*12

AS OF 9/13/2013

**Grand Total**

Total Premium + Medicare Penalty: $326,681.88

---

### Eligible for Insurance

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board</td>
<td>13</td>
</tr>
<tr>
<td>Clerk</td>
<td>2</td>
</tr>
<tr>
<td>Property Appraiser</td>
<td>2</td>
</tr>
<tr>
<td>SOE</td>
<td>1</td>
</tr>
<tr>
<td>Tax Collector</td>
<td>4</td>
</tr>
<tr>
<td>Sherrif</td>
<td>11</td>
</tr>
<tr>
<td>Total</td>
<td>33</td>
</tr>
</tbody>
</table>

---

### Categories

<table>
<thead>
<tr>
<th>Category</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>A - AARP</td>
<td>10</td>
</tr>
<tr>
<td>A</td>
<td>17</td>
</tr>
<tr>
<td>B - AARP</td>
<td>1</td>
</tr>
<tr>
<td>B</td>
<td>9</td>
</tr>
<tr>
<td>C</td>
<td>5</td>
</tr>
<tr>
<td>LIFE</td>
<td>12</td>
</tr>
<tr>
<td>TOTAL</td>
<td>54</td>
</tr>
<tr>
<td>SPOUSE AARP</td>
<td>2</td>
</tr>
</tbody>
</table>

Retiree and Dependent Health amounts ($263,013.12) are included in the County's UHC $3.5M Annual Premium amount. Approximately one month of premium ($299,914).

Retiree AARP Health and RX totals ($52,785.24) at current rates. Rates adjust annually as approved by state, new rates for January 2014 not available at this time. New rates for 2014 are expected to be available in October.

11 Individually Currently Eligible for AARP Plan
112.08 Group insurance for public officers, employees, and certain volunteers; physical examinations.—

(1) As used in this section, the term "local governmental unit" means any county, municipality, community college district, school board, or special district or any county officer listed in s. 1(d), Art. VIII of the State Constitution.

(2)(a) Notwithstanding any general law or special act to the contrary, every local governmental unit is authorized to provide and pay out of its available funds for all or part of the premium for life, health, accident, hospitalization, legal expense, or annuity insurance, or all or any kinds of such insurance, for the officers and employees of the local governmental unit and for health, accident, hospitalization, and legal expense insurance for the dependents of such officers and employees upon a group insurance plan and, to that end, to enter into contracts with insurance companies or professional administrators to provide such insurance. Before entering any contract for insurance, the local governmental unit shall advertise for competitive bids; and such contract shall be let upon the basis of such bids. If a contracting health insurance provider becomes financially impaired as determined by the Office of Insurance Regulation of the Financial Services Commission or otherwise fails or refuses to provide the contracted-for coverage or coverages, the local government may purchase insurance, enter into risk management programs, or contract with third-party administrators and may make such acquisitions by advertising for competitive bids or by direct negotiations and contract. The local governmental unit may undertake simultaneous negotiations with those companies which have submitted reasonable and timely bids and are found by the local governmental unit to be fully qualified and capable of meeting all servicing requirements. Each local governmental unit may self-insure any plan for health, accident, and hospitalization coverage or enter into a risk management consortium to provide such coverage, subject to approval based on actuarial soundness by the Office of Insurance Regulation; and each shall contract with an insurance company or professional administrator qualified and approved by the office to administer such a plan.

(b) In order to obtain approval from the Office of Insurance Regulation of any self-insured plan for health, accident, and hospitalization coverage, each local governmental unit or consortium shall submit its plan along with a certification as to the actuarial soundness of the plan, which certification is prepared by an actuary who is a member of the Society of Actuaries or the American Academy of Actuaries. The Office of Insurance Regulation shall not approve the plan unless it determines that the plan is designed to provide sufficient revenues to pay current and future liabilities, as determined according to generally accepted actuarial principles. After implementation of an approved plan, each local governmental unit or consortium shall annually submit to the Office of Insurance Regulation a report which includes a statement prepared by an actuary who is a member of the Society of Actuaries or the American Academy of Actuaries as to the actuarial soundness of the plan. The report is due 90 days after the close of the fiscal year of the plan. The report shall consist of, but is not limited to:

1. The adequacy of contribution rates in meeting the level of benefits provided and the changes, if any, needed in the contribution rates to achieve or preserve a level of funding deemed adequate to enable payment of the benefit amounts provided under the plan and a valuation of present assets, based on statement value, and prospective assets and liabilities of the plan and the extent of any unfunded accrued liabilities.
2. A plan to amortize any unfunded liabilities and a description of actions taken to reduce unfunded liabilities.
3. A description and explanation of actuarial assumptions.
4. A schedule illustrating the amortization of any unfunded liabilities.
5. A comparative review illustrating the level of funds available to the plan from rates, investment income, and other sources realized over the period covered by the report with the assumptions used.

6. A statement by the actuary that the report is complete and accurate and that in the actuary’s opinion the techniques and assumptions used are reasonable and meet the requirements and intent of this subsection.

7. Other factors or statements as required by the office in order to determine the actuarial soundness of the plan.

All assumptions used in the report shall be based on recognized actuarial principles acceptable to the Office of Insurance Regulation. The office shall review the report and shall notify the administrator of the plan and each entity participating in the plan, as identified by the administrator, of any actuarial deficiencies. Each local governmental unit is responsible for payment of valid claims of its employees that are not paid within 60 days after receipt by the plan administrator or consortium.

(c) Every local governmental unit is authorized to expend funds for preemployment physical examinations and postemployment physical examinations.

(3) Each local governmental unit is authorized to commingle in a common fund, plan, or program all payments for life, health, accident, hospitalization, or annuity insurance or all or any kinds of such insurance whether paid by the local governmental unit, officer or employee, or otherwise. The local governmental unit may determine the portion of the cost, if any, of such fund, plan, or program to be paid by officers or employees of the local governmental unit and fix the amounts to be paid by each such officer or employee as will best serve the public interest.

(4)(a) A local governmental unit may, at its discretion, provide group insurance consistent with the provisions of this section for volunteer or auxiliary firefighters, volunteer or auxiliary law enforcement agents, or volunteer or auxiliary ambulance or emergency service personnel within its jurisdiction. No insurance provided to volunteer personnel shall be used in the computation of workers’ compensation benefits or in the determination of employee status for the purposes of collective bargaining.

(b) Benefits provided under group insurance policies pursuant to paragraph (a) shall not exceed benefits provided to employees under subsection (2) and ss. 112.19 and 112.191.

(5) The Department of Management Services shall initiate and supervise a group insurance program providing death and disability benefits for active members of the Florida Highway Patrol Auxiliary, with coverage beginning July 1, 1978, and purchased from state funds appropriated for that purpose. The Department of Management Services, in cooperation with the Office of Insurance Regulation, shall prepare specifications necessary to implement the program, and the Department of Management Services shall receive bids and award the contract in accordance with general law.

(6) The Financial Services Commission is authorized to adopt rules to carry out the provisions of this section as they pertain to its duties.

(7) All medical records and medical claims records in the custody of a unit of county or municipal government relating to county or municipal employees, former county or municipal employees, or eligible dependents of such employees enrolled in a county or municipal group insurance plan or self-insurance plan shall be kept confidential and are exempt from the provisions of s. 119.07(1). Such records shall not be furnished to any person other than the employee or the employee’s legal representative, except upon written authorization of the employee, but may be furnished in any civil or criminal action, unless otherwise prohibited by law, upon the issuance of a subpoena from a court of competent jurisdiction and proper notice to the employee or the employee’s legal representative by the party seeking such records.

(8) Patient medical records and medical claims records of water management district employees, former employees, and eligible dependents in the custody or control of the water management district under its group insurance plan established pursuant to s. 373.605 are confidential and exempt from s. 119.07(1). Such records shall
not be furnished to any person other than the employee or the employee’s legal representative, except upon written authorization of the employee, but may be furnished in any civil or criminal action, unless otherwise prohibited by law, upon the issuance of a subpoena from a court of competent jurisdiction and proper notice to the employee or the employee’s legal representative by the party seeking such records.

**History.**—s. 1, ch. 20852, 1941; s. 1, ch. 69-300; s. 1, ch. 72-338; s. 1, ch. 76-208; s. 1, ch. 77-89; s. 50, ch. 79-40; s. 1, ch. 79-337; s. 67, ch. 79-400; s. 3, ch. 83-292; ss. 1, 2, ch. 84-307; s. 4, ch. 86-180; s. 26, ch. 90-360; s. 41, ch. 92-279; s. 55, ch. 92-326; s. 687, ch. 95-147; s. 33, ch. 96-406; s. 1, ch. 2001-123; s. 124, ch. 2003-261; s. 6, ch. 2004-305; s. 13, ch. 2005-2.
112.0801  Group insurance; participation by retired employees.—

(1) Any state agency, county, municipality, special district, community college, or district school board that provides life, health, accident, hospitalization, or annuity insurance, or all of any kinds of such insurance, for its officers and employees and their dependents upon a group insurance plan or self-insurance plan shall allow all former personnel who retired before October 1, 1987, as well as those who retire on or after such date, and their eligible dependents, the option of continuing to participate in the group insurance plan or self-insurance plan. Retirees and their eligible dependents shall be offered the same health and hospitalization insurance coverage as is offered to active employees at a premium cost of no more than the premium cost applicable to active employees. For retired employees and their eligible dependents, the cost of continued participation may be paid by the employer or by the retired employees. To determine health and hospitalization plan costs, the employer shall commingle the claims experience of the retiree group with the claims experience of the active employees; and, for other types of coverage, the employer may commingle the claims experience of the retiree group with the claims experience of active employees. Retirees covered under Medicare may be experience-rated separately from the retirees not covered by Medicare and from active employees if the total premium does not exceed that of the active group and coverage is basically the same as for the active group.

(2) For purposes of this section, “retiree” means any officer or employee who retires under a state retirement system or a state optional annuity or retirement program or is placed on disability retirement and who begins receiving retirement benefits immediately after retirement from employment. In addition to these requirements, any officer or employee who retires under the Florida Retirement System Investment Plan established under part II of chapter 121 is considered a “retired officer or employee” or “retiree” as used in this section if he or she:

(a) Meets the age and service requirements to qualify for normal retirement as set forth in s. 121.021(29); or
(b) Has attained the age specified by s. 72(t)(2)(A)(i) of the Internal Revenue Code and has the years of service required for vesting as set forth in s. 121.021(45).

History.—s. 2, ch. 76-151; s. 1, ch. 79-88; s. 1, ch. 80-304; s. 5, ch. 81-103; s. 1, ch. 83-294; s. 1, ch. 87-373; s. 1, ch. 2007-92; s. 1, ch. 2007-100; s. 2, ch. 2011-68.
Employee, Retiree and P&C Insurance History

November 12, 1986 – Health Insurance Rates – discussion of increase to premiums effective Jan 1, 1987 and request for options to reduce the increase.

December 30, 1986 – Health Insurance – Aetna offered 4 plans to reduce the proposed 22.5%, approved options #2 & #3 to reduce to a 10% increase.

January 12, 1988 – Employee Group Insurance Proposals – 4 proposals presented all with increases over the current insurance cost, request for review of a deductible increase to lower costs.


September 1989 – Group Health Insurance – Board move to join the SFIRMA group health pool when established.

November 28, 1989 – Supplemental Life Insurance, Liberty National denied by Board to offer through payroll deduction.

July 18, 1991 – Workshop – discussion of County Health Insurance program.

September 22, 1992 – Budget hearing – discussion of funding for increased insurance premium cost included in budget.


March 14, 1996 – Discussion of Employee Health with PRM recommended change to BCBS health plans.

July 23, 1996 – Discussion of Employee Health, reviewed PRM opinion and staff recommendation to change to BCBS, continued until July 30th.

July 30, 1996 – Discussion of Employee Health, reviewed options available and recommended BCBS as PRM carrier for Group Health Trust.

May 12, 1998 – Discussion of Health Insurance for Employee on Extended Medical Leave.

July 28, 1998 – Discussion and history of County’s PRM involvement and P&C coverage.

September 23, 1998 – Policy Change on Payment of Health Care Premiums for Part-Time Employees.

September 24, 1998 – Special meeting - Revised policy on payment of Healthcare premiums – Board requested change.

March 30, 1999 – Insurance Continuation for County Employee.

July 13, 1999 – Property/Casualty and Worker's Compensation Insurance request for staff to go out for RFP.

August 24, 1999 – County Health Insurance, notification to Board of 14.7% increase.

September 14, 1999 – Property/Casualty & Worker’s Compensation Insurance RFP Bid discussion and recommendation.

March 26, 2001 – Insurance upgrade of Life and AD&D from $5,000 to 1x annual salary for each Board employee, Elected Officials not included.

October 23, 2001 – Insurance for Retired BCC Employees, assumption of increase in insurance cost for retired employees.

June 29, 2002 – Emergency Services transition discussions.

July 30, 2002 – Budget Workshop – discussion of retiree insurance funding and creation of a retiree policy.

September 12, 2002 – Budget hearing – paying Retiree insurance increase for Sheriff’s Dept, also discussed was paying for the total health cost for retired employees of the Board.

August 19, 2003 – Budget Workshop – discussed the issue of retiree insurance for Sheriff’s Dept.

Sept 9, 3002 – Policies – Employee Health Insurance Benefit and Retirees Health Insurance Coverage

September 16, 2004 – Budget Hearing – discussed Health, Dental and BCC portion of Spouse and dependent coverage, Worker’s Comp increase and P&C decrease adjustments.

September 30, 2004 – discussion of retiree insurance and policy.

November 9, 2004 – Discussion of Policy for Retiree Health Insurance coverage, directed to be brought back with all options and support scenarios.
December 14, 2004 – Policy for Retiree Health Insurance coverage, provided 3 different options, option #3 approved.

January 11, 2005 – Retiree requested the Board revisit the Retired County Employee Health Insurance Coverage Policy, Board stated it would be reviewed and brought back.

January 25, 2005 – Policy Amendment /Retired county Employees Health Insurance Coverage, amendment to grandfather retirees who receive a greater benefit under the Sept 9, 2003 policy, workshop requested for more review of policy.

February 8, 2005 – Workshop – Retired County employee Health Insurance Coverage – discussion of 4 options, requested option #3 by majority consensus and requested new policy with cost figures for Board review.

March 8, 2005 – discussion of draft policy based on workshop, motion made and approved to keep the current policy with one change.

July 18, 2006 – Workshop – discussion of an expected 30% increase in P&C.


August 21, 2006 – Policy/Employee Health Insurance Benefit – Request to establish a policy for all employees including Constitutional Officers. Policy adopted with County and Employee each paying 50% for dependent coverage.

July 30, 2007 – Budget workshop - Personnel Benefits – increases for Retirement, 15% increase for Health insurance, increases Worker’s Comp, FICA, and budgeted full cost of Family/retiree Health Insurance.

February 12, 2008 -- Workshop - Employee and Retiree Health benefits– GASB 45 actuary discussion and options for the Board to consider.

March 11, 2008 -- Workshop - Employee and Retiree Health benefits -- Discussion of 5 unfunded scenarios and the affect on the Actuarial Accrued Liability figures.

October 14, 2008 -- Workshop – Health Insurance plans review for 2008, discussion of GASB 45 and consensus of Board to eliminate the policy regarding retirees turning over the FRS insurance subsidy.

October 28, 2008 -- Health Plan Design changes and Retired Employee Health Insurance Benefit change – Recommendation to change BCBS plan; save County $486,200 annually, motion approved. Due to GASB 45 issues recommended approval to freeze contribution rates at Dec 31, 2008 rates; acknowledge qualification of the 16/8 yr individuals as of Dec 31, 2008; repeal
the required contribution to the County of the Health insurance subsidy received by the employee form FRS.

**February 10, 2009** – Resolution formalizing the modification to the Retiree Medical Insurance Policy approved on Oct 28, 2009.

**March 23, 2009** – PRM notification of Intent to Withdraw for P&C as required in By-laws.

**December 15, 2009** – Retiree Health Insurance Policy – resolution to amend the Feb 10, 2009 policy to consider years of service as well as age to be considered for retirement.

**March 9, 2010** – Workshop – Notification of a 3% increase in Health care for next fiscal year.

**April 13, 2010** – PRM BCBS Dental Program – recommendation to eliminate funding for employee dental insurance becoming effective June 1st.

**July 13, 2010** – Budget Workshop - notification to the Board that the County received notice of a 15% increase in health insurance premiums instead of the 3% expected.

**July 27, 2010** – Budget Workshop – Question raised about the 15% increase in Employee Health Insurance and possible options to cut the expense. Presentation and discussion scheduled to the Board meeting later that day.

**July 27, 2010** – Board meeting - PRM Health Insurance Increase – discussion with Richard Schell concerning the factors causing the 15% rise in BCBS health rates.

**December 14, 2010** – Commissioner Langford requested to revisit premiums for employee insurance and any options available, item was being researched and would be provided to the Board by April prior to new budget process.

**May 24, 2011** – Budget workshop – Presentation of 3 budget options to the Board, each with a 10% projected health insurance increase.

**June 28, 2011** – Agreement with PRIA – staff was tasked to review current Health issues and determine future needs. An Insurance Committee was formed and spoke with several agencies and it decided to utilize a piggyback agreement with Gilchrist County to retain an Agent of Record to ensure no lapse in coverage and to review and recommend plan design options.

**July 15, 2011** – Special meeting - Approval of PRM P&C Insurance for next fiscal year.

August 23, 2011 – discussion of Retiree Health – UHC does not offer a reduced Medicare eligible rate for retirees and the Insurance committee recommends just one subsidized rate and to allow employees to move between the UHC plan and any offered Medicare Supplement/RX plan. Policy approved to change to allow moving between plans during Open Enrollment and provide a rate for retirees of $581.55 that was in effect Dec 31, 2008.

September 13, 2011 – Resolution Retiree Medical Health insurance – resolution incorporated the items approved on Aug 23, 2011. A workshop was requested and also the creation of an Insurance committee comprised of the 5 elected officials and one commissioner and one retiree.

October 11, 2011 – discussion of the Retiree Health policy issues and concerns that need to be changed or addressed, confirm agreement of items, select date for committee to meet, and policy changes would come back to the Board at the next meeting or as determined by the Board. Two issues were noted one – County should pay 100% for retirees and should pay the penalty for those who were misinformed and did not sign up for Medicare Part B. DROP individuals would fall into whatever category as of their DROP entry date.

October 25, 2011 – Resolution – Retiree Medical Health Insurance – adopted resolution amending the policy by removing highlighted wording and change dollar amount to 100% for retirees only.

February 14, 2012 – Resolution – Retiree Medical Health Insurance – adopted language to grandfather widows and widowers on the plan as of Dec 31, 2008 to continue to receive the dependent subsidized benefit.

April 10, 2012 – Discussion of City Council meeting concerning Firefighter Health insurance who were brought over during the merger.

May 8, 2012 – Resolution – Retiree Medical Health Insurance – discussion of Firefighters that merged from the city and recommendation to pay the percentage not paid by the City. On April 3, 2012 the City approved a pro-rated employee only benefits to be paid until individuals are Medicare eligible at age 65. New language added to policy that Fire Rescue individuals that are eligible to be approved by the Board on a case-by-case basis to receive the amount not covered by the City until Medicare eligible. Discussion of liability issue stating figures from 2008.

June 26, 2012 – Resolution – PRM intent to withdraw from P&C as required by by-laws.

August 14, 2012 – Approval of Group Insurance for FY 12-13 – approval of health, dental, life and vision plans and premiums.
PUBLICATION OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON MARCH 26, 2001 AT 6:30 PM
BOARD OF COUNTY COMMISSIONERS’ MEETING ROOM
ROOM 103, ADMINISTRATION BUILDING
ARCADIA, FLORIDA

The Board of County Commissioners held a Public Hearing on March 26, 2001 at 6:30 PM with the following persons present:

Chairman, Jerry G. Hill, Dist#2
Commissioner T. Felton Garner, Dist#1
Commissioner William H. Altman, Dist#3
Commissioner T.L. “Terry” Welles, Dist#4
Commissioner Ronald P. Neads, Dist#5
County Administrator, James Chisholm
County Attorney, Preston Everett

Emergency Mgmt. Director, Cathy Furr
Transportation Director, A.D. Neal
Purchasing Director, Steve Howard
Finance Supervisor, Terri Kesner
Office Manager, Carol Treadwell
Recording Secretary, Betty Burhans

CHAIRMAN HILL CALLED THE MEETING TO ORDER
PUBLIC FORUM
None
CONSENT AGENDA
Motion was made by Commissioner Welles to approve the accounts and warrants drawn according to schedule of bills payable, Minutes of March 13, 2001 with correction (Change Representative Powell to Representative Paul) and Budget Amendment #2001-15 (Hazard Mitigation Grant Funds) as presented. Seconded by Commissioner Garner. Motion carried unanimously.

PUBLIC HEARING
None

REGULAR BUSINESS
Agreement-First Baptist Church
Ms. Furr requested that the Board approve the Annual Agreement with First Baptist Church concerning the use of the Church as a Special Needs Shelter by the Desoto County Board of County Commissioners Division of Emergency Management. Motion was made by Commissioner Welles to approve the Agreement as presented. Seconded by Commissioner Garner. Motion carried unanimously.

Bid Award-Mechanical Repair Services
Mr. Chisholm stated that formal bids were solicited for Mechanical Repair Services on an as needed basis. One bid was received. Staff recommends awarding the bid to Ringhaver Equipment Company. Brief discussion followed regarding the 40% handling charge and holiday work. Motion was made by Commissioner Neads to award the bid to Ringhaver Equipment Company as recommended. Seconded by Commissioner Garner. Motion carried unanimously.

Resolution-Support for E.I.S. of Coastal & Industrial Development
Mr. Chisholm stated that the Peace River/Manasota Regional Water Supply Authority requested the County’s support of a complete study of all environmental impacts of coastal and industrial development within the Southwest Florida Water Management
District. Mr. Chisholm read the Resolution for the record. Commissioner Welles questioned whether this would obligate the County financially. Mr. Chisholm stated that it would not. Brief discussion followed regarding desalination and finding other methods to meet local water demand requirements. Motion was made by Commissioner Altman to adopt the Resolution as presented. Seconded by Commissioner Neads. Motion carried unanimously.

**Use of DeSoto Park**
Ms. Kelly Beall requested use of DeSoto Park on May 18th, 19th and 20th for the Arcadia Watermelon Festival. Ms. Beall stated that she was new at doing this and needed to know what requirements there were for use of the Park. Mr. Chisholm stated that Ms. Beall could obtain the material packet from his office and staff will assist her if needed. Motion was made by Commissioner Welles to approve the use of DeSoto Park by the Arcadia Watermelon Association. Seconded by Commissioner Garner. Motion carried unanimously. Commissioner Neads commended Ms. Beall on her efforts to keep the Watermelon Association together.

**Insurance Upgrade**
Mr. Chisholm recommended that the Board approve an increase of the Life and Accidental Death and Dismemberment Insurance for Board staff employees from a $5,000 policy to one times the annual salary of each employee. Commissioner Altman questioned whether the other elected officials were included. Mr. Chisholm stated that they are not. Brief discussion followed regarding cost. Motion was made by Commissioner Neads to approve the increase as presented. Seconded by Commissioner Altman. Motion carried unanimously.

**DACS Contract Amendment-Turner Agri-Civic Center**
Mr. Chisholm stated that he had received a second amendment to the Department of Agriculture & Consumer Services Contract for the Agri-Civic Center Grant. The amendment deals with Single Audit requirements and renumbers other sections. This does not affect the County monetarily in any way. Motion was made by Commissioner Garner to approve the amendment as presented. Seconded by Commissioner Welles. Motion carried unanimously.

**ADMINISTRATOR’S REPORT**
Mr. Chisholm provided an update on the New South County Fire Station-A few corrections need to be made, but will try to have it completed next week and the Turner Agri-Civic Center-They are proceeding and hope to go out for bids by the first of April or shortly thereafter. Brief discussion followed regarding specifications to be built as a hurricane shelter. Mr. Chisholm stated that it would be built to hurricane standards whether they received any additional State funding or not. Chairman Hill inquired about a construction start date. Mr. Chisholm stated that it should start within 30 days of bid award.

Mr. Chisholm stated that the Governor has designated March 25-31 as Juvenile Justice Week. The local Juvenile Justice Office will be holding an open house on Wednesday, March 28, 2001 from 12:00-4:00. It was pointed out that all Commissioners with the exception of Commissioner Garner would be in Tallahassee on this date. Motion was made by Commissioner Neads to appoint Commissioner Garner to represent the Board at the Open House. Seconded by Commissioner Altman. Motion carried unanimously.
The Board of County Commissioners held a Public Hearing on October 23, 2001 at 6:30 PM with the following persons present:

Chairman, Jerry G. Hill, Dist#2
Commissioner T. Felton Garner, Dist#1
Commissioner William H. Altman, Dist#3
Commissioner T.L. “Terry” Welles, Dist#4
Commissioner Ronald P. Neads, Dist#5
County Administrator, James Chisholm
County Attorney, Preston Everett
Recording Secretary, Betty Burhans
Co. Development Director, June Fisher
Human Resources Director, Paul Erickson
Transportation Director, A. D. Neal
County Coordinator, Kenneth Knight
Public Safety Director, Elmer Taylor
Building Official, Larry Hilton
Admin. Services Director, Terri Kesner
Office Manager, Carol Treadwell

CHAIRMAN HILL CALLED THE MEETING TO ORDER
PUBLIC FORUM
Mr. Robert Bell expressed his gratitude for the great job that has been done by Mr. Doug Mann and the Probation Department with the trash cleanup on County Roads. Mr. Bell stated that it has saved the taxpayers a great deal of money and would like to see the program continue and expand.

Ms. Sophie Rhodes, President of S & R Excavating requested that the Board release her Bond as her mining activities have been completed. Ms. Fisher stated that Ms. Rhodes still has the trailer and equipment on the property and according to the LDR’s these must be removed prior to release of the Bond. Ms. Rhodes stated that the trailer is to be used for storage for a new business and the equipment needs to stay for the spreading of the dirt that is brought in from the County. Brief discussion followed. Mr. Chisholm asked Ms. Rhodes to schedule a meeting with his office in order to resolve this issue, if possible and if not, he will bring back a report and recommendation to the Board.

CONSENT AGENDA
Motion was made by Commissioner Altman to approve the accounts and warrants drawn according to schedule of bills payable, Minutes of September 25, 2001 Workshop, September 25, 2001 Public Hearing and October 9, 2001 Regular Meeting, USDA Natural Resources Conservation Services Agreement, Outside Agency Funding Agreements (DeSoto County Health Department, Habitat for Humanity, Suncoast Center for Independent Living and Breath of Life Pregnancy Crisis Center of the Calvary Baptist Church), Hartford Life Insurance Deferred Compensation and Optional Annuity Plan and Write Offs for Uncollectable Medical Services Accounts and Medicare/Medicaid Disallowed Accounts. Seconded by Commissioner Garner. Motion carried unanimously.

PROCLAMATION
Ms. Karen Blanchette with Senior Friendship Centers requested that the Board recognize, support and proclaim November 4, 2001 as “Obligation Day” in DeSoto County. Mr.
Department of Interior USGS Joint Funding Agreement
Mr. Chisholm requested that the Board approve the U.S. Geological Survey Annual Joint Funding Agreement for the maintenance of cellular telephones at the Horse Creek Gauging Station. Motion was made by Commissioner Neads to authorize the Chairman to execute the Agreement as presented. Seconded by Commissioner Welles. Motion carried unanimously.

DCA Emergency Management Preparedness Assistance (EMPA) Trust Fund Agreement
Mr. Chisholm requested that the Board approve the Dept. of Community Affairs’ Annual EMPA Trust Fund Agreement to continue the enhancement of the local Emergency Management Program. Motion was made by Commissioner Welles to authorize the Chairman to execute the Agreement as presented. Seconded by Commissioner Neads. Motion carried unanimously.

Resolution/Wal-Mart Supercenter Project
Mr. Chisholm requested that the Board approve the Resolution adopting the setting of certain fees and charges for the Wal-Mart Supercenter Project. These were the fees and charges agreed upon in the Wal-Mart & Florida Water Services Water & Sewer Service Agreement, which was assumed by the County as part of it’s acquisition of FWS. This Resolution is for this development only, in order to allow the project to move forward. Motion was made by Commissioner Altman to adopt the Resolution as presented. Seconded by Commissioner Neads. Motion carried unanimously.

DCYAA Request for Ambulance Support
Mr. Chisholm stated that DCYAA feels the need for a Paramedic/EMT presence on the sidelines, while their football games are in process and therefore are requesting assistance from the County. Chief Taylor presented a short-term solution and four scenarios for long-term solutions beginning in 2002. Mr. Allen Wicky, President of DCYAA stated that they had limited funding and would prefer not to have to pay an off duty Paramedic/EMT. Brief discussion followed. Board directed Staff to meet with DCYAA to work out details for immediate coverage. Motion was made by Commissioner Welles to approve Scenario 1 in which DCYAA would pay off duty Paramedic/EMT to man the County’s reserve rescue for the time needed. Seconded by Commissioner Garner. Motion carried unanimously.

Insurance/Retired BCC Employees
Mr. Chisholm stated that in September the Board decided to provide relief with the increased cost of family health insurance for Board employees. It has been suggested that the Board review cost for the possible assumption of this year’s increase for retired employees. There are currently eight retired employees and the cost to assume the increase would be approximately $9,000. Discussion followed. Motion was made by Commissioner Neads to approve the County’s assumption of the increase in insurance cost for retired employees. Seconded by Commissioner Welles. Mr. Everett read the Florida Statute relative to this issue. It stated that benefits offer to regular employees must be provided to retired employees. The Board felt that it was mute to discuss any further as it appeared that this was something they had to do. Commissioner Neads and Commissioner Welles withdrew the motion and second.
The Board of County Commissioners held a Budget Workshop on July 30, 2002 at 9:00 AM with the following persons present:

Chairman T.L. “Terry” Welles, Dist#4
Commissioner, Jerry G. Hill, Dist#2
Commissioner T. Felton Garner, Dist#1
Commissioner William H. Altman, Dist#3
Commissioner Ronald P. Neads, Dist#5

County Administrator, James Chisholm
Administrative Services Dir., Terri Kesner
Office Manager, Carol Treadwell
Transcribing Secretary, Betty Burhans

CHAIRMAN WELLES CALLED THE MEETING TO ORDER

Clerk of Court-Mr. Chisholm stated Ms. McGavic requested $72,000 for Software and Hardware under Capital Equipment. Staff will fund this request out of the Court Facilities Fund. Ms. McGavic stated that it is a Federal mandate that she be on-line and that Manatee County was hosting her website. She is also requesting another server and a part-time microfilming position. Discussion followed regarding the computer system the Board has been looking at. Mr. Chisholm stated that the Elected Officials have unique needs and data base requirements, however, we hope to eventually have links between the Board and the Elected Officials. Staff was directed to place a $60,000 equipment line item in the Court Facilities Fund.

Supervisor of Elections-Mr. Chisholm stated that there were no changes and this was a good budget.

Sheriff’s Department-Mr. Chisholm stated that Staff is continuing to work with Sheriff Fugate on his budget.

Mr. Chisholm stated that the 3% raise for employees is in the budget as well as funding for employee bonuses. Mr. Chisholm stressed that the Board has a hard working group of employees and he would like to see them given a bonus this year. He further indicated attrition takes care of the cost to do this. Discussion followed and the Board agreed that they had very hard working group of employees and had no problem giving them a bonus, however, they did want it understood that this is not automatic every year. Mr. Chisholm will draft a letter for Board approval explaining the bonus program that will be included with their bonus check. Mr. Chisholm proposed that the Board fund insurance cost for retired employees. Brief discussion followed and the Board instructed Mr. Chisholm to put in the budget this year and to draft a set policy for this issue so that there are clear guidelines as what will constitute a retired employee. Further discussion followed regarding the various perks that employees receive and it was suggested that...
this sheet also be included with the letter to employees so that they may know the real value of their paycheck.

Chairman Welles stated that he was concerned about the lack of overtime funding in the County Development Department budget. Mr. Chisholm stated that $10,000 would be placed in that line item.

Commissioner Hill stated that he was concerned about the replacement of the mobile home in Morgan Park as it is very old and has been flooded several times. Mr. Chisholm stated that Staff would inspect the mobile home and make recommendations. He further indicated that Staff was working on some other ideas for Morgan Park.

Commissioner Altman stated that the County has had a tremendous year and that the Board should take a look at the County Administrator’s salary. He has done a tremendous job by bringing in $17 million dollars and he deserves to be rewarded just as any of the other employees. Lengthy discussion followed regarding what would be appropriate (raise, bonus, deferred compensation, etc.) The Board will meet with Mr. Chisholm to discuss options at a later date. Mr. Chisholm stated that he would like to see his anniversary date to change from January 1 to October 1 of each year to coincide with the fiscal year. The Board felt this was reasonable and Mr. Chisholm will bring before the Board for approval.

**ADJOURNMENT**
There being no further business, the Chairman adjourned the meeting.

---

BOARD OF COUNTY COMMISSIONERS
DESOTO COUNTY, FLORIDA

T.L. WELLES
CHAIRMAN

ATTEST:

JAMES V. CHISHOLM
COUNTY ADMINISTRATOR
PUBLIC HEARING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON SEPTEMBER 12, 2002 AT 6:00 PM
BOARD OF COUNTY COMMISSIONERS' MEETING ROOM
ROOM 103, ADMINISTRATION BUILDING
ARCADIA, FLORIDA

The Board of County Commissioners held a Public Hearing on September 12, 2002 at 6:00 PM with the following persons present:

Chairman T.L. “Terry” Welles, Dist#4          Admin. Services Dir., Terri Kesner
Commissioner, Jerry G. Hill, Dist#2          Public Safety Director, Elmer Taylor
Commissioner T. Felton Garner, Dist#1        Government Specialist, Mary Slapp
Commissioner Ronald P. Neads, Dist#5         Emergency Mgmt. Dir., Cathy Furr
County Administrator, James Chisholm          Env. Services Director, Billy Hines
County Attorney, Michael Davis                P&M Facilities Dir., Richard Metzger
Office Manager, Carol Treadwell               Recording Secretary, Betty Burhans

CHAIRMAN WELLES CALLED THE MEETING TO ORDER
PRESENTATION OF FY 2002-03 BUDGET

Mr. Chisholm stated that the proposed Millage Rate is 8.1 and the Rollback Rate 8.0 which means a reduction in tax rates for the coming year. The MSTU and MSBU rate is .451 which is a decrease from last year’s budget. Mr. Chisholm stated that the unique thing about this budget is the $21,799,646 in State & Federal Grant monies. This is a large return of taxpayer’s money to this County. Mr. Chisholm indicated that there were two more employers looking at DeSoto County which could bring an additional 300 jobs. Commissioner Hill questioned the Reserves. Mr. Chisholm stated that there is a total of $8,889,208 in Reserves in the various funds. Mr. Chisholm reviewed the following revenue and expenditure funds:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Estimated Revenues</th>
<th>Expenditures/Expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$14,606,662</td>
<td>$14,606,662</td>
</tr>
<tr>
<td>Special Revenue</td>
<td>$3,860,059</td>
<td>$3,860,059</td>
</tr>
<tr>
<td>Capital Projects</td>
<td>$20,970,819</td>
<td>$20,970,819</td>
</tr>
<tr>
<td>Enterprise</td>
<td>$22,340,757</td>
<td>$22,340,757</td>
</tr>
<tr>
<td>Trust &amp; Agency</td>
<td>$44,609</td>
<td>44,609</td>
</tr>
<tr>
<td>Transportation</td>
<td>$20,755,627</td>
<td>$20,755,627</td>
</tr>
<tr>
<td>Debt Services</td>
<td>$4,052,889</td>
<td>4,052,889</td>
</tr>
<tr>
<td>TOTAL BUDGET</td>
<td>$86,631,422</td>
<td>$86,631,422</td>
</tr>
</tbody>
</table>

Commissioner Neads questioned the increase/decrease in the Infrastructure Sales Tax. Mr. Chisholm indicated that it Sunsets in December 2002. Chairman Welles noted the approximately $1 million additional Ad Valorem Taxes next year. Chairman Welles asked for public input. There was none. Mr. Chisholm further reviewed the Departments supported by the General Fund which included the Elected Officials, Board of County Commissioners and their various departments. Chairman Welles inquired about a new building for Animal Control. Mr. Chisholm stated that it was in the Budget for this year. Mr. Chisholm briefly reviewed the Transportation Fund Budget and indicated that the
large increase in this Budget was mainly due to the 2002 Bond Revenue and some Grant Funding. Mr. Chisholm briefly reviewed the Public Safety Department Budget and indicated that the decreased Budget was due to the New Fire Station being completed and the changes with the MSTU and MSBU Assessments.

Commissioner Neads inquired about paying the insurance increase for the Sheriff’s Department retired employees. Mr. Chisholm stated that he was reviewing with the Attorney. The Board’s retired employees increase is covered in the Budget. Brief discussion followed regarding the increases in the health insurance and the property/casualty insurance. Also discussed was paying the total health insurance cost for retired employees of the Board. Mr. Chisholm stated that staff is putting together a draft policy for Board review. Chairman Welles asked for public input. There was none. All Board members agreed that this was a very good, precise and well understood Budget and felt staff had done a great job. Motion was made by Commissioner Garner to approve the Tentative Budget as presented. Seconded by Commissioner Hill. Motion carried unanimously. Chairman Welles noted that Commissioner Altman was out ill.

Mr. Chisholm requested that the Board approve the renewal of the Medical Examiners Agreement. There have been no changes and it is being extended for another year. Motion was made by Commissioner Hill to approve the Agreement as presented. Seconded by Commissioner Garner. Motion carried unanimously. Chairman Welles requested that Commissioner Neads be appointed to the Canvassing Board due to Commissioner Altman’s illness. Commissioner Neads agreed to serve on the Canvassing Board as requested. Mr. Chisholm stated that the State has approached DeSoto County to be an applicant for the Vocational Job Corp Program. It could create another 150 jobs for the County. Brief discussion followed. Motion was made by Commissioner Garner to authorize staff to proceed with necessary documents. Seconded by Commissioner Neads. Motion carried unanimously. Mr. Chisholm stated that a very exciting year is ahead for the County. Commissioner Hill stated that there was disappointment with the closing of G. Pierce Wood, however, things seem to work themselves out. Commissioner Neads stated that at the Heartland Workforce Board Meeting discussions were held for a Training Program for the Wal-Mart Distribution Center employment. Commissioner Neads also reported that the Florida Wildlife Commission is going to pass the speed limits, idle zones and wake zones on the Peace River. He will continue to share any additional information he receives.

ADJOURNMENT
There being no further business, the Chairman adjourned the meeting.

BOARD OF COUNTY COMMISSIONERS
DESOOTO COUNTY, FLORIDA

ATTEST:

T.L. WELLES
CHAIRMAN

JAMES V. CHISHOLM
COUNTY ADMINISTRATOR
REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON SEPTEMBER 9, 2003 AT 9:00 AM
BOARD OF COUNTY COMMISSIONERS’ MEETING ROOM
ROOM 103, ADMINISTRATION BUILDING
ARCADIA, FLORIDA

The Board of County Commissioners held a Regular Meeting on September 9, 2003 at 9:00 AM with the following persons present:

Chairman Ronald P. Neads, Dist#5
Commissioner, Jerry G. Hill, Dist#2
Commissioner T. Felton Garner, Dist#1
Commissioner William H. Altman, Dist#3
County Commissioner T.L. Welles, Dist#4
County Administrator, James Chisholm
County Attorney, Howard Holtzendorf
D.A. State & Fed. Relations, Mary Slapp
Office Manager, Carol Treadwell
Recording Secretary, Betty Burhans

Building Official, Larry Hilton
Emergency Mgmt. Director Cathy Furr
MSBU Technician, Linda Nipper
Co. Coordinator, Nicolle Smith
Public Info Coordinator, Matt Holloman
P&M Facilities Dir., Richard Metzger
Public Works Dir., Fred Dybdahl
Utilities Dept. Director, Vincent Akhlimie
Library Director, Elizabeth Kenney

CHAIRMAN NEADS CALLED THE MEETING TO ORDER
PUBLIC FORUM FOR NON-AGENDA ITEMS
None

CONSENT AGENDA
Mr. Chisholm briefly reviewed the Consent Agenda. Discussion followed regarding item #4 and it was pulled for further discussion. Motion was made by Commissioner Welles to approve accounts and warrants according to schedule of bills payable, Minutes of August 12, 2003 Public Hearing, Resolution for Acceptance of Quit-Claim Deed from Nanette B. Turner, Resolution for Acceptance of Quit-Claim Deed from B & D Stevenson Family Limited Partnership and Resolution for Acceptance of Quit-Claim Deed from Stevenson Family Limited Partnership, respectively, for right-of-way for NE Civic Center Drive, 2003 FEMA Supplement Grant-COOP/Terrorism Annex Agreement Modification to extend termination date to April 2004, Annual Renewal of the U.S. Geological Survey Joint Funding Agreement and Annual Renewal of the Transportation Disadvantaged 2003/2004 Supplemental #1 Planning Grant Agreement. Seconded by Commissioner Garner. Motion carried unanimously.

Amendment to FDOT/5-Year Road Program Priority List
This item was tabled until later in the meeting in order for staff to contact FDOT regarding the combining of Priority 1 & 2.

PRESENTATION
Hargrave/Esmerelda Master Plan/Richard Metzger
Mr. Metzger provided an overview of the Master Plan for Hargrave/Esmerald Complex. Commissioner Neads inquired about meetings with the DCYAA. Mr. Metzger stated that he does meet with them regularly and they are very pleased with the project. Motion was made by Commissioner Altman to approve the Master Plan as presented. Seconded by Commissioner Garner. Motion carried unanimously.
excess of $500,000 to DeSoto for severe storm and flooding events resulting in a declaration of Emergency by the Governor in Executive Order 03-111. Motion was made by Commissioner Altman to approve the Agreement as presented. Seconded by Commissioner Welles. Motion carried unanimously.

**Agreement Amendment/OTTED**

Mr. Chisholm stated that the County has received grant funds from the Office of Tourism Trade and Economic Development through the Rural Infrastructure Fund to finance infrastructure projects to encourage job creation, capital investment and strengthening of DeSoto County’s economy by the location of “Project Prairie”. This amendment will extend the agreement term until June 2005. He requested Board approval of the Agreement Amendment and authorization for the Chairman to execute. Motion was made by Commissioner Welles to approve the amendment and authorize the Chairman to execute. Seconded by Commissioner Garner. Motion carried unanimously.

**Agreement/Florida Department of Law Enforcement**

Mr. Chisholm requested approval of the DeSoto County/Arcadia Multi-Jurisdictional Task Force Grant Award and Agreement in the amount of $115,116 and requiring a local match of $38,372. Motion was made by Commissioner Hill to accept the award and approve the agreement as presented. Seconded by Commissioner Garner. Motion carried unanimously.

**RFQ Award-COOP/COOG Terrorism Plan Development**

Ms. Furr requested approval to award the RFQ for the COOP/COOG Terrorism Plan Development to ICF Consulting as the most qualified firm. Costs are to be paid through the FY 2002 FEMA Supplemental Planning Grant-COOP/Terrorism Contract, which was approved by the Board on 3/11/03. Motion was made by Commissioner Hill to approve the RFQ award. Seconded by Commissioner Altman. Motion carried unanimously.

**Policy-Employee Health Insurance Benefit**

Mr. Erickson stated that for fiscal year 2001-02 the Board budgeted and approved to charge rates established in fiscal year 2000-01 for employees who elected to take family, spouse or children health insurance coverage. The Constitutional Officers did not elect to provide this option to their employees. This provides for a monthly savings to our employees ranging from $104.16 to $137.88. Staff is requesting to establish a policy for all employees, to include other Constitutional Officers employees concerning health insurance benefits. Brief discussion followed. Motion was made by Commissioner Altman to approve the Policy as presented. Seconded by Commissioner Garner. Motion carried unanimously.

**Policy-Retirees Health Insurance Coverage**

Mr. Erickson also requested the Board to establish a Policy to supplement all retired employees, to include other Constitutional Officers employees concerning health insurance benefits. Currently, there are seven BCC retired employees receiving this supplement and by adding the Constitutional Officers it would bring the total to fourteen. The cost of subsidizing all retirees would be $12,748.56 per year. Brief discussion followed. Motion was made by Commissioner Altman to approve the Policy with an effective date of October 1, 2003. Seconded by Commissioner Hill. Motion carried unanimously. Sheriff Fugate thanked the Board, as this issue has been a problem for everyone. Commissioner Hill requested that staff research the cost involving 100% payment of retiree insurance costs.

**Amendment to FDOT/5-Year Road Program Priority List**

Mr. Dybdahl stated that he did make the call to FDOT regarding combining Priority 1 & 2. He proceeded to explain how our funding per fiscal year and that they would probably drop
POLICY CONCERNING
EMPLOYEE HEALTH INSURANCE BENEFITS

PURPOSE:

To set forth in a definitive fashion the DeSoto County Board of County Commissioners' policy with regard to health insurance benefits during employment in County Service.

STATEMENT OF POLICY:

In order to establish a standard and fair practice for employees who are currently employed with the DeSoto County Board of County Commissioners and participating Constitutional Officers, the Board has adopted the following policy which shall apply to all agencies:

Employees will have their single coverage health and life insurance provided to them at the County's expense. Employees who elect to take family, spouse, or children coverage may do so at the rates established for fiscal year 2000. The following stipulations apply:

- Employees or elected officials who have retired or left service with DeSoto County will not be eligible to participate.
- All Board of County Commissioners and staff and Constitutional Officers and staff must adhere to the requirements of this policy to continue to participate in the health insurance program.
- Rates that were established in fiscal year 2000 were:
  - Family coverage (a spouse and at least one child) $323.03
  - Spouse coverage $265.56
  - Children coverage (any number, no spouse) $244.01
  - Retiree with medicare as primary coverage $297.55
  - Retiree without medicare coverage $320.24
The effective date of this policy is October 1, 2003. All employees who meet the criteria listed above on or after the effective date of this policy shall be eligible for this benefit.

Approved by the Board of County Commissioners of DeSoto County, Florida, on the 9th day of September, 2003.

ATTEST:

[Signature]
James V. Chisholm, County Administrator

Ronald P. Neads, Chairman
The Board of County Commissioners held a Public Hearing on September 16, 2004 at 5:30 PM with the following persons present:

Chairman, William H. Altman, Dist#3  
Commissioner T. Felton Garner, Dist#1  
Commissioner Jerry G. Hill, Dist#2  
Commissioner Ronald P. Neads, Dist#5  
Commissioner T.L. "Terry" Welles, Dist#4  
Interim County Administrator, June Fisher  
Transcribing Secretary, Betty Phillips  
County Attorney, Howard Holtzendorf  
Admin. Services Director, Jan Brewer  
MSBU Tech/Budget Clerk, Linda Nipper  
Public Safety Director, Elmer Taylor  
Parks Director, Kurt Vargo  
Facilities Director, Richard Metzger

CHAIRMAN ALTMAN CALLED THE MEETING TO ORDER

Ms. Brewer reviewed the following changes to the Budget since the last Board Workshop:

General Revenue Fund

1. Insurance Rate (Health) increase adjustment to budget of $63,364-Added dental and B.C.C. portion of Spouse and Dependent coverage
2. Workers Compensation increase adjustment to budget of $24,677-Revised and increased rates per each employee to reflect current charges and increases.
3. Property and Casualty insurance adjusted in separate line item resulting in decrease to budget of $158,148-This line item was previously a “catch all” for property insurance, workers comp, Health and bonds. As the workers comp and health are now budgeted in each department/office, and a bonds line item has been established, the actual line decreased when reflecting the actual cost for Property and Casualty.
4. Added a Bonds line item in the amount of $3,500.
5. Added increases to Library budget amounting to $7,705-Actual submission varied from previously estimated amount
6. Reduced charitable contribution by $10,000 and increased D.C.I. mowing equipment to $10,000-D.C.I. contribution was omitted in error.
7. Increased Multi-Jurisdictional Drug Grant Revenue to reflect our new award of $121,715 and increased Sheriff and City Police expenses equally. Increase amount over budget equals $46,715 in revenues and same amount for expenses-Received award amount after Preliminary Budget was presented to B.C.C.
8. Parks department increased telephone costs $1,020 and electricity costs by $5,716 to better reflect current billing tendencies-New Director has received billing which has enabled him to better estimate charges for next year.
9. **Possible** increase to Combined Professional Services for Planner fees of approximately $20,000 for preliminary phase of Comprehensive Plan.

10. **Possible** increase to Combined Professional Services in the amount of $178,000 for Impact Fee Study.

11. **Possible** bonus revision from $1,000 per employee to 2% rate increase ($303,000 Countywide @ $1,000 per employee or $96,106 Countywide @ $2% increase per employee).

12. **Possible** decrease in bonus to $682 per year in addition to free dental provided for each employee @ $318 per year = $1,000 per employee Cash saving to County of $77,940.

13. **Possible** increase to Facilities Budget for mowing in the amount of $65,000.
Mowing staff has shifted from Facilities to Parks due to increased mowing requirements.

**Total impact for General Revenue = $52,166 decrease with changes made to date.**
If possible increases approved as noted in #9 & 10, total impact to General Revenue Budget = $145,834 in an overall increase.

Ms. Fisher stated that the Board needed to decide on items #9, #10, #11, #12 & #13. Brief discussion followed regarding additional expenditures from the Hurricanes. Ms. Brewer indicated that there were too many variables regarding revenues to know exactly how the Budget will be affected, however, there was a reserve of 1.6 million in General Revenue.

Chairman Altman stated that it would be tough to give then take away especially regarding personal issues. Brief discussion followed regarding #11 (Bonus vs. Rate Increase). It was the consensus of the Board that county employees have worked hard this year and deserve probably more than they can give. However, with the current events, it was felt that there needed to be restraints. Further discussion followed regarding the bonus versus the 2% rate increase. Commissioner Hill stated that a time would come when the bonuses would not be given and this appears to be the year. Commissioner Welles agreed that the rate increase was the way to go. It was pointed out that the 2% rate increase was in addition to the 3% cost of living increase already factored into the Budget. Motion was made by Commissioner Welles to approve the 2% rate increase for employees. Seconded by Commissioner Garner. Motion carried unanimously.

Brief discussion followed regarding items #9 & #10 (Combined Professional Services). Motion was made by Commissioner Neads to approve $198,000 for #9 & #10 as presented. Seconded by Commissioner Welles. Motion carried unanimously.

X Ms. Brewer indicated that #12 was already factored into the Budget.

Brief discussion followed regarding the increase of $65,000 for mowing. Ms. Fisher indicated that with the increased mowing requirements of all the Parks, bid requests were obtained to handle the mowing of the Courthouse, Administration Building, Turner Agri-Civic Center, Exhibit Hall and County Extension Office lawns. Commissioner Hill stated
that the Courthouse and Administration Building lawns should be the best looking in the County and we needed to do what was necessary to attain that. Further discussion followed regarding the need to include the Turner Center in that contract at this time. Ms. Fisher indicated that it would need to be re-bid to exclude the Turner Center operation. Motion was made by Commissioner Hill to approve the increase to the Facilities Budget pending re-negotiations excluding the Turner Center operations. Seconded by Commissioner Garner. Motion carried unanimously.

Ms. Fisher stated that there have been previous discussions regarding the County paying for retired employees health insurance. Ms. Fisher provided the current number of retirees and the total cost to the County. Brief discussion followed and it was determined that a policy needed to be developed prior to approval by the Board. Commissioner Hill pointed out that the retiree spends most of their retirement pay on health insurance. Ms. Fisher will direct Mr. Erickson to draft a policy to be presented to the Board.

**Transportation Fund**
1. Added Elm Street $ 8,860.
2. Deducted SE East $ 9,263.
3. Possibly add 10 Mile grade $120,000 per approval
4. Possibly Deduct ½ Lily = $115,000 per approval
5. Health insurance increase of $56,565.
6. Workers Comp increase of $14,750.

Brief discussion followed regarding the 10 Mile Grade. Commissioner Neads inquired as to Hardee County’s contribution. It was indicated that Hardee County was not contributing at this time. Commissioner Neads did not think the County should bite the bullet for the total cost.

**Public Safety**
1. Health Insurance increase of $11,525.
2. Workers Comp increase of $4,384.

**E-911**
1. Health Insurance increase of $267.
2. Workers Comp decrease of $3.

**Turner Center**
1. Health Insurance increase $37,412 (previous typo plus increase)
2. Workers comp increase of $1,810.
**costs will be absorbed county-wide when employees are placed**
All employees except two have been re-assigned at this time.

**Landfill**
1. Health Insurance increase of $4,546.
2. Workers Comp decrease of $283.

**Utilities**
1. Health Insurance increase of $5,379.
2. Workers Comp increase of $902.

**Hurricane Charley**
1. Fund has been developed to track hurricane related expenditures and reimbursements.
Brief discussion followed regarding the 26 million in debris cost
Donations
1. Fund has been developed to track donation revenue and will alter with expenditure line items when determined.

Motion was made by Commissioner Neads to approve the Tentative Budget (with modifications as made), the Millage Rate of 8.10 Mills and the MSTU of .45141 Mills for EMS Funding for Fiscal Year 2004-05. Seconded by Commissioner Garner. Motion carried unanimously.

ADJOURNMENT
There being no further business, the Chairman adjourned the meeting.

BOARD OF COUNTY COMMISSIONERS
DE SOTO COUNTY, FLORIDA

ATTEST:

WILLIAM H. ALTMAN
CHAIRMAN

JUNE FISHER
INTERIM COUNTY ADMINISTRATOR
PUBLIC HEARING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON SEPTEMBER 30, 2004 AT 5:30 PM
IN THE COUNTY COMMISSIONERS’ MEETING ROOM
ROOM 103, ADMINISTRATION BUILDING
ARCADIA, FLORIDA

The Board of County Commissioners held a Public Hearing on September 30, 2004 at 5:30 PM with the following persons present:

Chairman, William H. Altman, Dist#3
Commissioner T. Felton Garner, Dist#1
Commissioner Jerry G. Hill, Dist#2
Commissioner Ronald P. Neads, Dist#5
Commissioner T.L. “Terry” Welles, Dist#4
Interim County Administrator, June Fisher
Transcribing Secretary, Betty Phillips

County Attorney, Howard Holtzendorf
Admin. Services Director, Jan Brewer
MSBU Tech/Budget Clerk, Linda Nipper
Public Safety Director, Elmer Taylor
Parks Director, Kurt Vargo
Facilities Director, Richard Metzger
Human Resources Dir., Paul Erickson

CHAIRMAN ALTMAN CALLED THE MEETING TO ORDER

Mr. Mark Covey with FEMA Community Relations stated that he was the team leader for DeSoto County and that he would be the point of contact for community issues, questions or concerns. Mr. Covey stated that his role and function was to work with local, County and State to gather and distribute disaster assistance materials and information to affected residents. Brief discussion followed and Mr. Covey provided his telephone numbers for the Board to contact as needed.

Ms. Brewer stated that all adjustments have been made as a result of the previous Public Hearing of September 16, 2004. She pointed out that the General Revenue Fund has a 1.3 million reserve. Brief discussion followed.

Ms. Fisher stated that they would like to present another option regarding personnel raises. Ms. Fisher stated that it was better for the employee to do a 5% raise across the board since salary ranges have not been update in several years. Mr. Erickson stated that it will raise the bottom and top of the pay ranges. Brief discussion followed. It was questioned if the Constitutional Officers were included and Ms. Brewer stated that they were and all necessary adjustments were made to the Budget. Motion was made by Commissioner Welles to approve the 5% across the board increase. Seconded by Commissioner Neads. Motion carried unanimously.

X

Ms. Fisher stated that the Board had asked for further information regarding insurance payment for County retirees. Mr. Erickson stated that the Board voted on a policy last year. At present the County cost is $527.00 per month per employee of which they pay $318.40. The County is supplementing $208.60 per month for each employee. With the exception of a few employees, Mr. Erickson stated that it is better to leave the policy as is. Discussion followed regarding possible criteria to be used for a better policy. The
consensus of the Board was to leave the policy as is at this time. Staff was directed to
draft other alternatives for consideration by the Board.

Motion was made by Commissioner Hill to adopt the Final Millage Rate of 8.10 Mills for
Fiscal Year 2004-05. Seconded by Commissioner Garner. Motion carried unanimously.
Motion was made by Commissioner Welles to adopt the Final Rate of .45141 Mills for
the purpose of funding EMS portion of the Public Safety Fund for Fiscal Year 2004-05.
Seconded by Commissioner Garner. Motion carried unanimously. Motion was made by
Commissioner Neads to adopt the Final Budget of $80,411,695 for Fiscal Year 2004-05.
Seconded by Commissioner Garner. Motion carried unanimously.

ADJOURNMENT
There being no further business, the Chairman adjourned the meeting at 6:30 PM.

BOARD OF COUNTY COMMISSIONERS
DESGOTO COUNTY, FLORIDA

ATTEST:

T. FELTON GARNER
VICE CHAIRMAN

JUNE FISHER
INTERIM COUNTY ADMINISTRATOR
The Board of County Commissioners held a Public Meeting on November 9, 2004 at 9:00AM with the following persons present:

Chairman William H. Altman, Dist#3  
Commissioner Felton T. Garner, Dist#1  
Commissioner Jerry G. Hill, Dist#2  
Commissioner T.L. “Terry” Welles, Dist#4  
Commissioner Ronald P. Neads, Dist#5  
County Administrator, June Fisher  
County Attorney, Howard Holtzendorf  
Administrative Services Dir., Jan Brewer  
Office Manager, Carol Treadwell  
Transcribing Secretary, Betty Phillips  
Co. Coordinator, Mandy Hines  
Public Works Dir., Roger Pulley  
Transportation Director, A.D. Neal  
Utilities Director, Jody Kirkman  
Human Resources Dir., Paul Erickson  
Public Safety Director, Elmer Taylor  
Public Info. Officer, Matt Holloman  
Facilities Dir., Richard Metzger  
Turner Center Director, Eric Balmer  
Building Official, Larry Hilton  
Landfill Director, Billy Hines

CALL TO ORDER
INVOCATION/PLEDGE OF ALLEGIANCE

PUBLIC FORUM FOR NON-AGENDA ITEMS
Mr. Tom West requested that he be allowed to meet with the County Administrator to present information regarding the revocation of the Nav-A-Gator’s Occupational License. Mr. West was directed to provide that information to the County Attorney.

Mr. James Ray stated that he felt Grubbs was doing a great job with the debris pick-up.

Mr. Ed Donely, Manatee County Rebuilding Coordinator requested that the Board consider extending the debris pick-up cutoff time and the waiver of permit fees. Brief discussion followed and it was the general consensus of the Board that more time was needed for individuals to complete clean-up and repairs. Motion was made by Commissioner Welles to adopt an Ordinance as prepared by the County Attorney to extend the waiver of permit fees for all hurricane related damage until the February 8, 2005. Seconded by Commissioner Neads. Motion carried unanimously.

Mr. Wayne Earnest requested guidelines as to what is eligible debris. He also requested possible waiver of landfill fees for the volunteers coming in to help with clean-up at their own expense. Brief discussion followed regarding the problem of waiving landfill fees as the County Landfill is unable to handle all the debris and will need to ship to another landfill outside of the County. The Board felt that a re-evaluation was needed by FEMA regarding the storm related debris. Mr. Carlton Neal, FEMA Debris Specialist, stated that they are trying to get a decision regarding mobile homes as this was a problem all over the State not just DeSoto County. It was determined that a Public Hearing would be required if the Board should consider any waiving of fees.
Brief discussion followed regarding long term clean up. Motion failed 3-2. Chairman Altman, Commissioner Garner and Commissioner Hill opposed. Motion was made by Commissioner Hill to set the cut off date of January 13, 2005. Seconded by Commissioner Garner. Motion carried 4-1. Commissioner Neads opposed.

**Agreement-Peace River/Manasota Regional Water Supply Authority**
Pulled from the agenda at this time.

**Resolution-Potable Water Wells & Reverse Osmosis Systems**
Mr. Kirkman requested the Board adopt a resolution to support the development of the existing potable water wells and reverse osmosis systems to supply potable water to DeSoto County customers and to supplement the Regional Water Supply Authority. Discussion followed regarding the use of these systems until alternatives can be developed. Commissioner Hill stated that he did not believe the SWFWMD would re-permit these wells. Mr. Kirkman stated that the allocation numbers were developed in 1996 and the County is going to exceed that allocation. Commissioner Welles and Commissioner Garner pointed out that the Water Authority supports the development of the systems. Further discussion followed regarding the use of these systems as a backup. Commissioner Neads and Commissioner Hill felt that the Board did not need to decide today and should wait for the completion of the Master Plan. Motion was made by Commissioner Garner to adopt the Resolution as presented. Seconded by Commissioner Welles. Motion carried 3-2. Commissioner Neads and Commissioner Hill opposed.

**Utility Project Update**
Mr. Kirkman briefly presented an update of the activities that have taken place since the June 8, 2004 Utility Project Status Report.

**Legislative Delegation Issues for 2005**
Ms. Hines provided the Board with a copy of the Legislative Issues for DeSoto County for 2005 as identified by Staff. Ms. Hines requested the Board to provide direction regarding any changes to the priorities or any additions/deletions to the identified legislative issues. Brief discussion followed and it was felt that staff had done a good job on the issues. Ms. Hines will present to the Legislative Delegation at the Public Hearing on December 9, 2004.

**Turner Agri-Civic Center Update**
Mr. Balmer stated that for the past four weeks, the Florida Restoration Team and Florida Structural Steel have been systematically removing evidence and installing temporary bracing and this process will continue until November 20th. Approximately two to four weeks from that date, the insurance company will provide the County with a comprehensive report which will detail the current status of the building including damages suffered and all monies that will be received. The Exhibit Hall and barns have successfully reopened effective November 1st.

**Policy-Retirees Health Insurance Coverage**
Mr. Erickson provided two options for the Board to consider in regards to establishing a policy for County employee retirees Health Insurance Coverage. Chairman Altman preferred Option #2, as he felt it encourages employees to stay with County employment. Commissioner Neads stated that he preferred the option that was presented at the September Meeting. Commissioner Hill indicated that he did not like either option. Commissioner Welles stated that it was important to have health insurance and to be able to protect the employee. Motion was made by Commissioner Garner to approve Option
#2 with change from 12 years to 8 years for elected officials. Seconded by Commissioner Neads. Brief discussion followed and it was the consensus of the Board that the policy still needed to be worked on. Commissioner Garner and Commissioner Neads withdrew their motion. Mr. Erickson was directed to bring back all options with support scenarios.

**Memorandum of Understanding-Department of Homeland Security**

Request to approve a MOU with the Department of Homeland Security, Federal Emergency Management Agency and DeSoto County for use of County land for an Emergency Group Site. Ms. Fisher stated that FEMA wants to put short term use mobile housing on sites that already have power, water and sewer. There is a portion of the Turner Center parking lot available for this use while the Center is being restored or rebuilt. Ms. Fisher indicated that there were three issues to be looked at. (1) Agreement proposed is for 90 day use with option to extend to 9 months (2) On site Management and (3) Sewer. Mr. Jim Hampton with FEMA stated that they are not permitted to put a Manager in one of the trailers at the site, however, there would be a Manager available on call at all times and security would be provided at night. Brief discussion followed regarding the use of bladder tanks which the Board did not find acceptable. Motion was made by Commissioner Neads to approve the MOU with the stipulation that a wastewater system be installed by FEMA. Seconded by Commissioner Hill. Motion carried unanimously.

**Agreement-Outside Agency Funding**

Commissioner Neads introduced the new DeSoto County Health Department Director, Ms. Mary Kay Burns. Ms. Fisher requested Board approval of the Chamber of Commerce, Community Care Family Clinic, DeSoto County Health Department, Senior Friendship and YMCA Youth & Family Annual Funding Agreements for Fiscal Year 2004-05. Motion was made by Commissioner Neads to approve the Annual Funding Agreements as presented. Seconded by Commissioner Welles. Motion carried unanimously.

**County Administrator Position**

Ms. Fisher requested the Board to consider the use of a firm to conduct the search for a County Administrator. Commissioner Hill requested that this issue be tabled. He felt that there were other options that should be looked at, such as the Range Riders. Brief discussion followed. Motion was made by Commissioner Welles to allow staff to start the process to fill the County Administrator’s position, starting with contact with the Range Riders. Seconded by Commissioner Neads. Motion carried 4-0. Commissioner Hill absent from room for the vote.

**ADMINISTRATOR’S REPORT**

Ms. Fisher stated that there is only one meeting scheduled for December and requested that the Board okay the Public Hearing for the December 14, 2004 morning meeting. Consensus of the Board was to hold the Public Hearing in the a.m. as requested.

Ms. Fisher announced the November 16, 2004 Special Meeting at 9:00 AM for the installation of the newly elected Commissioners.

**COUNTY ATTORNEY’S REPORT**

None

**BOARD MEMBER COMMENTS**

Commissioner Welles briefly reported on the PRMRWSA Meeting he attended.
PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON DECEMBER 14, 2004 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 December 14, 2004 with the following persons present:

Chairman, Ronald P. Neads, Dist.#5  Emergency Mgmt. Dir., Cathy Furr
Commissioner Jerry G. Hill, Dist.#2  Transportation Dir., A.D. Neal
Commissioner T.L. “Terry” Welles, Dist#4  Building Official, Larry Hilton
Commissioner Delma Allen, Dist#3  Facilities Director, Richard Metzger
Co. Administrator, June Fisher  Public Info Officer, Matt Holloman
County Attorney, Howard Holtzendorf  Budget Clerk, Linda Nipper
Admin. Services Director, Jan Brewer  Human Res. Director, Paul Erickson
Utilities Director, Jody Kirkman  Co. Coordinator, Mandy Hines
Parks Director, Kurt Vargo  Turner Center Dir., Eric Balmer
Office Manager, Carol Treadwell  Landfill Director, Billy Hines
Transcribing Secretary, Betty Phillips  Public Safety Director, Elmer Taylor
Probation Office Director, Doug Mann

CALL TO ORDER
Chairman Neads stated that Commissioner Garner was absent due to his wife’s illness.

PUBLIC FORUM FOR NON-AGENDA ITEMS
Mr. Gary Deleandro stated that the styro-foam operation on Highway 70 and Eucalyptus is causing a problem. Several of his horses have become sick from ingesting the styro-foam. Brief discussion followed regarding a wall being erected as part of the approval of the Development Plan. Mr. Deleandro was instructed to provide his documentation to staff and it would be reviewed. Mr. Robert Henderson stated that he had moved his horses from his property. He also indicated that noise was a problem and that there were two residents on the property now. The residence was supposed to be for a watchman. Mr. Henderson stated that Mr. Johnson needs to do what he agreed to at the Public Hearing on the Rezoning and Development Plan.

Ms. Stacey Smith, Senator Nelson’s Regional Director introduced herself to the Board and the public. She indicated that they have opened a new office in Fort Myers and will provide contact information to the Board. Ms. Smith reviewed some of the issues Senator Nelson has accomplished for the counties.

Mr. Wayne Ernest inquired about the issue of the debris removal by the volunteer crews that are going to be coming in from Georgia. They are volunteering their time and money and should not have to pay dump fees. Ms. Fisher indicated that they have been trying to find funding. Ms. Hines stated that the request was made to Senator Bennett’s Office and hopefully will know within the next few days.
been pledged to cover these costs. Motion was made by Commissioner Hill to approve Change Order #1 as presented. Seconded by Commissioner Allen. Motion carried 4-0.

**Applicant Ranking/CDBG Disaster Recovery Housing Rehabilitation Grant**
Mr. Mosley requested the Board to approve the Applicant Ranking Order for the Community Development Block Grant-Disaster Recovery Housing Rehabilitation Grant. The County received 103 applications. The list was ranked by Meridian Community Services Group and approved by the Citizen Advisory Task Force. Motion was made by Commissioner Allen to approve the Ranking as presented. Seconded by Commissioner Hill. Motion carried 4-0.

**RECESS FOR LUNCH AT 11:53 AM-RECONVENE AT 1:30 PM**

**MSBU/Resolutions of Intent**
Ms. Brewer requested the Board to approve the MSBU Resolutions of Intent for Communications, Water/Sewer, Parks and Recreation and Solid Waste Collection. Ms. Brewer stated that this action would allow them to explore these areas. Chairman Neads stated that the Board usually takes this action annually. Motion was made by Commissioner Hill to approve the Resolutions as presented. Seconded by Commissioner Welles. Motion carried 4-0.

**Online Surplus Auction**
Ms. Brewer requested the Board to approve GOVDEALS to host online auction of County property deemed surplus items. Ms. Brewer indicated that this is a more cost effective method than hosting an auction. Brief discussion followed. Motion was made by Commissioner Welles to approve GOVDEALS to host the online auction. Seconded by Commissioner Allen. Motion carried 4-0.

**Policy/Retiree’s Health Insurance Coverage**
Mr. Erickson requested the Board to establish a policy for all retired employees concerning health insurance benefits. He provided three options for the Board to consider. Option 1 offered a 3% discount for each year of service after 12 years or 8 years for elected officials upon reaching full retirement age. Option 2 offered a flat $10 per year of service after 12 years or 8 years for elected officials. Option 3 offered a 3% discount for each year of service after 16 years or 8 years of service for elected officials. Brief discussion followed. Mr. Erickson was asked to provide some additional figures on these options. Item was tabled until the end of the meeting.

**Flex Time Accumulation and Usage**
Mr. Erickson requested the Board to temporarily extend the amount of flex time allowed to be accumulated from sixty hours to two hundred and extend the time allowed to use the accumulated flex time from nine months to one year effective until August 13, 2005. Mr. Erickson stated that this was necessary due to the excessive amount of time that exempt employees accumulated during the hurricanes and recovery. Motion was made by Commissioner Allen to approve the flex time policy as presented. Seconded by Commissioner Hill. Motion carried 4-0.

**Policy/Leave of Absence Without Pay**
Mr. Erickson requested the Board to revise the current policy regarding Leave of Absence Without Pay to a more defined program. Brief discussion followed. Motion was made by Commissioner Hill to approve the revised policy as presented. Seconded by Commissioner Allen. Motion carried 4-0.

**Resolution/Overtime Pay for Exempt Employees**
by Commissioner Hill to deny the request. Seconded by Commissioner Allen. Motion carried 4-0. It was the general consensus of the Board to move forward with an RFQ for the project.

Utility Project Update
Mr. Kirkman presented the DeSoto County Water/Wastewater Status Report summarizing the activities that had taken place since November 9, 2004. Mr. Kirkman indicated that water will be available to the Wal-Mart Distribution site by January 1, 2005. Brief discussion followed. Mr. Kirkman stated that the Lake Suzy acquisition closing date has been pushed back to February 1, 2005 because of some red tape issues. Chairman Neads inquired about the plan for GPW. Mr. Kirkman indicated that the Master Plan would define a plan for that facility.

Request/Derek Dunn-Rankin
Ms. Fisher stated that the Board received a request from Derek Dunn-Rankin for the Peace River Tri-County Board for the County to submit names to serve on the Collaborative Board of Directors. Brief discussion followed. Motion was made by Commissioner Welles to appoint Commissioner Allen to service on the Collaborative Board of Directors of the Peace River Tri-County Board. Seconded by Commissioner Hill. Motion carried 4-0.

Policy/Retiree’s Health Insurance Coverage—Continued
Mr. Erickson provided the requested figures for the Board’s review. Brief discussion followed. Motion was made by Commissioner Hill to approve Option #3 as presented. Seconded by Commissioner Welles. Under discussion, Commissioner Welles questioned an effective date. Mr. Erickson also questioned if funding was available in the Budget. Ms. Brewer stressed caution as the ad-valorem taxes for next year will be 30% less. Chairman Neads stated that even though the Board can revisit this issue at any time, that maybe the Board should consider waiting to see the County’s financial status. Motion carried 3-1. Commissioner Neads opposed.

ADMINISTRATOR’S REPORT
Ms. Fisher stated that the Office of Tourism, Trade and Economic Development has forwarded an amendment to the Holiday Inn Funding Agreement to the County for the requested time extension. The amendment must be executed in the month of December 2004. Motion was made by Commissioner Hill to declare this item an emergency and approve execution by the Chairman of the amendment as presented. Seconded by Commissioner Welles. Motion carried 4-0.

Ms. Fisher suggested a Public Meeting in order for her to highlight the FEMA Long Term Recovery Plan for the Board and the public. Brief discussion followed. Commissioner Allen suggested inviting the Arcadia City Counsel to attend. The Public Meeting was set for January 11, 2005 at 1:30 PM in the Board of County Commissioners Meeting Room.

COUNTY ATTORNEY’S REPORT
None

BOARD MEMBER COMMENTS
Each Commissioner reported on the meetings attended and wished everyone a safe and happy holiday.

ADJOURNMENT
PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON JANUARY 11, 2005 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 January 11, 2005 with the following persons present:

Chairman, Ronald P. Neads, Dist.#5
Commissioner Jerry G. Hill, Dist.#2
Commissioner T.L. “Terry” Welles, Dist#4
Commissioner Delma Allen, Dist#3
Commissioner T. Felton Garner, Dist#1
Co. Administrator, June Fisher
County Attorney, Howard Holtzendorf
Admin. Services Director, Jan Brewer
Public Works Director, Roger Pulley
Turner Center Dir., Eric Balmer
Office Manager, Carol Treadwell
Transcribing Secretary, Betty Phillips

Emergency Mgmt. Dir., Cathy Furr
Parks Director, Kurt Vargo
Building Official, Larry Hilton
Facilities Director, Richard Metzger
Public Safety Director, Elmer Taylor
Public Info Officer, Matt Holloman
Budget Clerk, Linda Nipper
Human Res. Director, Paul Erickson
Co. Coordinator, Mandy Hines
Purchasing Agent, Mary Tucker
Landfill Director, Billy Hines

CALL TO ORDER
INVOCATION/PLEDGE OF ALLEGIANCE
PUBLIC FORUM FOR NON-AGENDA ITEMS

Mr. Robert Fusco requested that the Board revisit the Retired County Employee Health Insurance Coverage Policy. He is a retired County employee and now has to pay $200 more a month. Mr. Don Farmer stated that he was in the same situation and would also like to Board to revisit. It was the Board’s consensus that it was not their intent to hurt those employees already retired and that it would be reviewed and brought back before the Board.

Mr. Robin Johnson stated that at his Rezone Hearing the Board agreed to his construction of a styro-stucco fence to be erected on the property. He indicated that there was a problem with this as it required engineering plans, but no engineer would do a plan. He requested an okay to erect a solid fence in its place. Brief discussion followed. The Board consensus was that Mr. Johnson could build a wood/vinyl solid fence to be completed within 90 days.

CONSENT AGENDA
Motion was made by Commissioner Hill to approve the Accounts and Warrants drawn according to schedule of bills payable, Minutes of October 26, 2004 (as corrected) and December 14, 2004 Public Meetings, Transportation Disadvantaged Application/Certifications/Agreement for Federal Assistance and Sufficiency of Bonds for County Officials as adequate. Seconded by Commissioner Garner. Motion carried unanimously.

REGULAR BUSINESS
Policy/County-owned Vehicles & Equipment
Mr. Erickson requested the Board to adopt an amended policy for use of county-owned vehicles and equipment. He indicated that the current policy is vague and the amendment more clearly
PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON JANUARY 25, 2005 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 January 25, 2005 with the following persons present:

Chairman, Ronald P. Neads, Dist#5
Commissioner Jerry G. Hill, Dist#2
Commissioner T.L. “Terry” Welles, Dist#4
Commissioner Delma Allen, Dist#3
Commissioner T. Felton Garner, Dist#1
County Administrator, June Fisher
County Attorney, Howard Holtzendorf
Utilities Director, Jody Kirkman
Public Works Director, Roger Pulley
Office Manager, Carol Treadwell
Transcribing Secretary, Betty Phillips

Emergency Mgmt. Dir., Cathy Furr
Parks Director, Kurt Vargo
Building Official, Larry Hilton
Facilities Director, Richard Metzger
Public Safety Director, Elmer Taylor
Public Info Officer, Matt Holloman
Admin. Services Director, Jan Brewer
Human Res. Director, Paul Erickson
Projects Manager, Robbyn Jennings
Purchasing Manager, Mary Tucker

CALL TO ORDER
3:00 PM
INVOCATION/PLEDGE OF ALLEGIANCE
PUBLIC FORUM FOR NON-AGENDA ITEMS

Mr. Robert Bell expressed his frustration with the lack of paving for Pensacola Avenue. All other roads in the subdivision have been done but this one. He further indicated that he paid an MSBU for nine years and got nothing. Chairman Neads stated that staff would review and report back to Mr. Bell.

Ms. Melissa Sanders introduced herself as the new Disaster Recovery Coordinator with the Economic Development Council and briefly reviewed some of the projects she would be working on. Ms. Sanders stated that she looked forward to working with the Board.

Ms. Lew Cassels expressed her concern regarding the current use of the park area in front of the Women’s Club being used by 4-wheelers. Brief discussion followed. Staff was directed to obtain the proper signage and post on the property prohibiting this activity on County Park property.

Mr. George Lempenau requested that the Board Meeting Agendas be placed on the Web Page. Mr. Lempenau was informed that they are on the Web Page. Brief discussion followed regarding navigation of the Web Site.

Ms. Julienne Lampal expressed her concern regarding the landscaping issue of a recent rezoning case for Howard’s Pool Store. It is very much of an eyesore and does not make a good impression for people coming into the County. Staff will review and report back.
CONSENT AGENDA
Chairman Neads requested that items #5 & #6 be removed from the consent agenda. Motion was made by Commissioner Welles to approve Accounts and Warrants drawn according to schedule of bills payable, Minutes of January 11, 2004 Public Meeting, Resolution/Budget Amendments #2005-12(Interim Financing), #2005-14(Parking Lot Funds), #2005-15(Expense Additional Court Costs Revenue), #2005-17(CDBG Housing Rehab NE3 Grant & Expenditures), #2005-22(Medical Examiner), #2005-28(Planning Consultant) and #2005-29(Landfill Cell Development) and the Low Income Energy Assistance Program (LIHEAP) Contract. Seconded by Commissioner Garner. Motion carried unanimously.

PROCLAMATION
Joey Bergsma Retinoblastoma Awareness Month
Ms. Pam Bergsma, grandmother of Joey Bergsma made a brief presentation to the Board regarding eye exams and requested that the Board proclaim January as “Joey Bergsman Retinoblastoma Awareness Month” in DeSoto County. She also requested that Board members contact their State Representatives in support of the Infant Eye Care Bill: Joey’s Bill. Motion was made by Commissioner Garner to proclaim January as “Joey Bergsman Retinoblastoma Awareness Month” in DeSoto County. Seconded by Commissioner Hill. Motion carried unanimously. Chairman Neads stated that the Proclamation would be sent to State Representatives and Senators in Tallahassee.

REGULAR BUSINESS
MP #2004-09/Creek Acres East/Daniel Via and Brian Hoopengarner
Mr. Hilton stated that the County Development Department received an application for minor plat “Creek Acres East” from Daniel Via and Brian Hoopengarner for minor subdivision of 4 platted lots in Section 1, Township 38, Range 23 East. The platted lots are zoned Agricultural 5 and lie in the Rural Residential Land Use Area which allows a dwelling density of no more than one dwelling unit per 5 acres. Mr. Hilton provided revised survey maps for both minor plats which include the notation regarding private roads. Brief discussion followed. Motion was made by Commissioner Hill to approve MP #2004-09 as presented. Seconded by Commissioner Allen. Motion carried unanimously.

MP #2004-08/Creek Acres West/Daniel Via and Brian Hoopengarner
Mr. Hilton stated that the County Development Department received an application for minor plat “Creek Acres West” from Daniel Via and Brian Hoopengarner for minor subdivision of 5 platted lots in Section 1, Township 38, Range 23 East. The platted lots are zoned Agricultural 5 and lie in the Rural Residential Land Use Area which allows a dwelling density of no more than one dwelling unit per 5 acres. Motion was made by Commissioner Hill to approve MP #2004-08 as presented. Seconded by Commissioner Allen. Motion carried unanimously.

Policy Amendment/Retired County Employees Health Insurance Coverage
Mr. Erickson stated that per Board request he is presenting an amended policy for Retired County Employee Health Insurance Coverage. The amendment is “Grandfathering” those retirees who receive a greater benefit under the policy adopted September 9, 2003 to that benefit. Mr. Erickson read the proposed language to grandfather in those retirees. Brief discussion followed. The Board felt that they should take a better look at the policy as it appears to still have a few snafus in it. Mr. Erickson was directed to compile further information for a Workshop. Commissioner Hill stated that the adopted policy still needs to be amended until such time as they may reconsider the policy after doing a Workshop.
Motion was made by Commissioner Hill to approve the Policy Amendment as presented. Seconded by Commissioner Welles. Motion carried 4-1. Chairman Neads voting no.

**Proposal/BCI Engineers & Scientists, Inc.**
Ms. Jennings requested the Board to approve a proposal from BCI Engineers & Scientists, Inc., to provide services for roadway improvements to CR 760A. The cost includes surveying, civil design, preparing plans, permitting, bid assistance, as-built certification and meeting attendance. The services would be provided under BCI’s continuing County Engineering Master Contract. Brief discussion followed regarding start and complete dates. Motion was made by Commissioner Hill to approve the proposal as presented. Seconded by Commissioner Welles. Motion carried unanimously.

**Contract/Land Design Innovations**
Mr. Hilton stated that the Board approved the bid award to Land Design Innovations to create a sector plan, update the DeSoto County Comprehensive Plan and update the DeSoto County Land Development Regulations at their January 11, 2005 Meeting. Mr. Hilton requested the Board approve the Contract with Land Design Innovations minus the Phase I. Ms. Fisher indicated that they are still negotiating for Phase I and will bring back to the Board at a later date. Ms. Mary Dow asked if Workshops be done in order to have public input. Mr. Hilton indicated that there would be Workshops scheduled. Motion was made by Commissioner Hill to approve the Contract except for Phase I. Seconded by Commissioner Welles. Motion carried unanimously.

**Contract Correction/Kimley-Horn, PBS&J and Hartman & Associates**
Ms. Tucker stated that the Board approved the contracts for the Water/Wastewater Library with Kimley-Horn, PBS&J and Hartman & Associates on December 14, 2004. Kimley-Horn had requested a deletion in Section VII, Paragraph B. Ms. Tucker briefly reviewed the corrections. Motion was made by Commissioner Welles to approve the Corrected Contracts as presented. Seconded by Commissioner Allen. Motion carried unanimously.

**Utility Project Update**
Mr. Kirkman briefly reviewed the Memorandum provided to Commissioners of the Monthly Status Report for the DeSoto County Water/Wastewater Project since the last update of December 14, 2004. Brief discussion followed. No action was required at this time.

**ADMINISTRATOR’S REPORT**
Ms. Fisher stated that a letter from Russell S. Vega, MD, Chief Medical Examiner, District Twelve stating that there is a vacancy on the Medical Examiner Commission. Chairman Neads requested a volunteer to serve. Brief discussion followed. Commissioner Garner volunteered to serve on the Commission.

Ms. Fisher stated that the Emergency Ordinance regarding placement of RV Trailers is due to expire on 2/08/05 and requested Board direction. Brief discussion followed regarding extension of the time for at least 90 days. Staff will bring before the Board at their next meeting.

Ms. Fisher requested that the Board declare an emergency and consider a motion to authorize the Chairman to approve a 40x40 Utility Easement with Shirley F. Turner located at the corner of CR 761 and SR 17 upon completion of the Contract documents. During the installation of the PR/MRWSA 20-inch Water main Project, DeSoto County was noticed that a conflict existed. This easement would eliminate the conflict. Time is an issue in order to avoid further
The Board of County Commissioners held a Workshop on February 8, 2005 with the following persons present:

Chairman, Ronald P. Neads, Dist.#5
Commissioner Jerry G. Hill, Dist.#2
Commissioner T.L. “Terry” Welles, Dist#4
Commissioner Delma Allen, Dist#3
Commissioner T. Felton Garner, Dist#1
County Administrator, June Fisher
County Attorney, Howard Holtzendorf
Office Manager, Carol Treadwell
Transcribing Secretary, Betty Phillips

Admin. Services Director, Jan Brewer
Human Res. Director, Paul Erickson
Building Official, Larry Hilton
Facilities Director, Richard Metzger
Senior Accountant, Linda Caines
Human Res. Coordinator, Veronica Polk
Emergency Mgmt. Director, Cathy Furr
Parks/Rec. Director, Kurt Vargo
Sheriff, Vernon Keen

CALL TO ORDER
Retired County Employee Health Insurance Coverage

Mr. Erickson briefly reviewed the County’s current policy adopted on 1/25/05 (Option 1). Mr. Erickson provided copies of the Policy adopted on 9/2/03 (Option 2) and two other options the Board could consider. Option 3 offers a 3% credit for each year of service over twelve years. Option 4 offers $10 credit for each year of service over twelve years. Commissioner Hill stated that it was the intent of the Board to provide a better benefit to the long term employee. The policy currently indicates that if an employee has 30 years of service and not age sixty-two, the County will only pay 50% until they reach age sixty-two. Commissioner Hill stated that by eliminating the age requirement the current policy would be alright. Chairman Neads indicated that he agreed that if the employee worked 30 years regardless of age, County should pay 100%. However, he thought it would be simpler to go with Option 4. He also stated that another issue was a retiree returning to work. If the retired employee returns to employment elsewhere and the new employer offers insurance they will lose the County benefit. Once insurance has been terminated, it can not be reinstated. Brief discussion followed. Several employees indicated that a % or $ amount would be better than the current policy, however they were grateful that the County was even considering a policy. Mr. Erickson stated that the policy needed to be as simple as possible with very few exceptions. Discussion followed regarding cost figures for the different options and the minimum number of years of DeSoto County employment was required to qualify. It was the majority consensus of the Board that Option 3 (3% and 12 year of service-8 years for Elected Officials) was the best plan. Mr. Erickson was directed to put together new policy with cost figures for the Board to review.
ADJOURNMENT
There being no further business, Chairman Neads adjourned the meeting.

BOARD OF COUNTY COMMISSIONERS
DE SOTO COUNTY, FLORIDA

ATTEST:

______________________________
RONALD P. NEADS
CHAIRMAN

______________________________
JUNE FISHER
COUNTY ADMINISTRATOR
PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON MARCH 8, 2005 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 March 8, 2005 with the following persons present:

Chairman, Ronald P. Neads, Dist.#5
Commissioner Jerry G. Hill, Dist.#2
Commissioner T.L. "Terry" Welles, Dist#4
Commissioner Delma Allen, Dist#3
Commissioner T. Felton Garner, Dist#1
County Administrator, June Fisher
County Attorney, Howard Holtzendorf
Public Works Director, Roger Pulley
Office Manager, Carol Treadwell
Transcribing Secretary, Betty Phillips

Emergency Mgmt. Dir., Cathy Furr
Parks Director, Kurt Vargo
Building Official, Larry Hilton
Facilities Director, Richard Metzger
Public Safety Director, Elmer Taylor
Public Info Officer, Matt Holloman
Co. Coordinator, Mandy Hines
Human Res. Director, Paul Erickson
Purchasing Agent, Mary Tucker
Utilities Director, Jody Kirkman

CALL TO ORDER
INVOCATION/PLEDGE OF ALLEGIANCE
PUBLIC FORUM FOR NON-AGENDA ITEMS

9:00 AM

Mr. Mac Martin provided the Board with information regarding the current state of the real estate market in DeSoto County today. He expressed his concern regarding the shortage of affordable housing for working families.

Mr. George Coleman stated that Code Enforcement has shut him down from completing the reclamation on his property. Chairman Neads stated that Mr. Turner was aware of the problem and that proper procedure had not been followed. Ms. Fisher indicated that if Mr. Coleman provided the financial assurance, he could get the permit today.

Judge Don Hall apologized for not coming to the Board sooner in his request for the use of the County’s Bucket and Water Trucks for the Rodeo this weekend. Brief discussion followed and it was the general consensus of the Board to allow the Rodeo Association the use of the vehicles as requested.

CONSENT AGENDA-MOTION TO APPROVE

Commissioner Welles questioned the Leave with pay status of the employee contracts. Mr. Erickson explained the employment status. Motion was made by Commissioner Welles to approve the Accounts and Warrants drawn according to schedule of bills payable, Resolution/Budget Amendments #2005-38(Contingency Reserve for Waste Disposal), #2005-45(Parking Lot Improvements), #2004-46(PRMRWSA Revenue & School Board expense), #2005-50(Sheriff’s excess fees) and #2005-51(Correcting Grant Revenue/Expenses), the State Housing Initiatives Partnership (SHIP) Local Housing Assistance Three Year Plan and Policy/Exempt Employee Contracts-Request to approve two employee contracts with
exceptions to the policy adopted in 1996. Seconded by Commissioner Garner. Motion carried unanimously.

REGULAR BUSINESS

Agreement/Grant-in-Aid for Courthouse Facilities
Ms. Cathy Hodges requested the Board approve the Grant-in-Aid Agreement for improvements to the Courthouse and authorize the Chairman to execute the necessary documents. Brief discussion followed. Motion was made by Commissioner Welles to approve the Agreement as presented. Seconded by Commissioner Hill. Motion carried unanimously. Ms. McGavic stated that the Grant did not cover all the things and requested a meeting with Facilities Maintenance in order to get some sort of schedule for these things to be done. Ms. McGavic was directed to meet with Mr. Metzger.

Work Assignment #1/Kimley-Horn and Associates, Inc.
Mr. Kirkman stated that to facilitate future water customers in the Lake Suzy area, he is requesting that a Water Master Plan be conducted in the general region. He is recommending this be completed prior to the completion of the overall Utility Master Plan. The urgency of this work assignment lies within the looming development with the Lake Suzy area and to better define “Contribution in Aide” of construction staff requires the Lake Suzy Service Area Water Distribution Master Plan be completed and the overall water system defined and outlined. This will also include the development of a hydraulic water model, which will address fire flow, water quality and system pressure in the general area. Brief discussion followed. Motion was made by Commissioner Welles to approve and authorize the Chairman to execute Work Order #1 with Kimley-Horn an Associates, Inc. for the Lake Suzy Service Area Water Distribution Master Plan. Seconded by Commissioner Garner. Motion carried unanimously.

CDBG/Conflict of Interest Waiver Request
Ms. Hines requested that the Board authorize the Chairman to execute the request for a waiver of the identified conflict under 24 C.F.R. 570.489(h). The Applicant is Bruno Castillo and the County employee is Maria Castillo, Community Services Department. The relationship is father-daughter. Ms. Hines stated that the County employee that the applicant is related to does not sit on any governing or advisory boards and has no connection or decision making authority related to the CDBG Housing Program. Motion was made by Commissioner Welles to authorize the Chairman to execute the waiver as presented. Second by Commissioner Hill. Motion carried unanimously.

Policy Amendment/Retired County Employees Health Insurance Coverage
Mr. Erickson stated that as directed by the Board at the Workshop he is providing a draft policy for all retired employees concerning Health Insurance Coverage based on those discussions. Chairman Neads indicated that this draft could be more expensive for the County. Commissioner Hill stated that this has been talked about considerably and he felt that the policy that is in place today is the best policy and only needs a few minor changes. Brief discussion followed. Motion was made by Commissioner Hill to keep the current policy with the one change of: “employees with 30/25 (special risk) years of service have their insurance paid for 100% upon retirement.” Seconded by Commissioner Welles. Motion carried 3-2. Chairman Neads and Commissioner Garner opposed.

ADMINISTRATOR’S REPORT
Ms. Fisher indicated that there was an issue with the spelling of the new road name the Board assigned to the old US 17. Brief discussion followed. It was the general consensus of the
PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON AUGUST 21, 2006 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 August 21, 2006 with the following persons present:

Chairman, Jerry G. Hill, Dist#2
Commissioner, Ronald P. Neads, Dist#5
Commissioner T.L. “Terry” Welles, Dist#4
Commissioner Delma Allen, Dist#3
Commissioner T. Felton Garner, Dist#1
County Administrator, Craig Coffey
County Attorney, Howard Holtzendorf
Administrative Services Director, Jan Brewer
Economic Development Manager, Darrell Barnes
Office Manager, Carol Treadwell
Betty Phillips, Transcribing Secretary

Human Resources Dir., Paul Erickson
County Coordinator, Mandy Hines
Facilities Director, Richard Metzger
Operations Manager, Robbyn Jennings
Emergency Mgmt. Director, Cathy Furr
Environmental Services Director, Billy Hines
Parks Director, Kurt Vargo
Utilities Director, Chris Rogers
Planning Manager, Jason Green
Planner, Penny Nelson
Public Info. Officer, Matt Holliman

CALL TO ORDER
INVOCATION/PLEDGE OF ALLEGIANCE
RECOGNITION BY BCC-EMT/PARAMEDIC FIREFIGHTER
Chairman Hill presented Recognition Awards to EMT/Paramedic Firefighters, Darren Lolly and Jeramiah Johnson for outstanding patient care.

PUBLIC FORUM FOR NON-AGENDA ITEMS
Ms. Kathleen Ingraham Kuhns with the DeSoto County Historical Society’s John Morgan Ingraham House Restoration Project provided the Board with packet of materials and gave a brief summary of the restoration project to date and what was planned for the future. Ms. Kuhns requested the Boards consideration of $15,000.00 in funding for the upcoming fiscal year.

CONSENT AGENDA-MOTION TO APPROVE
Motion was made by Commissioner Welles to approve the Accounts and Warrants drawn according to schedule of bills payable, Minutes of July 25, 2006 Public Meeting and the July 27, 2006 Budget Workshop and the Small County Technical Assistance Services Program Application. Seconded by Commissioner Garner. Motion carried unanimously.

REGULAR BUSINESS
4. Resolution/Extending the 2006 Tax Roll for Collection
Chairman Hill stated that Kathryn Hill, Tax Collector request an extension of the 2006 Tax Roll for collection prior to completion of the Value Adjustment Board as provided by F.S. 197.323. Motion was made by Commissioner Neads to adopt the Resolution as presented extending the 2006 Tax Roll. Seconded by Commissioner Welles. Motion carried unanimously.

5. Policy/Employee Health Insurance Benefit
Mr. Erickson requested to establish a policy for all employees, including Constitutional Officers concerning Health Insurance Benefits. Currently, the County has 88 employees which provide some sort of family coverage and the employee only pays the established rates that were effective
in 2000. However, with the cost of insurance doubling in the past six years and the number of employees obtaining family coverage almost doubling staff recommends capping this cost with the County paying 40% and the employee paying 60%. Commissioner Neads asked if the employees could be offered optional lower cost family insurance plans as not all can afford the top of the line insurance now offered. Mr. Erickson stated that he is working with Blue Cross/Blue Shield to possibly develop some lower cost family insurance plans. Chairman Hill passed the gavel to Vice Chairman Allen. Motion was made by Chairman Hill to approve the policy as recommended. Seconded by Commissioner Garner. Commissioner Neads asked that the Board consider a 50/50 split. Brief discussion followed. Chairman Hill & Commissioner Garner withdrew their motion and second. Motion was made by Commissioner Garner to adopt the policy with the County/Employee paying 50%. Seconded by Commissioner Neads. Motion carried unanimously.

6. Agreement Amendment/CDBG Disaster Recovery Grant

Ms. Hines requested approval of Amendment #1 to the CDBG Disaster Recovery Grant Agreement with the Department of Community Affairs. The County’s original application was structured to be a joint project with the City of Arcadia to upgrade and expand the City’s Wastewater Treatment Plant. The County will now use these disaster funds to aid in the construction of Phase I of the Regional Water Reclamation Facility to be located off SR 31. Motion was made by Commissioner Welles to approve Amendment #1 as presented. Seconded by Commissioner Neads. Motion carried unanimously.

7. Agreement Amendment/Neighborhood Lending Partners of West Florida, Inc. (NLPWF)

Ms. Hines requested approval of Modification #1 to the Agreement with NLPWF. The current agreement must be amended to reflect specific Hurricane Housing Recovery Set-Asides by income levels. The amendment also reflects a new disbursement date of April 2007, adding additional funding for the creation of new affordable rental units and amends the allowable rental/expenses annual increases. Motion was made by Commissioner Neads to approve Modification #1 as presented. Seconded by Commissioner Welles. Motion carried unanimously.

8. Developer's Agreement/US Homes Corporation & Elite Car Wash, Inc. (Miguel Garcia)

Mr. Rogers requested to pull the Developers Agreement with US Homes Corporation for the Stoneybrook Oaks Project as it is not complete. Mr. Rogers did request approval of the Developers Agreement with Elite Car Wash, Inc. (Miguel Garcia). Commissioner Neads asked if Mr. Garcia was happy with the agreement. Mr. Rogers indicated that he was. Motion was made by Commissioner Neads to approve the Developers Agreement for Elite Car Wash, Inc., as presented. Seconded by Commissioner Garner. Motion carried unanimously.


Mr. Rogers requested approval of the Wastewater Capacity Expansion and Reservation Agreements with Peace River Land Group, First Baptist Church Ft. Ogden, SW Florida Land Eighteen, NRH DeSoto, L.L.C., Casa San Juan Bosco, DeSoto 360 Land Trust, Fort Ogden Townhomes, Arcadia 4Star Corporation, DeSoto Park, L.L.C., DeSoto AM, L.L.C., Centex Homes and Don Arnold. Mr. Rogers indicated that there are 12 participants with all agreements being signed and two payments are pending. Brief discussion followed regarding the two pending payments. Mr. Rogers stated that he has 1, 013 ERU’s available which can still be purchased. Motion was made by Commissioner Garner to approve the 12 Agreements as presented. Seconded by Commissioner Allen. Motion carried unanimously.
POLICY CONCERNING

EMPLOYEE HEALTH INSURANCE BENEFITS

PURPOSE:

To set forth in a definitive fashion the DeSoto County Board of County Commissioners' policy with regard to health insurance benefits during employment in County Service.

STATEMENT OF POLICY:

In order to establish a standard and fair practice for employees who are currently employed with the DeSoto County Board of County Commissioners and participating Constitutional Officers, the Board hereby adopts the following policy which shall apply to all agencies:

Employees will have their single coverage health and life insurance provided to them at the County's expense. Employees who elect to take family, spouse, or children coverage may do so with the employee paying fifty per cent (50%) of the cost of the insurance and the County paying fifty per cent (50%) of the cost of the insurance. The following stipulations apply:

► Employees or elected officials who have retired or left service with DeSoto County will not be eligible to participate.

► All Board of County Commissioners and staff and Constitutional Officers and staff must adhere to the requirements of this policy to continue to participate in the health insurance program.

► This policy rescinds all previously adopted policies concerning employee health insurance benefits.
The effective date of this policy is October 1, 2006. All employees who meet the criteria listed above on or after the effective date of this policy shall be eligible for this benefit. This policy supersedes the policy adopted on September 9, 2003.

Approved by the Board of County Commissioners of DeSoto County, Florida, on the 21st day of August, 2006.

Jerry G. Hill, Chairman

ATTEST:

Craig M. Coffey, County Administrator
MEMORANDUM

TO: All County Employees

FROM: Paul Erickson, Human Resources Director

DATE: August 23, 2006

SUBJECT: Employee Family, Spouse, and Children Insurance

Attached is the Board of County Commissioners latest policy concerning family, spouse, and children insurance cost to the employee. The Board has determined that they will pay for fifty percent (50%) of the cost of the policy premium. This applies to all Board and Constitutional Officers employees and supersedes any previous policy. It does not apply to retirees.

Should you have any questions, contact the Human Resources Department.
WORKSHOP
BOARD OF COUNTY COMMISSIONERS
BOARD OF COUNTY COMMISSIONER'S MEETING ROOM
DESOLO COUNTY, FLORIDA
FEBRUARY 12, 2008

The Board of County Commissioners held a Workshop on February 12, 2008 with the following persons present:

Chairman, T. Felton Garner, Dist#1
Commissioner Jerry G. Hill, Dist#2
Commissioner Delma Allen, Dist#3
Commissioner Elton A. Langford, Dist#4
Commissioner Ronald P. Neads, Dist#5
Interim County Administrator, Bartley E. Arrington
County Attorney, Howard Holtzendorf

Turner Center Manager, Donna Hoth
Emergency Mgmt. Director, Cathy Furr
Facilities Director, Richard Metzger
Human Resources Director, Paul Erickson
Parks & Recreation Director, Kurt Vargo
Office Manager, Carol Treadwell
Transcribing Secretary, Betty Phillips

CALLED TO ORDER 11:00 AM

Mr. Erickson introduced Mr. Richard Shell, Public Risk Management and Mr. Michael Merlot, Actuary with Gallagher Benefit Services, Inc. who would be presenting the information on GASB (General Accounting Standards Board) 45. Mr. Merlot provided a brief background on why the changes were made and the local government requirements. He further reviewed the Implicit Subsidy and Key Assumptions. Mr. Merlot provided a Cash Flow Projection for fiscal years 2008, 2010, 2012, 2014, 2016 and 2018. The benefit payments would go from $276,000 in 2008 to $1,363,000 in 2018 based on what the County Policies currently in place. Mr. Merlot reviewed the various types of employer contributions and the counties current contributions. Mr. Merlot indicated that there was a wide range of options and with Board direction they will provide the appropriate figures. Brief discussion followed regarding several of the options the Board may want to consider. It was pointed out that just changing the policy for new employees will not be of great impact and the greatest impact would most likely be to those getting close to retirement. Mr. Merlot discussed funded vs. unfunded options and costs. He further reviewed some cost containment options.

Commissioner Allen stated that he did not feel the Commissioners should receive this benefit as it belongs to the employees and they were public servants. Commissioner Neads indicated that he would like to see the figures for freezing for future employees and felt Constitutional Officers should be included. Commissioner Langford stated that the retirees should be grandfathered in and did not necessarily agree with the 8/16 years of service for the benefit. Brief discussion followed regarding the look at other supplemental insurance for retirees over 65 years of age that are on Medicare. The Board set a new Workshop date for March 11, 2008 at 11:00 AM for the Consultants to bring back several options with estimated figures.
ADJOURNMENT
There being no further business, the meeting adjourned at 12:08 AM.

ATTEST: 

BOARD OF COUNTY COMMISSIONERS
DESOOTO COUNTY, FLORIDA

BARTLEY E. ARRINGTON
INTERIM COUNTY ADMINISTRATOR

T. FELTON GARNER
CHAIRMAN
The Board of County Commissioners held a Workshop on March 11, 2008 with the following persons present:

Chairman, T. Felton Garner, Dist#1
Commissioner Jerry G. Hill, Dist#2
Commissioner Delma Allen, Dist#3
Commissioner Elton A. Langford, Dist#4
Commissioner Ronald P. Neads, Dist#5
Interim County Administrator, Bartley E. Arrington
County Attorney, Howard Holtzendorf
Turner Center Manager, Donna Hoth
Emergency Mgmt. Director, Cathy Furr
Facilities Director, Richard Metzger
Human Resources Director, Paul Erickson
Parks & Recreation Director, Kurt Vargo
Office Manager, Carol Treadwell
Transcribing Secretary, Betty Phillips

CALLED TO ORDER 11:00 AM
Ms. Brewer introduced Mr. Richard Shell, Public Risk Management and Mr. Michael Merlot, Actuary with Gallagher Benefit Services, Inc. who would be providing the Board with several scenarios as requested at the last Workshop.

Mr. Merlot offered the following five unfunded scenarios: Scenario 1-Eliminate Explicit Subsidy for active employees and continue the current subsidy for the existing retirees; Scenario 2-No subsidy available until 30 years of service (25 for special risk) for active employees and continue the current subsidy for the existing retirees; Scenario 3-A $5.00 per month per year of service for active employees and continue the current subsidy for the existing retirees; Scenario 4-Freeze County’s contribution at current level for active employees and existing retirees and Scenario 5-Freeze County’s contribution at amount in effect at retirement for active employees and freeze County’s contribution at current level for existing retirees. The Actuarial Accrued Liability (AAL) currently is $21,015,000.00. Scenario 1 reduces the liability to $10,824,000.00; Scenario 2 reduces the liability to $16,961,000.00; Scenario 3 reduces the liability to $14,376,000.00; Scenario 4 reduces the liability to $12,870,000.00 and Scenario 5 reduces the liability to $15,187,000.00. Mr. Merlot indicated that Scenario 5 would be an accounting nightmare and recommended that the Board not consider doing. He also indicated that any combination of these can be changed for active employees or existing retired employees. Mr. Merlot also pointed out that new hires are not reflected in these figures. Commissioner Neads asked Ms. Brewer if she felt Scenario 4 was “do-able”. Ms. Brewer stated that things were going to have to tighten up whether the Board did this or not and suggest “grandfathering” those already employed and doing Scenario 2 for any new hires. Mr. Merlot suggested that the Board also consider optional health care plans as a higher deductible will also lower liability. Commissioner Neads stated that he has been asking for optional health care plans for several years and felt the Board should direct staff to look into alternative plans. Ms. Brewer indicated big savings would be seen in the retirees over 65, if they were offered a supplemental policy after qualifying for Medicare and all future employees had to have twenty years of service and be age 65 to receive the benefit. Discussion followed regarding optional health care plans, Scenario 3 (not paying any insurance cost but supplementing employees with a $5 per month per year of services) and the elimination of the elected officials from this benefit. Also discussed was the County
paying 50% of the employee's family coverage and the FRS contribution to retirees. Ms. Brewer asked for a consensus of the Board. Majority of the Board felt that a combination of Scenario 2 & 4 was the best option. Commissioner Allen stated that he thought Scenario 3 was the best and that the Commissioners should not be included in this benefit. Commissioner Langford and Commissioner Neads agreed that Commissioners should not be included. Commissioner Hill pointed out that benefit also included Constitutional Officers and should be included. He was unsure of whether the current 8-year requirement was appropriate or if the Board should consider something different. Commissioner Neads asked Mr. Merlot his opinion regarding the Board consensus. Mr. Merlot stated that he felt it was a good decision that made sense and was good for everyone.

ADJOURNMENT
There being no further business, the meeting adjourned at 12:30 PM.

ATTEST:

BARTLEY E. ARRINGTON
INTERIM COUNTY ADMINISTRATOR

BOARD OF COUNTY COMMISSIONERS
DESOOTO COUNTY, FLORIDA

T. FELTON GARNER
CHAIRMAN
WORKSHOP OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON OCTOBER 14, 2008 AT 2:30 PM
IN THE COMMISSIONER'S MEETING ROOM
ROOM 103, ADMINISTRATION BUILDING
DESO TO COUNTY, FLORIDA

The Board of County Commissioners held a Workshop on October 14, 2008 with the following persons present:

Chairman, T. Felton Garner, Dist#1
Commissioner Jerry G. Hill, Dist#2
Commissioner Delma Allen, Dist#3
Commissioner Elton A. Langford, Dist#4
Commissioner Ronald P. Neads, Dist#5
Co. Administrator, B. Roger Pulley
County Attorney, Howard Holtzendorf
Admin. Services Director, Jan Brewer
Office Manager, Carol Treadwell
Transcribing Secretary, Betty Phillips

Sheriff, Vernon Keen
Tax Collector, Kathryn Hill
County Coordinator, Mandy Hines
Public Relations Officer, Matt Holloman
Parks & Recreation Director, Kurt Vargo
Turner Center Director, Donna Hoth
Budget Coordinator, Linda Nipper
Fire Chief, Glenn Prescott
Human Resources Mgr., Veronica Davis

CHAIRMAN GARNER CALLED THE WORKSHOP TO ORDER 2:30 PM

Ms. Brewer stated that the County currently has Plan 702 and the proposed is Plan 719. Ms. Brewer reviewed the difference between Plan 702 & 719 as follows:

<table>
<thead>
<tr>
<th></th>
<th>Plan 702</th>
<th>Plan 719</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Deductible</td>
<td>$200</td>
<td>$500</td>
</tr>
<tr>
<td>Physician Office Visit</td>
<td>$15</td>
<td>$15</td>
</tr>
<tr>
<td>Child (0-16)</td>
<td>$15</td>
<td>$15</td>
</tr>
<tr>
<td>Outpatient Surgery</td>
<td>90%</td>
<td>80%</td>
</tr>
<tr>
<td>Emergency Room</td>
<td>90%</td>
<td>80%</td>
</tr>
<tr>
<td>X-Ray &amp; Lab</td>
<td>90%</td>
<td>80%</td>
</tr>
<tr>
<td>Prescription Drugs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Generic</td>
<td>$ 5</td>
<td>$ 5</td>
</tr>
<tr>
<td>Preferred</td>
<td>$25</td>
<td>$35</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Co-pay</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Co-pay</td>
</tr>
</tbody>
</table>

Ms. Brewer reviewed the cost of both Plans for the Employee, Retiree, Spouse, Children and Family Categories and the savings to employees per month and per year. Ms. Brewer stated that the total costs to the County per month were $35,034.82 and for the year were $420,417.84. Ms. Davis stated that she was also looking into funding a Health Savings Plan but this had very technical issues and was proceeding slowly and carefully. Ms. Davis pointed out the importance of staying in the Network as it was less costly to the employee.

Ms. Brewer again reviewed GASB 45 which established guidelines for post employment benefits and indicated that the County was currently on the Pay-As-You-Go Plan. The payment for 2007-08 was $276,000. Ms. Brewer reviewed the components of GASB 45 and the estimated figures for continuing
under the current policy and the figures for proposed policy changes. The proposed changes included: (1) Freeze the County’s contribution for active employees and retirees at the current level. (2) Anyone not vested in the system by 12/31/08 does not qualify. (3) Budget a portion of the obligation each year to prepare for the future. Ms. Brewer indicated that the original liability was $21,015,000.00 and with the proposed changes would be reduced to $12,511,600.00. Brief discussion followed regarding the County subsidizing employee dental insurance and it was felt that this should be looked at eliminating. Commissioner Neads stated that he felt that the County should do away with making the employee turn over the State Insurance Subsidy. Brief discussion followed and it was the general consensus of the Board to eliminate the policy regarding the State Subsidy going to the County. Commissioner Neads asked for some of the employee’s opinions that were in the audience.

Mr. Jeff Griffis indicated that the Retiree loses the benefit if they become employed elsewhere.

Ms. Donna Hoth questioned the meaning of vested. It was indicated that if you were not employed by the County for 16 years as of December 31, 2008 you were not eligible.

Chief Prescott indicated that Life Insurance should also be looked at as it is only good while you are employed.

Adjournment
There being no further business the Chairman adjourned the Workshop.

ATTEST:                                               BOARD OF COUNTY COMMISSIONERS
                                                     DESOTO COUNTY, FLORIDA

B. ROGER PULLEY                                      T. FELTON GARNER
COUNTY ADMINISTRATOR                                  CHAIRMAN
The Board of County Commissioners held a Public Meeting on October 28, 2008 with the following persons present:

Chairman T. Felton Garner, Dist #1
Commissioner Delma Allen, Dist#3
Commissioner Elton A. Langford, Dist#4
Commissioner, Ronald P. Neads, Dist#5
County Administrator, B. Roger Pulley
County Attorney, Howard Holtzendorf
County Engineer, Bart Arrington
Admin. Services Director, Jan Brewer
Utilities Director, Chris Rogers
Office Manager, Carol Treadwell
Transcribing Secretary, Betty Phillips

Code Enforcement Mgr., Jorge Hernandez
Public Inf. Officer, Matt Holloman
Planning Manager, Jason Green
Planner, Penny Nelson
Purchasing Manager, Cindy Talamantez
Turner Center Manager, Donna Hoth
Community Services Dir., Paul Erickson
Public Works Director, Robbyn Jennings
Human Resources Manager, Veronica Davis
Fire Chief, Glenn Prescott
Facilities Director, Richard Metzger

The following Elected Officials were also present: Tax Collector-Kathryn Hill, Sheriff Vernon Keen, Clerk of Courts-Mitzie McGavic, City Councilman Richard Fazzone, City Councilman Robert Heine, City Councilman Lorenzo Dixon and City Administrator Ed Strube.

CALL TO ORDER
INVOCATION/PLEDGE OF ALLEGIANCE
PUBLIC FORUM FOR NON-AGENDA ITEMS

Mr. Fred Busack, Special Counsel for DeSoto County stated that he thought it was a good idea that the County provided individual offices for the Commissioners. From a legal standpoint it was important with regards to the Sunshine Law in that it would not give the impression of impropriety which was an issue when all Commissioners shared an office.

Mr. Robert Allen stated that he felt it was inappropriate and a matter of ill timing for the County to spend the money for private offices with the bad economic times. He also felt that the issue should have been brought before the Board in a public meeting instead of being done secretly. Commissioner Neads stated that the Board has authorized the Administrator to spend up to $25,000.00 without bringing to the Board for a vote. This project is costing about $21,000.00 and it is being drawn from various other budgets already approved for the fiscal year. Commissioner Neads stated that he did not feel that the Board received the acknowledgement for all the savings that they do, such as the ones that will be accomplished today with the insurance costs savings, where we are talking about millions of dollars saved. Commissioner Allen stated that Mr. Allen was also against the Turner Center Reorganization last year which has saved the County considerable money. Mr. Maurice Brown stated that he felt Mr. Allen's opinion should be respected by the Board. He further indicated that he also had reservations regarding the renovations of the offices and his concern is underutilization of the office space. Commissioner Hill pointed out the three spaces were converted into five spaces and that it was
important for the Commissioner’s to have a place to make phone calls, meet with people, open mail and to have somewhere to keep their stuff. He apologized if it offended anyone.

Mr. Ed Strube, City Manager stated that the City was very appreciative of the approval of the Landfill Tipping Fee Reduction Agreement, however the Board made a change which was not reviewed and approved by the Council. Brief discussion followed regarding the language used and why it was placed in the motion. It was recommended that the City cross out the language and return the document to the Administrator to be brought back before the Board for re-approval. Councilman Lorenzo Dixon stated that proper procedure was not followed by the City Administrator and he felt that the County would do the right thing. Commissioner Neads stated that he felt the issue did not need to elevate to this level and could have been fixed very simply.

Mr. James Prince stated that he was here representing Ms. Emma Beeles regarding the Housing Grant she had received. He further indicated that they were before the Board earlier this year and were promised that everything would re-examined in order to consider returning the money she felt was owned to her. Chairman Garner indicated that Ms. Waters is out of town and will turn this back over to her to respond to.

CONSENT AGENDA-MOTION TO APPROVE
Motion was made by Commissioner Neads to approve the Accounts and Warrants drawn according to schedule of bills payable, Minutes of October 14, 2008 Public Meeting, Grant Award/Heartland Workforce Training, Restructuring of Community Services, Human Resources and Housing Departments, Resolutions/Assess Liens for costs of Demolition-Dilapidated Structures, Annual Agreement with the U.S. Department of Interior-U.S. Geological Survey, Annual Agreement with Division of Emergency Management-EMPA Grant Program and Resolution authorizing the EMS County Grant Application. Seconded by Commissioner Hill. Motion carried unanimously.

PROCLAMATION
9. Tidewell Hospice and Palliative Care Month
DeSoto County Community Outreach Coordinator Valerie Gilchrist and DeSoto Clinical Site Director Judith Torquato requested the Board to proclaim the month of November as “Tidewell Hospice and Palliative Care” Month in DeSoto County. Mr. Pulley read the proclamation for the public. Motion was made by Commissioner Allen to proclaim November as “Tidewell Hospice & Palliative Care Month” in DeSoto County. Seconded by Commissioner Langford. Motion carried unanimously.

REGULAR BUSINESS
10. Health Insurance Plan Design Change
Ms. Brewer stated that staff has identified an alternate health insurance plan design which will present immediate and substantial cost savings to County and Employees. A change from Blue Cross and Blue Shield PPO Plan #702 to PPO Plan #719 will save the County and Employees. The County will save approximately $486,200.00 annually. Staff recommends the Board approve the Health Insurance Plan design #719 effective 12/01/08. Commissioner Neads stated that he thought this was a great plan and would benefit everyone. He thanked Ms. Brewer & Ms. Davis for their work on this issue. Motion was made by Commissioner Langford to approve the Health Insurance Plan Design from Plan #702 to Plan #719 as presented. Seconded by Commissioner Hill. Motion carried unanimously.

11. Retired Employee Health Insurance Benefit Policy Change
Ms. Brewer stated that this request is a result of the GASB 45 Liability issues. Ms. Brewer requested approval of the Amended Retired Employee Health Insurance Benefit Policy as follows: (1) To freeze retiree post employment benefit to the monetary contribution amount as of December 31, 2008 (2) To
acknowledge any employee who qualifies will be enrolled in the plan established from April 1, 2005 however the benefit is repealed for all other non-qualifying employees as of December 31, 2008.

13. Resolution/Budget Amendment
Ms. Brewer requested adoption of a Resolution for Budget Amendment Packet #9 for FY 2007-08 which include the following: #161-Recognizing & expensing grant and match for hardening Fire Station 2, #163-Interest from an inactive fund in housing transferred to Housing HHRP account, #171-End of year reconciliation of various General Revenue Accounts, #174-Insurance reimbursement for balance of Turner Center reconstruction, #175-End of year reconciliation of various Special Revenue accounts, #176-Used additional interest to fund bank admin fees, #177-Transferred funds from Sanitary Landfill to Curbside Collection expenses and end of year reconciliation for various DeSoto Life expenses. Motion was made by Commissioner Hill to adopt the Resolution for Budget Amendment Packet #9 as presented. Seconded by Commissioner Langford. Motion carried unanimously.

14. Resolution/Un-collectable Ambulance, Medicaid, Medicare and Insurance Loss Accounts
Chief Prescott requested adoption of the Resolution authorizing the write-off of the Un-collectable Ambulance Accounts ($189,834.45) Medicaid & Medicare Accounts ($116,594.04) and Insurance Contractual Accounts ($5,204.80). Brief discussion followed regarding collection. Motion was made by Commissioner Neals to adopt the Resolution as presented. Seconded by Commissioner Langford. Motion carried unanimously.

15. Resolution/SR Arcadia, LLC
Mr. Fred Busack, Special Counsel for the County stated that on April 22, 2008 the County entered into a Standard Utility Service and Conveyance Agreement with SR Arcadia, LLC for provisions of water and wastewater service to the Walgreens Drugstore #10668 located at the intersection of Highway 70 and Highway 31 east of Arcadia. Per agreement, the developer was to construct the required “off-site” improvements needed for connecting the County systems. The improvements have been constructed, tested, inspected and are ready for placement into service. These facilities are now ready to be accepted by the Board. Brief discussion followed regarding title issues. Motion was made by Commissioner Hill to conditionally adopt the Resolution accepting water & wastewater facilities constructed by SR Arcadia, LLC for the Walgreens Drugstore Project pending receipt of the Title Policy. Seconded by Commissioner Langford. Motion carried unanimously.

16. Housing Rehabilitation/Replacement Bids.
Mr. Erickson stated that DeSoto County received over $10.8 million dollars from the Hurricane Housing Recovery Program (HHRP). Rehabilitation of owner occupied homes is a strategy in the HHRP plan. Jewel Contracting bid the lowest on seven of the eight homes. Because Jewel Contracting is a
PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON FEBRUARY 10, 2009 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 February 10, 2009 with the following persons present:

Chairman, Elton A. Langford, Dist#4
Commissioner, Buddy Mansfield, Dist#1
Commissioner, Jerry G. Hill, Dist#2
Commissioner, Judy Schaefer, Dist#3
Commissioner, Ronald P. Neads, Dist#5
County Administrator, B. Roger Pulley
County Attorney, Howard Holtzendorf
Admin. Services Director, Jan Brewer
Office Manager, Carol Treadwell
Transcribing Secretary, Betty Phillips

County Coordinator, Mandy Hines
Public Inf. Officer, Matt Holloman
Planning Manager, Jason Green
Human Resources Manager, Veronica Davis
Administrative Assistant, Jill Thompson
Public Works Director, Robbyn Jennings
Turner Center Manager, Donna Hoth
Deputy Community Ser. Dir., Peggy Waters
Facilities Director, Richard Metzger
Community Services Dir., Paul Erickson
Environmental Services Dir., Billy Hines

CALL TO ORDER
INVOCATION/PLEDGE OF ALLEGIANCE
PUBLIC FORUM FOR NON-AGENDA ITEMS

Gordon Mac Martin stated that he would like to add his voice regarding the issue of impact fees. Mr. Martin stated that this is not the right time to have them and when the County does start to impose them they should be done on a gradual benchmark type basis.

CONSENT AGENDA-MOTION TO APPROVE
Commissioner Neads requested that Item # 4 be removed from the Consent Agenda and placed under Regular Business. Motion was made by Commissioner Hill to approve the Accounts and Warrants drawn according to schedule of bills payable, Minutes of January 20, 2009 Workshop and January 27, 2009 Public Meeting and the Declaration of Surplus Property List. Seconded by Commissioner Neads. Motion carried unanimously.

REGULAR BUSINESS

4. Resolution-Amending Retiree Medical Insurance Policy
Ms. Davis stated that on October 28, 2009, the Board approved a modification to the Retired Employee Health Insurance Benefit Program. The resolution with attached policy changes will formalize the Board’s action in this regard to be available for the public record. Commissioner Neads stated that he and Commissioner Hill requested that the policy reflect and clarify what changes they approved in October. Motion was made by Commissioner Neads to adopt the Resolution formally amending the Retiree Medical Insurance Policy previously approved on October 28, 2008. Seconded by Commissioner Hill. Motion carried unanimously.

5. Resolution/Budget Amendment
Ms. Brewer requested that the Board adopt the Resolution amending the FY 08/09 Budget for the addition of Court Security as mandated by Twelfth Judicial Circuit Court. Ms. Brewer indicated that this is for two Court Bailiff’s positions and the cost of $80,005.18 will come from reserves.
A Resolution declaring policy on Medical Insurance benefits for retirees and dependents.
Adopted February 10, 2009
DESGOTO COUNTY

RESOLUTION 2009 - 10

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY DECLARING POLICY ON MEDICAL INSURANCE BENEFITS FOR RETIREES AND DEPENDENTS, REPEALING PREVIOUS INCONSISTENT MEDICAL INSURANCE POLICIES, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of DeSoto County, Florida, as an agency of the State of Florida, desires to provide medical insurance coverage for its employees and elected officers who retire by a written policy;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of DeSoto County, Florida, as follows:

1. The RETIREE MEDICAL INSURANCE POLICY attached hereto and made a part hereof as ATTACHMENT A, approved by the Board in public session prior to December 31, 2008, is adopted, to be followed until amendment;

2. This policy supersedes and repeals any retiree medical insurance policy previously in effect, which is inconsistent herewith, particularly those dated September 9, 2003, December 14, 2004, January 25, 2005, and March 8, 2005.

3. This Policy is effective immediately upon adoption, retroactive to December 31, 2008.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA at its regular meeting on February 10, 2009.

ATTEST:

B. Roger Pulley
County Administrator

BOARD OF COUNTY COMMISSIONERS
DESGOTO COUNTY, FLORIDA

Elton A. Langford, Chairman

Approved as to form and legal sufficiency:

Howard C. Holtzendorf, County Attorney
RETIREE MEDICAL INSURANCE POLICY

This policy re-defines and re-states the post-employment health insurance benefits for employees and elected officials retiring from service from DeSoto County BOCC, Sheriff's Office, Property Appraiser, Tax Collector, and Supervisor of Elections of Clerk of Courts. There are three classes of benefits, depending on length of service and date of eligibility:

A. Class A. - Those retirees covered on the group health insurance medical plan on December 31, 2008, are eligible to receive Benefit A as a lifetime benefit.

B. Class B. - Those elected officials who have or will have served at least eight (8) years, or two (2) successive terms of office, and those employees who have served sixteen (16) years of continuous service in county service in either of the above offices, by December 31, 2008, are eligible to receive Benefit B as a lifetime benefit, provided they also meet the age requirement as defined under Florida Retirement System guidelines; age 62 for Regular Class or age 55 for Special Risk.

C. Class C. - Those elected officials and employees who have not satisfied the service requirement by December 31, 2008, are ineligible to receive any benefit other than Benefit C as a lifetime benefit.

BENEFIT A

1. DeSoto County shall continue to contribute a monthly subsidy amount to provide medical coverage to the retiree, both individually and for dependents, at the subsidized rate in effect for the retiree on December 31, 2008.

2. The retiree must pay the cost of any increase in the cost of the coverage approved by the BOCC after December 31, 2008.

3. The retiree must have continued in active service through and until retirement.

4. The retiree must continue coverage under DeSoto BOCC's Group Health Insurance Plan to receive the benefit.

5. No benefit shall be paid directly to the retiree, but shall be applied directly to their monthly premium. However, Health Insurance Subsidy (HIS) the retiree receives from the Florida Retirement System shall continue to be paid directly to the retiree. The retiree shall not be required to apply their FRS Health Insurance Subsidy for their monthly premium.
ATTACHMENT A

BENEFIT B

1. DeSoto County shall contribute a monthly subsidy amount to provide medical coverage to the retiree, individually and not for dependents, at no cost to the retiree, at the premium rate in effect on December 31, 2008, which are:

   a. Medicare Eligible Retiree Cost $435.55

   b. Non-Medicare Eligible Retiree Cost $581.55

2. The retiree must pay the cost of any increase in the cost of the coverage approved by the BOCC after December 31, 2008.

3. Dependents shall be eligible for coverage, but at the sole expense of the retiree, including any increase in cost of coverage after December 31, 2008.

4. The retiree must continue coverage under DeSoto BOCC’s Group Health Insurance Plan to receive the benefit.

5. No benefit shall be paid directly to the retiree, but shall be applied directly to their monthly premium. However, Health Insurance Subsidy (HIS) the retiree receives from the Florida Retirement System shall continue to be paid directly to the retiree. The retiree shall not be required to apply their FRS Health Insurance Subsidy for their monthly premium.

BENEFIT C

1. DeSoto County shall not contribute a monthly subsidy amount to provide medical coverage to the retiree. The retiree shall be eligible for coverage, but at the sole expense of the retiree, and provided they also meet the age requirement as defined under Florida Retirement System guidelines; age 62 for Regular Class or age 55 for Special Risk.

2. The retiree must pay the cost of any increase in the cost of the coverage approved by the BOCC after December 31, 2008.

3. Dependents shall be eligible for coverage, but at the sole expense of the retiree, including any increase in cost of coverage after December 31, 2008.
ATTACHMENT A

GENERAL

1. Employees and elected officials that retired or terminated service and did not continue medical coverage shall remain ineligible to receive the benefit.

2. Dependents of deceased retirees shall not be eligible for any subsidized benefit, but shall be eligible to continue coverage as provided by law under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

3. Eligible retirees who become re-appointed and/or re-elected to service with DeSoto County BOCC, Sheriff's Office, Property Appraiser, Tax Collector, Supervisor of Elections, or Clerk of Circuit Courts shall maintain eligibility to restore benefits at the end of the appointment and/or elected term.

4. An application for Retiree Health Insurance Subsidy Benefits must be completed and submitted to the Human Resources Department to establish eligibility.

APPROVED BY RESOLUTION THIS 17 DAY OF FEBRUARY, 2009, AND ATTACHED TO RESOLUTION OF BOARD OF COUNTY COMMISSIONERS, DESOTO COUNTY.

Approved:  
Elton A. Langford, Chairman

Attest:  
B. Roger Pulley, County Administrator
PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON DECEMBER 15, 2009 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 December 15, 2009 with the following persons present:

Chairman, Ronald P. Neads, Dist#5
Commissioner, Buddy Mansfield, Dist#1
Commissioner, Jerry G. Hill, Dist#2
Commissioner, Judy Schaefer, Dist #3
Commissioner, Elton A. Langford, Dist#4
County Administrator, Jan B. Brewer
County Attorney, Nancy Stuparich
County Coordinator, Mandy Hines
Office Manager, Carol Treadwell
Transcribing Secretary, Betty Phillips

County Engineer, Bart Arrington
Human Resources Dir., Paul Erickson
Transportation Supervisor, Shawn Edwards
Utilities Director, Chris Rogers
Fire Chief, Glenn Prescott
Administrative Services Dir., Linda Nipper
Purchasing Manager, Cindy Talamantez
Planning Manager, Jason Green
Planner, Penny Nelson
Facilities Director, Richard Metzger

CALL TO ORDER
3:00 PM
INVOCATION-Reverend Ron York-First Christian Church
PLEDGE OF ALLEGIANCE
CONSENT AGENDA-MOTION TO APPROVE
Motion was made by Commissioner Mansfield to approve the Accounts and Warrants drawn according to schedule of bills payable, Minutes of November 24, 2009 Public Meeting, a Resolution/Application for FDOT Section 5310 Program Grant and a Resolution/Application for FDOT Section 5311 Program Grant. Seconded by Commissioner Schaefer. Motion carried unanimously.

PRESENTATIONS
5. “Distinguished Citizen Award” Policy Adoption & Presentation of Award
Ms. Brewer stated that the Board approved the establishment of a "Distinguished Citizen Award Program" on November 24, 2009. The award recognizes a DeSoto County individual who has demonstrated outstanding leadership, achievement and active involvement with our local community. Ms. Brewer provided the policy for adoption. Brief discussion followed regarding “must be a resident of DeSoto County” criteria. The consensus of the Board was to change it to “must be an individual contributing to the DeSoto County community”. Motion was made by Commissioner Mansfield to adopt the “Distinguished Citizen Award” Policy with amendment. Seconded by Commissioner Langford. Motion carried unanimously. Chairman Neads stated that the Board would like to present Ms. Jackie Tucker with the first award recognizing her efforts among the community. Chairman Neads read the Plaque presented to Ms. Tucker. Ms. Tucker thanked the Board for the recognition.

PUBLIC FORUM FOR NON-AGENDA ITEMS
Mr. James O’Leary read an open letter to the Board regarding his discontent with the excessive government control regarding federal, state and local rules & regulations. He proceeded to give examples of the excessive amount of time, cost and red tape that an individual has to go through in order to get anything done. Commissioner Langford and Ms. Brewer pointed out that the County has gone out of its way to help him resolve several issues on various different occasions.
Valdosta, Georgia. Motion was made by Commissioner Mansfield to approve the Sheriff proceeding with a feasibility study. Seconded by Commissioner Schaefer. Under discussion, possible future sites and financing options were questioned as there is no money in the budget for a new center. The Board directed staff to send a nonbinding letter of interest regarding the availability & cost of the 40 acre property at Turner Street & Five Ash Street. Sheriff Wise indicated that he was open to a possible DJJ Location for the new facility. Motion carried unanimously.

Brief discussion followed regarding the Senate Bill 360 Impasse issue and the use of the County Attorney for minor issues for the Sheriff that tends to fall through the cracks. It was the consensus of the Board to allow the County Attorney to assist with some of the minor issues for the Sheriff.

REGULAR BUSINESS

9. Agreement Revisions/DeSoto Life
Ms. Nipper requested approval of revisions to the DeSoto Life Terms of Agreement. The revised agreement includes additional charges for service reconnection, (after interruption for non-payment) equipment reimbursement at termination of service, warranty and after warranty information and fees. Mr. Lempenuau indicated that he thought the bandwidth was going to be addressed. Mr. Childers stated that there is a contract with Comcast and the 10 mg service will be provided. Motion was made by Commissioner Langford to approve the revisions to the DeSoto Life Terms of Agreement as presented. Seconded by Commissioner Mansfield. Motion carried unanimously.

10. Resolution/Retiree Health Insurance Policy
Mr. Erickson stated that on October 28, 2008, the Board approved a modification to the Retired Employee Health Insurance Benefit program. The Board amended that policy on February 10, 2009. However, neither the original policy nor the amended policy considered the years of service provision to be considered for "retirement" from employment. Age was considered but not years of service for special risk and all other categories. Motion was made by Commissioner Langford to adopt the Resolution formally amending the Retiree Health Insurance Policy as presented. Seconded by Commissioner Hill. Motion carried unanimously.

11. Policy/Employee Overtime/Compensatory Time Pay
Mr. Erickson stated that the Board approved an overtime policy in May 2009. On August 11, 2009 the Board adopted the new Personnel Rules and Regulations. At that time some of the verbiage specified in the previous policy was omitted from the adopted rules. Specifically as it addressed the accounting of time worked on a holiday. The attorney who drafted the new rules was contacted and asked to address the intent of the new rules. It was determined that holiday pay would be given as eight hours worth of pay, but it is not counted as productive time for overtime purposes. This would require adding the following sentence to the Personnel Rules and Regulations, Chapter 7, paragraph 7.1 B: "All holiday hours will be counted as non-productive time when computing employee overtime. Motion was made by Commissioner Langford to approve the revision to the Employee Overtime/Compensatory Time Pay Policy. Seconded by Commissioner Mansfield. Motion carried unanimously.

12. Bid Award-Contract/Centro Campesino Farmworker Center, Inc.
Ms. Waters requested approval to award the bid for SHIP Emergency Repair to Centro Campesino Farmworker Center, Inc. and authorize the Chairman to execute the Contract. The Contractor would perform the services relating to repairs, replacement and installation necessary for the health and safety of homeowner occupants of single family residential dwelling units, who reside in DeSoto County, and qualify as low or very low income persons as defined in the Florida Housing Finance Corporation 2009 Income Limits Adjusted to Family Size for DeSoto County. The maximum compensation allowable for each dwelling unit shall not exceed $15,000.00. Total compensation for this contract shall not exceed
PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON APRIL 13, 2010 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 April 13, 2010 with the following persons present:

Chairman, Ronald P. Neads, Dist#5
Commissioner, Buddy Mansfield, Dist#1
Commissioner, Jerry G. Hill, Dist#2
Commissioner, Judy Schaefer, Dist#3
Commissioner, Elton A. Langford, Dist#4
County Attorney, Donald D. Conn
County Administrator, Jan Brewer
County Engineer, Bart Arrington
County Coordinator, Mandy Hines
Administrative Services Dir., Linda Nipper
Office Manager, Carol Treadwell

Code Enforcement Mgr., Jorge Hernandez
Environmental Services Dir., Billy Hines
Transportation Supervisor, Shawn Edwards
Utilities Director, Chris Rogers
Fire Chief, Glenn Prescott
Community Services Dir., Paul Erickson
Emergency Management Dir., Cathy Furr
Facilities Director, Richard Metzger
Planning Manager, Jason Green
Planner, Penny Nelson
Public Information Officer, Matt Holloman

CALL TO ORDER
INVOCATION-Brother Caban
PLEDGE OF ALLEGIANCE
INTRODUCTION OF ELECTED OFFICIALS
RECOGNITION
Commissioner Hill presented the “Distinguished Citizen” Award for the Month of April to Robert “Bob” Allen. Mr. Allen thanked the Board for this special recognition.

PUBLIC FORUM FOR NON-AGENDA ITEMS
Mr. Maurice Brown asked the Board to revisit the Ordinance amending the LDR Section regarding the allowance of 4-H and FAA animals in all zoning districts. Brief discussion followed with Commissioner Neads, Commissioner Hill and Commissioner Schaefer agreeing to revisit and Chairman Langford and Commissioner Mansfield opposed. Item will be placed back on the Agenda for further review and discussion.

Ms. Teresa Collins provided the Board with a letter explaining the problem she is experiencing with the County regarding removal of some fill dirt from her property. Ms. Collins provided a history of the beginning of her excavation permit which was obtained in August of 2009. Her permit expired in February 2010 and she was told she needed a letter requesting extension. Ms. Collins indicated that she has also received a letter from Code Enforcement to cease and desist and proceeded to discuss other issues that have arisen. Ms. Collins stated that she was not asking for an excavation permit, as she only wished to remove some of the unsightly piles of dirt that are a result of digging a pond to utilize surface water instead of pulling water from deep water wells. Ms. Collins stated that common sense should prevail at some point. Ms. Brewer stated that she and staff have been working to resolve the issues and the permit has been renewed and better monitoring of the dirt removal will take place.
funding from GEO to house inmates from their facility and requested that funds be an addition to the budget and placed in his supplemental operating budget) and #2010-57 (Increasing general contract services to include Administration Building security). Motion was made by Commissioner to Langford adopt the Resolution amending the FY 2009/10 Budget as presented. Seconded by Commissioner Mansfield. Motion carried 4-0.

8. Resolution/Speed Limit-Cubitis Avenue
Ms. Brewer stated that there has been some concern from residents regarding the current maximum speed that motor vehicles are traveling on Cubitis Avenue and they have requested that the speed limit be lowered. In accordance with Section 316 of the Florida Statutes, the Board of County Commissioners has the authority to set the maximum speed limit on a County road at 55 miles per hour. The County Staff recommends the maximum speed limit on Cubitis Avenue be lowered from 60 miles an hour to 55 miles an hour. Ms. Brewer stated that she would also like to purchase the speed equipment necessary in order to do the “speed studies” in house at a maximum cost of $1500. She indicated that there was also a request for a caution sign into and out of the Brownville Baptist Church area and reduce the speed limit to 45 mph. Discussion followed regarding the Florida Statute for setting speed limits and speed studies. Motion was made by Commissioner Langford to adopt the Resolution changing the maximum speed limit from 60 mph to 55 mph on Cubitis Avenue and authorizing the cautionary sign down to 45 mph at the Brownville Baptist Church area. Seconded by Commissioner Mansfield. Motion carried 4-0. Board consensus was also to authorize the purchase of the “speed equipment” as requested.

9. PRM/Blue Cross Blue Shield Dental Insurance Program
Mr. Erickson stated that in 2004 the Board approved paying the premium of dental insurance for all employees. In an effort to conserve current and future funding, staff recommends the Board eliminate funding of employee dental insurance. The County currently spends approximately $100,000 for this program each year and the overall program appears to be under-used. That is, the county is paying for the insurance and the employees are not taking full advantage of using the program. We have worked out a deal with the healthcare benefit brokers, Gallagher Benefit Services, to include employee, employee and spouse, employee and children and family coverage. Since this would be a major change in our dental program, open enrollment or cancellation could begin immediately and become effective June 1st. Motion was made by Commissioner Mansfield to approve funding of current employee dental insurance coverage from employer funded to employee funded. Seconded by Commissioner Langford. Motion carried 4-0.

10. Agreement Modification/Division of Emergency Management
Ms. Furr stated that this is a performance based cost reimbursement grant and the purpose is to continue the enhancement of the local emergency management program. DeSoto County has received funds from this grant source since 1994. The modification of the agreement is to increase EMPA funds. Motion was made by Commissioner Mansfield to approve the Modification of the Agreement with the Division of Emergency Management to increase EMPA funds. Seconded by Commissioner Schaefer. Motion carried 4-0.

11. Change Order/Comanco Environmental Inc.
Mr. Hines stated that DeSoto County entered into a Contract with Comanco Environmental for Landfill Zone Closure construction services on October 7, 2009 with an original Contract time of 180 days. Due to items required to obtain FDEP approval and acceptance, staff requests authorization to amend the original Contract an additional 60 days for a new completion date of June 13, 2010. Motion was made by Commissioner Langford to approve Change Order #1 to the Comanco
PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON DECEMBER 14, 2010 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 December 14, 2010 with the following persons present:

Vice Chairman, Buddy Mansfield, Dist#1
Commissioner, Jim Selph, Dist#2
Commissioner, Judy Schaefer, Dist#3
Commissioner, Elton A. Langford, Dist#4
County Attorney, Donald Conn
County Administrator, Jan Brewer
County Coordinator, Mandy Hines
Administrative Services Dir., Linda Nipper
Office Manager, Carol Treadwell
Transcribing Secretary, Betty Phillips

Planning Manager, Jason Green
Planner, Penny Gaiser
Purchasing Manager, Cindy Talamantez
Emergency Management Dir., Cathy Furr
Transportation Supervisor, Shawn Edwards
Facilities Director, Richard Metzger
HR Coordinator, Rosa Holland
Community Services Mgr., Peggy Waters
Code Enforcement Mgr., Jorge Hernandez

CALL TO ORDER-Vice Chairman Buddy Mansfield-Chairman Ronald Neads Absent
INVOCATION-Dr. Sharon Goodman
PLEDGE OF ALLEGIANCE
INTRODUCTION OF ELECTED OFFICIALS
PUBLIC FORUM FOR NON-AGENDA ITEMS

Robert Bell again asked if anything was being done about the littering signs. He was informed that the signs were being ordered and the issue of raising the fine will be brought back before the Board in January. He also asked that the County look into compost and recycling facilities as he felt dumps were becoming obsolete.

Mr. George Lempnau complained about the double standard used in his current property assessment. He briefly explained and indicated that he would be appealing the VAB’s decision regarding those properties.

CONSENT AGENDA-MOTION TO APPROVE
Motion was made by Commissioner Langford to approve the Accounts and Warrants drawn according to schedule of bills payable, Minutes of November 23, 2010 Public Meeting, Recommendation of the Affordable Housing Advisory Committee, Resolution for the FDOT 5311 Program Grant Application, Resolution for the FDOT 5316 Program Grant Application, Resolution for the FDOT 5317 Program Grant Application and the Agreement Renewal with Hill’s Pet Nutrition Shelter Partners Program. Seconded by Commissioner Schaefer. Motion carried 4-0.

PRESENTATIONS
8. FDOT 5-Year Tentative Work Program
Ms. Trinity Scott representing FDOT provided the Board with a copy of the Tentative Work Program and briefly reviewed the changes. She indicated that with the deletion of the Greenway Project they were able to add some bridge programs, gateway signs and educational programs. Ms. Scott also reviewed ongoing and upcoming projects for US 17. Commissioner Langford indicated that he was
BOARD MEMBER COMMENTS
Commissioner Schaefer stated that she would like to commend her fellow Board members for all of them being on one float for the Parade instead of being all strung out and Merry Christmas to all.

Commissioner Langford stated that he would like for staff to coordinate whatever Mr. Court needs in resolving his issues. He further asked that the Board revisit the Industrial Heavy rezoning issues with the many properties now going into foreclosure. The Board consensus was to revisit the issue. Commissioner Langford also indicated that he would like to revisit premiums for employees insurance and any options available. Ms. Brewer stated that Ms. Holland was investigating and all information would be provided by April prior to the new budget process. Commissioner Langford also questioned the issue of the speed limit on Peace River Street. Mr. Arrington recommended leaving it at the 55 mph based on State Statutes. Ms. Brewer stated that they were also conducting a speed study and making a recommendation regarding the speed limit on Five Ash Road.

ADJOURNMENT
There being no further business, Vice-Chairman Mansfield adjourned the meeting at 11:20 AM.

ATTEST:

JAN B. BREWER
COUNTY ADMINISTRATOR

BOARD OF COUNTY COMMISSIONERS
DE SOTO COUNTY, FLORIDA

RONALD P. NEADS
CHAIRMAN
PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON AUGUST 23, 2011 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 August 23, 2011 with the following persons present:

Chairman, Ronald P. Neads, Dist#5
Commissioner, Buddy Mansfield, Dist#1
Commissioner, Jim Solph, Dist#2
Commissioner, Judy Schaefer, Dist #3
Commissioner, Elton A. Langford, Dist#4
Interim County Administrator, C. Guy Maxcy
County Attorney, Donald Conn
Administrative Service Dir., Linda Nipper
County Coordinator, Mandy Hines
Office Manager, Lauri Jones
Transcribing Secretary, Betty Phillips

Utilities Director, Michael Crumpton
HR Coordinator/Risk Manager, Don Kesterson
Transportation Supervisor, Shawn Edwards
Parks & Recreation Director, Tara Anderson
Purchasing Manager, Cindy Talamantez
Facilities Director, Richard Metzger
Social Services Manager, Peggy Waters
Environmental Services Director, Billy Hines
Code Enforcement Manager, Jorge Hernandez
Acting Fire Chief, William Walker
Building Official, Lester Hornbake

CALL TO ORDER
PRAYER-
PLEDGE OF ALLEGIANCE
INTRODUCTION OF ELECTED OFFICIALS

SET/AMEND-Chairman Neads stated that the following items were being added to the Agenda: #9A-Piggyback Agreement/City of Marathon for Professional Services with The Weiler Engineering Corporation and 9B-Resolution/Amending Rules and Procedures for non-payment of Utility ERU Capacity Reservations. Motion was made by Commissioner Mansfield to set the Agenda as amended. Seconded by Commissioner Langford. Motion carried unanimously.

PUBLIC FORUM FOR NON-AGENDA ITEMS
Mr. Max Gillis stated that his neighbor built a pond and he believed there were code issues. According to Code Enforcement there is not but his septic system will be affected. Mr. Hernandez stated that a complaint was received. The County Engineer reviewed and determined that there was no violation. Mr. Gillis referred to the 25 foot setback requirements. Mr. Hernandez stated that the setbacks are determined by the size of the property. Mr. Gillis felt that this was a double standard. Chairman Neads stated that staff has determined that it is not a violation and the Board abides by their findings as they are the professionals.

Ms. Michelle Bennett read a statement regarding what she felt was corruption by numerous County Departments and the harassment of individuals residing in River Acres Subdivision. Mr. Conn briefly reported on the two Special Master Hearings, one of which Ms. Bennett was involved in. Chairman Neads stated that he was sorry that she was upset and he directed Mr. Maxcy to work with Ms. Bennett. Ms. Bennett inquired as to what they were going to be looking at and Chairman Neads
DeSoto rated so high was because of the minimal management and maintenance of the proposed project. Brief discussion followed. Commissioner Selph expressed his opposition to this type of “passive management”. He felt that the State has bought too much land and ultimately they will own it all. Ms. Morris stated that she understood those concerns and her organization would be assisting the County with obtaining any help with the management and maintenance. Mr. Maxcy stated that there was no need to make any decisions regarding this grant for several months as we don’t have the funding yet and no plans have been provided for review. Mr. Maurice Brown stated that they should have a concept plan before any decisions are made.

Mr. Maxcy requested direction regarding the filling of vacancies of the following positions: Public Safety-Fire and Life Safety Inspector, Utilities-Senior Staff Accountant, Transportation-Public Worker II, Environmental Services-Scale Operator, Utilities-System Support Technician II and Planning & Zoning-Planning Manager. Ms. Hines stated that the Development Advisory Committee voiced concerns regarding the vacant Planning Manager position. Brief discussion followed and the Board consensus was to proceed with filing all positions except the Planning Manager position.

Mr. Maxcy stated that Mr. Kesterson wanted to update the Board on the Retiree Health Insurance issues. United Health care is not offering a reduced rate for the Medicare eligible retirees and the Insurance Committee recommended the Board revise their policy to have just one subsidized rate and to allow retirees to move between the Group Health Plan and any County offered Medicare Supplement/RX Plan. Brief discussion followed regarding the donut hole for prescriptions and keeping the retirees on a level playing field.

**COUNTY ATTORNEY’S REPORT**

Mr. Conn provided a written report and briefly reminded the Board that there is an Executive Session Scheduled for September 13, 2011 at 1030 AM following the Board Meeting.

**BOARD MEMBER COMMENTS**

Commissioner Langford stated that the Ranch Rodeo was a success and they raised approximately $5,000.00 to give to Hospice. He thanked staff for a job well done.

Commissioner Langford stated that he would like the Board to direct staff to advertise for the Engineer position as soon as possible. Brief discussion followed and the general consensus of the Board was to hold off for 60-90 days.

Ms. Kathryn Hill stated that as a member of the Insurance Committee she felt that the Board needed to act on the Retiree Health Insurance issue because the open enrollment ends on Friday. Brief discussion followed. Motion was made by Commissioner Langford to waive the agenda policy to vote on this issue. Seconded by Commissioner Selph. Motion carried unanimously. Motion was made by Commissioner Selph to approve the policy change to allow retirees to move between the Group Health Plan and any Medicare Supplement/RX plan offered by the County during yearly Open Enrollment and to provide one rate for retirees of $581.55 that was in effect as of December 31, 2008. Seconded by Commissioner Mansfield. Motion carried unanimously.

Commissioner Selph stated that the Ranch Rodeo was great and good family entertainment and thanked Commissioner Langford for his helping to put on this event.

Commissioner Mansfield stated that it was a great benefit for Hospice and that he had a great time at the event. He indicated that after the Rodeo he went to the Brotherhood Riders event and felt that the County should get involved with that next year.

**Recess at 4:31 PM until 6:30 PM Public Hearing**

**PUBLIC HEARING**

Mr. Conn read the opening statement regarding the Quasi-Judicial Public Hearing procedures and asked those wishing to testify regarding item #11 (Agenda Item #17 is not a Quasi-Judicial matter and
PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON SEPTEMBER 13, 2011 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 September 13, 2011 with the following persons present:

Chairman, Ronald P. Neads, Dist#5
Commissioner, Buddy Mansfield, Dist#1
Commissioner, Jim Selph, Dist#2
Commissioner, Judy Schaefer, Dist#3
Commissioner, Elton A. Langford, Dist#4
Interim County Administrator, C. Guy Maxcy
County Attorney, Donald Conn
Administrative Services Dir., Linda Nipper
Administrative Assistant, Jill Thompson
Transcribing Secretary, Betty Phillips

Facilities Director, Richard Metzger
Utilities Director, Michael Crumpton
Acting Fire Chief, William Walker
Emergency Management Dir., Cathy Furr
HR/Risk Manager, Don Kesterson
Social Services Manager, Peggy Waters
Transportation Supervisor, Shawn Edwards
Purchasing Manager, Cindy Talamantez
County Coordinator, Mandy Hines

CALL TO ORDER
PRAYER-Pastor Aaron Lewis, Central Baptist Church
PLEDGE OF ALLEGIANCE
INTRODUCTION OF ELECTED OFFICIALS
SET/AMEND- Motion was made by Commissioner Langford to set the Agenda as presented. Seconded by Commissioner Selph. Motion carried unanimously.
PUBLIC FORUM FOR NON-AGENDA ITEMS
None

CONSENT AGENDA-MOTION TO APPROVE
Motion was made by Commissioner Langford to approve the Accounts and Warrants drawn according to schedule of bills payable, Minutes of August 9, 2011 Workshops at 10:30am & 1:00pm and August 23, 2011 Public Meeting and Workshop, Declaration/Surplus of Property, Certification/DeSoto County Homeless Coalition and the Grant Application/State of Florida E911 Rural County Grant Program. Seconded by Commissioner Mansfield. Motion carried unanimously.

PRESENTATION
6. Chairman Neads and the Board presented a plaque to Mr. Roger Hood in appreciation of the Heartland Workforce Board, Region 19 outstanding service to DeSoto County. Mr. Hood stated that this was unexpected and much appreciated.

REGULAR BUSINESS
7. FLORIDA ASSOCIATION OF COUNTIES-ENTERPRISE PROGRAMS
Chairman Neads stated that the Florida Association of Counties offers Enterprise Programs in the areas of Finance, Insurance, Consulting and Purchasing. The Association has partnered with providers of such services in effort to save Florida counties dollars and to offer services designed around local government needs. Currently DeSoto County utilizes three of the programs. Chairman Neads requested that the Florida Association of Counties Enterprise Programs be explored and evaluated by the County to determine benefit and use of such programs. Motion was made by Commissioner Langford to direct the
13. AMENDMENT TO AGREEMENT/VEOLIA TRANSPORTATION
Ms. Waters stated that DeSoto County receives Federal Transit Administration funds to provide DeSoto County residents community transportation services. Veolia Transportation represents DeSoto County as the Community Transportation Coordinator, CTC. The County has received additional funding and is requesting to amend the Agreement with Veolia Transportation to include those funds. Motion was made by Commissioner Selph to approve the Amendment to Agreement between DeSoto County and Veolia Transportation to reflect all Federal Transit Administration funds provided to DeSoto County. Seconded by Commissioner Langford. Motion carried 4-0. Commissioner Mansfield abstaining from vote.

14. RESOLUTION-RETIREE MEDICAL HEALTH INSURANCE
Mr. Kesterson stated that with the County change to UnitedHealthcare effective October 1, 2011 and UnitedHealthcare not offering a reduced rate for the Medicare eligible retirees, the Insurance Committee recommended the Board revise the current policy to have just one subsidized rate of $581.55 and to allow retirees to move between the Group Health Plan and any County offered Medicare Supplement/RX plan. Chairman Neads questioned the additional costs and whether the Board had made a mistake in order to save money. He had heard that some providers were not happy with UnitedHealthcare. Commissioner Schaefer suggested a Workshop as she also has concerns. Commissioner Selph stated that the Insurance Committee also would like a Workshop. He is asking the Board to make this an “official” committee to include the five elected officials, one commissioner and one retiree. He also indicated that there are issues with recording the meetings and minutes and asked that someone be assigned to do this task. The Board consensus was to have a Workshop as recommended. Motion was made by Commissioner Selph to adopt the Resolution declaring a policy on medical insurance benefits for retirees and dependants. Seconded by Commissioner Langford. Motion carried 4-1. Chairman Neads opposed. Ms. Kathryn Hill stated that she would like to clarify some issues. She indicated that Commissioner Selph has done a great job in chairing the Committee. Ms. Hill stated that she did not vote in favor of the new insurance and that she did not want to change insurances this year. She stated that it appeared we were being taken advantage of with the current insurance provider however; the new provider looks good on paper but there are issues that need to be resolved. Ms. Hill also felt that a Workshop with the Board was a good idea.

15. STATUS REPORT/CAPACITY RESERVATION AGREEMENT DEFAULTS
Mr. Crumpton stated that Notices of Unpaid Charges have been sent to all 12 entities that are not current with the payment of their capacity reservation and maintenance fees as specified in each of their individual Wastewater and/or Water Capacity Reservation Agreements on August 18, 2011. On September 6, 2011 staff sent out Notices of Intent to record liens. To date there have been four responses. One entity stated that they purchased the property and was not aware of any Agreement and another requested that we review an addendum to their agreement. Staff is prepared to send the Notices of Default within the next two weeks. Chairman Neads inquired about the issue with GEO owing the County monies. Mr. Crumpton stated that they were waiting to hear back from them however; he could contact them to see where it stands as of this time.

ADMINISTRATOR’S REPORT
Mr. Maxcy stated that the Board needed to appoint a Commissioner to serve on the Lobbying Services Selection Committee. Chairman Neads stated that he would continue to serve if so desired by the Board. Board consensus was to have Chairman Neads continue serving on the Committee.

Mr. Maxcy reported that the Commodities Program was cancelled for this month because of lack of food items. It was pointed out that it was a USDA mess-up and that it would be brought back next month.
WORKSHOP OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON OCTOBER 11, 2011 AT 1:00 PM
IN THE COMMISSIONER’S MEETING ROOM
ROOM 103, ADMINISTRATION BUILDING
DESOТО COUNTY, FLORIDA

The Board of County Commissioners held a Workshop on October 11, 2011 with the following persons present:

Chairman Ronald P. Neads, Dist#5
Commissioner Buddy Mansfield, Dist#1
Commissioner Jim Selph, Dist#2
Commissioner Judy Schaefer, Dist#3
Commissioner Elton Langford, Dist#4
County Administrator, C. Guy Maxcy
HR/Risk Manager, Don Kesterson
Transcribing Secretary, Betty Phillips

DeSoto County Sheriff, William Wise
DeSoto Co. Tax Collector, Kathryn Hill
Clerk of Court, Mitzi McGavic
Clerk of Court, Kathy McClure
Supervisor of Elections, Mark Negley
Tax Roll Administrator, David Williams
Retiree Representative, Jeff Griffis

CALL TO ORDER
Chairman Neads asked Mr. Kesterson to state what they would be discussing during this meeting. Mr. Kesterson stated that the following would be discussed: (1) Discuss current approved Retiree Medical Insurance Policy; (2) Discuss the items or areas the Committee and Board would like reviewed or changed; (3) Confirm agreement of the items or areas to be changed within the policy. (4) Select date for next Insurance Committee to meet to review changes prior to submission to Board and (5) Confirm that policy changes will be returned to the Board for action/approval at next scheduled board meeting on October 25, 2011 or as determined by Board. Mr. Maxcy asked that they determine who they want to appoint to do the Insurance Committee Meeting Minutes. Chairman Neads stated that minutes need to be taken and it was up to him to appoint someone from his staff to do so.

Mr. Kesterson stated that the last changes to the policy adopted on September 13, 2011 included raising the contributing subsidized retiree rate to that of regular employees that was in effect as of December 31, 2008 and provide the opportunity for them to switch between available plans during the Open Enrollment Period. Mr. Kesterson stated that today’s Workshop was to discuss any further changes to the policy. Chairman Neads stated that he had two concerns/issues that he wanted discussed and pointed out that he has no benefit as he has health insurance provided by the military. He felt that the County should pay 100% of the premium for retirees and that the County should also pay the penalty for those who were misinformed and did not sign up for Medicare Part B. Mr. Griffis explained the past policy with Blue Cross/Blue Shield. Commissioner Selph further explained the penalty issue. Brief discussion followed. Commissioner Mansfield stated that he also does not benefit from this policy and that these retirees did not work for the County for the pay but for the benefits and agreed with Chairman Neads. Discussion followed regarding the amount most retirees get after 30 years and the burden of not receiving insurance benefits to help them survive. Chairman Neads asked for a consensus regarding his recommendations and Sheriff Wise asked for him to re-state those recommendations. It was clarified that the County would pay 100% of the retiree’s premium of $667.90 and to pay the penalty for those who did not sign up for Medicare Part B this past year. Brief discussion followed regarding employees who were in the DROP Program being classified as Class B.
It was recommended that it be corrected to include those people in the Class A category as the beginning of their DROP date should be considered their effective retirement date. Discussion followed regarding primary and secondary insurance payment. Ms. Riley stated that if you are over 65 and still working then the insurance is primary and the Medicare is secondary and if you are over 65 and not working then Medicare is the primary and the insurance is secondary. Discussion followed regarding retirees that did not take Medicare Part B and whether United Health Care would pay. Ms. Riley indicated that it is mandated by the State that the insurance pay. Mr. Williams again indicated that the situation with the DROP participants that met the eligibility for the Class A category needs to be corrected. Discussion followed regarding Ms. Kay in the Property Appraiser’s Office situation being classified as Class B. It was agreed that she was eligible for Class A and that would be corrected and clarified in the policy. The Board consensus was to approve the changes as discussed in this Workshop.

Ms. McGavic referred to the policy regarding elected officials retiring from Class B who have served 8 years or two consecutive terms of office. Ms. Hill offered a scenario if they are not re-elected and go elsewhere for employment within the Retirement System whether they would be eligible for the retirement benefit. Brief discussion followed and Chairman Neads indicated that they would be eligible for the benefit if they retired with the service required with the BOCC not the State Retirement System.

Mr. Fonzo Colon and Ms. Kelly Cornish, Account Managers for United Health Care provided information regarding the company’s “Wellness Program”. Ms. Cornish stated that the program was called “Simply Engaged” and provided a money incentive to participate. The program included a “Bio Metric Screening and an on-line assessment with incentives of $25 to $75 to complete. All covered employees and retirees can participate. Discussion followed regarding setting a date for a “Health Fair” and having a champion to represent each department.

Chairman Neads stated that item #4 & 5 are for the Insurance Committee to determine and not the Board.

**ADJOURNMENT**

There being no further business, Chairman Neads adjourned the meeting at 2:13 PM.

**ATTEST:**

BOARD OF COUNTY COMMISSION
DESOOTO COUNTY, FLORIDA

---

C. GUY MAXCY
COUNTY ADMINISTRATOR

RONALD P. NEADS
CHAIRMAN
The Board of County Commissioners held a Public Meeting on October 25, 2011 with the following persons present:

Chairman, Ronald P. Neads, Dist#5
Commissioner, Buddy Mansfield, Dist#1
Commissioner, Jim Selph, Dist#2
Commissioner, Judy Schaefer, Dist #3
Commissioner, Elton A. Langford, Dist#4
County Administrator, C. Guy Maxey
County Attorney, Donald Conn
Office Manager, Lauri Jones
Transcribing Secretary, Betty Phillips
Utilities Director, Michael Crumpton
HR Coordinator/Risk Manager, Don Kesterson
Transportation Supervisor, Shawn Edwards
Fire Chief, Glenn Prescott
Purchasing Manager, Cindy Talamantez
Facilities Director, Richard Metzger
Social Services Manager, Peggy Waters
Administrative Service Dir., Linda Nipper
County Coordinator, Mandy Hines

CALL TO ORDER 3:00 PM
PRAYER-Pastor James Stamie-Nocatee Church of God
PLEDGE OF ALLEGIANCE
INTRODUCTION OF ELECTED OFFICIALS
SET/AMEND-Motion was made by Commissioner Langford to set the Agenda as presented. Seconded by Commissioner Mansfield. Motion carried unanimously.

PUBLIC FORUM FOR NON-AGENDA ITEMS
Ms. Eva Lowe requested that the Board permit her to replace a mobile home that was destroyed by fire approximately three years ago. Mr. Maxey stated that Ms. Lowe’s mobile home was not replaced within the six month timeframe because of the bad economy at that time. The zoning is Residential Single Family and the original mobile home was a non-conforming use. Ms. Lowe requested that the Board allow her to replace the mobile home at this time. She indicated that the area has a lot of mobile homes and hers would not be out of place. The property is located at Shores & Baldwin in Nocatee. Chairman Neads tasked Mr. Maxey to investigate and place on the Agenda if appropriate.

CONSENT AGENDA-MOTION TO APPROVE
Motion was made by Commissioner Langford to approve the Accounts and Warrants drawn according to schedule of bills payable, Minutes of October 10, 2011 Special Meeting, October 11, 2011 Public Meeting and October 11, 2011 Workshop, Declaration of Surplus Property List and the Resolution continuing the moratorium on the issuance of Local Business Tax Receipts for the operation of "Pain Clinics" and "Pain Management Clinics" for an additional one hundred eighty (180) days. Seconded by Commissioner Selph. Motion carried unanimously.

PROCLAMATIONS
5. Tidewell Hospice Month
Mr. Maxey read the Proclamation for the public. Commissioner Mansfield presented the Proclamation to Ms. Virginia Stevens representing Tidewell Hospice. Ms. Stevens thanked the Board for their support. Motion was made by Commissioner Langford to proclaim the month of November as "Tidewell Hospice Month". Seconded by Commissioner Schaefer. Motion carried
11. Contract Amendment/McLeod Land Services
Mr. Giardullo stated that on September 24, 2010 the County entered into Florida Department of Transportation (FDOT) Local Agency Program (LAP) Agreement FPN 425553-2-58-01, for the purpose of constructing sidewalks, drainage structure, handrails and gravity walls on SW Shores and a sidewalk on CR 760A. On February 21, 2011 the County entered into a contract with McLeod Land Services for $184,754.84 with an expiration date of August 10, 2011 which was extended to August 20, 2011. It has been determined by FDOT and County staff that additional safety improvements should be completed by McLeod Land Services in the amount of $22,198.50. Staff is requesting an extension of McLeod Land Services contract to December 28, 2011 for an additional $22,198.50, with an effective date retroactive to August 20, 2011. Brief discussion followed regarding the sidewalk at Turner & Oak Street and Mr. Giardullo stated that he would investigate and report back to the Board. Motion was made by Commissioner Mansfield to amend the contract with McLeod Land Services and authorize the Chairman to sign. Seconded by Commissioner Langford. Motion carried unanimously.

12. Agreement Extension/Chemical Pollution Control of Florida, LLC
Mr. Hines stated that an Agreement was awarded to Chemical Pollution Control of Florida LLC on November 14, 2008 for the Household Hazardous Waste Shed Cleanout Program. The Agreement had an initial contract time of three (3) years with the option to renew for two (2) additional one-year terms upon mutual consent. Both the County and the Contractor have agreed to extend this Agreement for an additional year with the same terms, conditions and pricing as the original Agreement. Motion was made by Commissioner Mansfield to approve the Agreement Extension with Chemical Pollution Control of Florida LLC and authorize Chairman to execute, Seconded by Commissioner Langford. Motion carried unanimously.

13. Resolution/Commercial Card Agreement
Ms. Talamantez stated that the Board approved a Commercial Card Agreement authorizing issuance of County Credit Cards through First National Bank of Omaha. In order to process the card order, the Bank is requesting a Resolution identifying authorized County Officials related to the management of the Commercial Card Program. Motion was made by Commissioner Langford to adopt the Resolution designating authorized officials as it relates to the Commercial Card Program. Seconded by Commissioner Selph. Motion carried unanimously.

14. Resolution/Emergency Line of Credit
Ms. Nipper stated that the Board approved a Commitment Letter on October 11, 2011, authorizing Seacoast National Bank to begin preparing documents to secure a $1,000,000.00 emergency line of credit. In order to proceed, the bank requires a Resolution authorizing the issuance of the emergency line of credit note. Ms. Nipper indicated that new documents were provided to her by the Bank and were basically the same as provided in the Board packets. Brief discussion followed and Mr. Conn will review the new documents prior to the Chairman signing. Motion was made by Commissioner Langford to adopt the Resolution and related exhibits pertaining to the emergency line of credit with Seacoast National Bank subject to additional review by the County Attorney. Seconded by Commissioner Schaefer. Motion carried unanimously.

15. Resolution/Retiree Medical Health Insurance
Mr. Kesterson provided a highlighted revision to the policy. Mr. Kesterson stated that at the October 11, 2011 Workshop it was the consensus of the Board and the Insurance Committee members to recommend the following revisions: The policy to have just one retiree subsidized rate of $667.90 and also offer to retirees without Medicare Part B a one-time option to sign-up and the County to pay only the penalty amount for the retiree. Also to clarify the benefit
eligibility is only for those that meet the class criteria and retire service from DeSoto County. Discussion followed concerning the rate for the subsidy and it was the Board consensus that it should be changed from a figure amount to paying 100% of the subsidized retiree rate whatever it is. Chairman Neads pointed out that the County is paying the retiree’s spouses and family’s insurance costs. He thought that the County was only paying for the retiree. Ms. Hill, DeSoto County Tax Collector and Insurance Committee Member stated that she also understood that it was for the retiree only and there is confusion as to what spouses are covered and not covered under this policy. Commissioner Selph stated that the only thing discussed in the Insurance Committee Meeting concerned the retiree only. Commissioner Langford stated that he understood that the County did not pay the retiree’s dependents costs. Mr. Maxcy stated that this was being paid and if the Board was going to change it they would have to specify an effective date as they are expecting it to be paid for by the County for this year. Commissioner Selph asked that staff prepare a list of all those that would be affected by any change to that policy. Motion was made by Commissioner Selph to adopt the resolution amending the policy on medical insurance benefits for retirees and dependents by removing the recommended highlighted wording and change dollar amount to indicate rate of 100% for retirees only. Seconded by Commissioner Mansfield. Motion carried unanimously.

16. Resolution/Economic Development Tax Exemption Application
Ms. Hines stated that in 2010, the Board voted to place the Economic Development Ad Valorem Exemption Option on the 2010 general election ballot in accordance with Article VII, Section 3 of the State Constitution and Section 196.1995, F.S. The measure was passed in the 2010 General Election by the voters of DeSoto County. In January 2011, the Board adopted Ordinance #2011-01 establishing the program. Section 6 of the local Ordinance requires the application form be adopted by Resolution. Motion was made by Commissioner Mansfield to adopt the Resolution formalizing the local application for the Economic Development Tax Exemption Program as required by Ordinance #2011-01. Seconded by Commissioner Schaefer. Motion carried unanimously.

17. Agreement/CAS Government Services LLC
Ms. Hines stated that the County issued an RFP for lobbying services and received three qualified proposals. Proposals were independently ranked by a three member selection committee. Results of the ranking unanimously ranked CAS Governmental Services, LLC highest based on proposal and ranking criteria. Ms. Hines stated that a Budget Amendment of $1,400.00 will have to be done for an increase in the budgeted amount and wording will be added to the Agreement indicating that the dollar amount “will not exceed $500.00 per day”. Commissioner Selph questioned if Mr. Smith was on top of the DJJ issue at the end of the Legislative Session last year and Commissioner Schaefer asked if FAC was also aware of that issue. Ms. Hines stated that it was not known who knew what when however; CAS Government Services original contract was cut last from Lobbying Services to Monitoring Services. Brief discussion followed regarding the original contract and the effectiveness of lobbying services for the County. Ms. Hines pointed out that they have saved the County money in the past. Motion was made by Commissioner Mansfield to approve the agreement with CAS Government Services LLC for State Lobbying Services as presented. Seconded by Commissioner Schaefer. Motion carried unanimously.

ADMINISTRATOR’S REPORT
Mr. Maxcy stated that an alternate Board Member was needed for the VAB and recommended Chairman Neads or Commissioner Mansfield be appointed. Motion was made by Commissioner Langford to appoint Commissioner Mansfield as the alternate for the VAB. Seconded by Commissioner Selph. Motion carried unanimously.
The Board of County Commissioners held a Public Meeting on February 14, 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 Administrator, C. Guy Maxcy
County Attorney, Donald Conn
Administrative Services Dir., Linda Nipper
County Coordinator, Mandy Hines
Office Manager, Lauri Jones
Transcribing Secretary, Betty Phillips

Utilities Director, Michael Crumpton
Fire Chief, Glenn Prescott
Emergency Management Dir., Cathy Furr
HR/Risk Manager, Don Kesterson
Parks & Recreation Dir., Tara Anderson
County Extension Director, Ken Johnson
Social Services Manager, Peggy Waters
Transportation Supervisor, Shawn Edwards
Purchasing Manager, Cindy Talamantez
Facilities Director, Richard Metzger
Planner, Penny Nelson
County Engineer, Mike Giardullo

CALL TO ORDER
PRAYER-Pastor Eddie Cuban
PLEDGE OF ALLEGIANCE
INTRODUCTION OF ELECTED OFFICIALS
SET/AMEND-Motion was made by Commissioner Langford to set the Agenda as presented. Seconded by Commissioner Schaefer. Motion carried unanimously.
PUBLIC FORUM FOR NON-AGENDA ITEMS
None

CONSENT AGENDA-MOTION TO APPROVE
Motion was made by Commissioner Neads to approve the Accounts and Warrants drawn according to schedule of bills payable; Minutes of January 24, 2012 Executive Session and January 24, 2012 Public Meeting (as amended); the Contract with Department of Economic Opportunity for Low-Income Home Energy Assistance Program (LIHEAP); the Agreement for Education Services between DeSoto County BOCC and DeSoto Memorial Hospital and the Letter appointing Peggy Waters to represent DeSoto County on the Manatee Community Action Agency, Inc., Board of Directors. Seconded by Commissioner Langford. Motion carried unanimously.

PRESENTATION
6. Distinguished Citizen Award
Chairman Mansfield and all Commissioners presented the Distinguished Citizens Award for the 2012 first quarter to Cherie Hollingsworth. Ms. Hollingsworth stated that she was humbled and appreciated the honor. Commissioner Selph stated that he worked with Ms. Hollingsworth for a long time and she always put in a lot of effort with the children of the 4-H program.

7. Southeastern Guide Dogs
Ms. Helen Arnold provided a presentation regarding the Southeastern Guide Dogs and their programs which included the (1) Paws for Independence-pairs visually impaired individuals with professionally
trained guide dogs; (2) Paws for Patriots—pairs visually impaired individuals with professionally trained guide dogs and as some dogs are better suited into careers benefiting veterans with Post Traumatic Stress Disorder; (3) Gifted Canines—Dogs that are companions for children who are visually impaired as a way of educating them about the responsibilities associated with owning a dog; Some dogs not suited for guide dogs are placed in public service careers such as search & rescue and arson, bomb and drug detection; Other dogs that are not suited as guide dogs are ambassadors who provide outreach to hospitals, nursing homes, hospice and schools. Ms. Arnold stated that all support raised was by private donations and are at no cost to the recipient. Ms. Arnold thanked the Board for allowing her to make the presentation.

REGULAR BUSINESS

8. Resolution/Retiree Medical Health Insurance
Mr. Kesterson stated that new language is added to Attachment A; General; Item 2 that will provide for grandfathering of widows and widowers active on the County Health Insurance Plan as of December 31, 2008. Their health insurance and dependent subsidized benefit will continue until such time as this may be changed by the Board. Mr. Kesterson stated that in December 2009 the policy was changed stating “Dependents of deceased retirees shall not be eligible for any subsidized benefit, but shall be eligible to continue coverage as provided by law under COBRA”. This widow was not taken off the plan and has continued to date receiving the subsidized benefit. The Insurance Committee unanimously recommends to the Board to create this exemption within the policy. Motion was made by Commissioner Selph to adopt the Resolution amending the Retiree Medical Health Insurance Plan as recommended. Seconded by Commissioner Schaefer. Motion carried unanimously.

9. Resolutions/Budget Amendments
Ms. Nipper requested adoption of the Resolutions amending the 2011/12 Budget-Amendments #2012-44 (GEO funds submitted to Sheriff’s Office for inmate housing; #2012-47 (To recognize revenue and expense for commuter busses supplied by FTA Section 5311); #2012-43(Transferring Road & Bridge reimbursement for work performed on Hansel from grant revenue. Road & Bridge will utilize the funds to compensate for higher reconstruction costs, in most part due to the new generator systems higher than anticipated costs. Any unused funds will be placed in Road & Bridge reserves) and #2012-45 (From their contingency fund, Building Department purchased the building adjacent to their present offices for future use). Motion was made by Commissioner Langford to adopt Resolution amending the 2011/12 Budget Amendments as presented. Seconded by Commissioner Schaefer. Motion carried unanimously.

10. Agreement/Florida Department of Environmental Protection
Ms. Nipper stated that our current agreement is Resolution #1987-02 and no longer reflects how we currently fund our landfill. The new agreement corrects this. As suggested by the Florida Department of Environmental Services and by our auditors, we have prepared an updated agreement. Commissioner Neads questioned if the MSBU would increase. Ms. Nipper stated that it would not, that this is just a reflection of how we now fund our escrow account. Motion was made by Commissioner Langford to approve an Agreement with Florida Department of Environmental Protection for Landfill Escrow Account. Seconded by Commissioner Selph. Motion carried unanimously.

11. Vehicle Lease Agreement/Federal Transit Administration
Ms. Waters stated that the County has been awarded funds to purchase mini vans through the Federal Transit Administration, Section 5310, Elderly and Persons with Disabilities Program. The vans will be leased to Veolia Transportation which is the Community Transportation Coordinator (CTC). Veolia Transportation will in turn lease the vans to the local providers. The County is required to provide a 10% local match. The local match is budgeted in the FY 2011-2012 for the van expenditure. Motion was made by Commissioner Langford to authorize the Vice-Chairman to execute the Vehicle Lease Agreement with FTA Section 5310 Elderly and Persons with Disabilities
PUBLIC MEETING OF THE BOARD OF COUNTY COMMISSIONERS
HELD ON MAY 8, 2012 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 May 8, 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 Administrator, C. Guy Maxey
County Attorney, Donald Conn
Administrative Services Dir., Linda Nipper
County Coordinator, Mandy Hines
Transcribing Secretary, Betty Phillips
Utilities Director, Michael Crumpton
Fire Chief, Glenn Prescott
Social Services Manager, Peggy Waters
HR/Risk Manager, Don Kesterson
Emergency Mgt. Manager, Doug Christ
Purchasing Manager, Cindy Talamantez
Facilities Director, Richard Metzger
Transportation Supervisor, Shawn Edwards
Parks & Recreation Dir., Tara Anderson
County Engineer, Mike Giardullo
Office Manager, Lauri Jones

CALL TO ORDER
PRAYER
PLEDGE OF ALLEGIANCE

Mr. Randy Hipp with the DeSoto County Fire Rescue stated that he would like to share his respect for his son, Ryan who is serving in Afghanistan. He indicated that his son is a 2010 DeSoto High School graduate and talked about the reasons that his son joined the service. Mr. Hipp read a brief portion of a letter he wrote to him and asked that everyone continue to pray and send letters to him. He is expected to return on July 4th of this year.

INTRODUCTION OF ELECTED OFFICIALS
SET/AMEND-Motion was made by Commissioner Langford to set the Agenda as presented. Seconded by Commissioner Schaefer. Motion carried unanimously.

PUBLIC FORUM FOR NON-AGENDA ITEMS
None

CONSENT AGENDA-MOTION TO APPROVE
Motion was made by Commissioner Schaefer to approve the Accounts and Warrants drawn according to schedule of bills payable; Minutes of April 24, 2012 Public Meeting; Declaration of Surplus Property List; Agreement Extension/LAP Bicycle/Pedestrian Master Plan Consulting Services with Tindale-Oliver & Associates and Contract Amendment/Landfill Access Ramp Construction Services with Clary's Sitework & Development, Incorporated. Seconded by Commissioner Langford. Motion carried unanimously.

PRESENTATION
6. Distinguished Citizen Award
Chairman Mansfield and all Commissioners presented the Distinguished Citizens Award for the 2012 Second Quarter to James Westberry. Mr. Westberry thanked the Board and his wife and indicated that
approve the Addendum to the Master Lease Agreement to include adoption of the Resolution as attached. Seconded by Commissioner Neads. Motion carried unanimously.

13. **Contract Amendment/Central Concrete Products, Inc.**
Mr. Giardullo stated that a Contract was awarded to Central Concrete Products for construction services regarding a LAP Sidewalk Multi-Use Path on August 2, 2011. The Contract was extended an additional 90 days on February 29, 2012. Staff would like to request another extension to facilitate changes in the Scope of Services and give FDOT additional time at final walk through for any changes they may deem necessary. Staff is also requesting an increase in Contract Price. The original LAP Agreement listed a reimbursable amount of $765,000.00 for construction services on this project. The original Contract price is $653,257.96. Staff would like to avail itself of the additional reimbursable funding and amend the Contract increasing the price an addition $100,000.00 bringing the total contract price to $753,257.96. Brief discussion followed regarding park bench pads and canopies. Motion was made by Commissioner Selph to amend the Contract for the Local Agency Program Sidewalk and Multi-Use Path Construction Services with Central Concrete Products, Inc. as presented. Seconded by Commissioner Neads. Motion carried unanimously.

14. **Agreement/Marketing Alliance Inc.**
Ms. Hines stated that the County solicited for proposals for marketing design services in June 2011. The selection committee ranked all firms. The County was not successful in negotiating with the top ranked firm due to fiscal constraints and entered into contract with the #2 firm, Noise Incorporated in October 2011. In April staff determined it to be in the best interest of the county to exercise its termination for convenience clause within the contract and negotiated a contract with the 3rd ranked firm, Marketing Alliance, Inc. Contract negotiations were initiated and completed within the 6 month time frame that the County issued a Notice of Commencement of the original contract award. Staff has amended the not to exceed items in the new contract to reflect adjusted amounts for the remainder of the current fiscal year. Staff recommends approval of the contract with Marketing Alliance, Inc. for economic development and tourism marketing design services. Motion was made by Commissioner Schaefer to approve the Contract with Marketing Alliance Incorporated for Tourism Marketing Design Services as presented. Seconded by Commissioner Langford. Motion carried unanimously.

15. **Resolution/Retiree Medical Health Insurance**
Mr. Keesterson stated that at the April 10, 2012 meeting the Board discussed a situation pertaining to a Firefighter that merged from the City and recommended paying the percentage not paid by the City. The individual, Ricky Wood, had 23.5 years of service when he merged to the County in June 2006. During the merger Retiree Health Insurance was not an item negotiated within the agreement. On April 3, 2012, the City of Arcadia approved the recommendation of a pro-rated employee only health insurance benefit of 94% to be paid until the individual became Medicare eligible at age 65. The individuals current cost will be $35.83 when he retires in June 2012 and could adjust yearly upon the plans renewal. The other 2 eligible individuals would request 8% and 12% upon retirement. New language is added to Attachment A, Class B, Item 4 that Fire Rescue individuals that merged from the City in 2006 who had 20 years or more service at that time will be eligible to be approved by the Board on a case by case basis to receive up to the percentage difference not covered by the City for the City's health insurance until Medicare eligible.

Mr. Ed Johnson stated that he was strongly opposed to this change and that the County already has an unlimited liability of 10 million dollars. Mr. Johnson stated that he had the County papers and these
were being added to the list of 45 others that would be receiving that benefit. He further indicated that five County Commissioners were receiving this benefit and this has to stop. Commissioner Langford stated that this issue was not addressed at the time of the merger and that the County is only picking up the 6%. Commissioner Langford inquired about where the 10 million dollars came from. Mr. Johnson stated that he has not completed his investigation, but the figures show as of 2008 the County will have to pay out that much.

Commissioner Neads stated that they have an obligation to help the employees when we can however; they re-evaluated that and made some changes to the retiree’s policy. Commissioner Langford stated that there was a stop date set. Mr. Jeff Griffith stated that the Commissioners were right and the County changed the policy that employees must have 16 years by December 31, 2008 in order to qualify. He further added that this liability was far less now than the 10 million. Ms. Kathryn Hill stated that as a member of the Insurance Committee, that there are a lot of if’s regarding the retirees and what they earned. The Committee did not want to overstep its boundaries, but they do the best they can for the employees. Chairman Mansfield agreed and felt that it was wrong to take away what has been given prior. Commissioner Schaefer stated that since it only involved 3 people why not go ahead and approve all today. Mr. Conn stated that was because we did not know what the City was going to do with the other 2 individuals and by only approving the one today, it will give us a chance to look at the others as they retire. Motion was made by Commissioner Schaefer to adopt the Resolution amending the Retiree Medical Health Insurance Policy. Seconded by Commissioner Langford. Motion carried unanimously.

16. Resolution/Pain Clinics (Pill Mills)
Mr. Conn stated that due to the danger to the public presented by pain clinics (pill mills) existing in other areas of the state, the County adopted Ordinance 2011-06 which places a moratorium on issuance of business tax receipts for these clinics. DeSoto County is continuing to review the experience of other counties with these clinics, as well as legislation which has been proposed to regulate their operation. This extension is in accordance with Ordinance 2011-06 and will allow the County to gather additional information and experience concerning these clinics before they are allowed to operate. Commissioner Selph asked why we could not extend for a year. Mr. Conn indicated that the Ordinance only allow for 6-month extension. Mr. Conn stated that if the State does not do something soon, he will bring back a new Ordinance which can extend it further. Motion was made by Commissioner Langford to adopt the Resolution extending the moratorium on Pain Clinics (pill mills). Seconded by Commissioner Neads. Motion carried unanimously.

17. Engagement Letter/County Attorney Services
Mr. Maxcy stated that he has served DeSoto County as County Attorney for the past two years. The Agreement with his firm, Pennington Moore Wilkinson Bell & Dunbar has expired. This will continue that Engagement under the same terms as have been in effect for the past two years. Motion was made by Commissioner Langford to approve the Engagement Letter for the County Attorney Services and authorize the Chairman to execute. Seconded by Commissioner Schaefer. Motion carried unanimously.

ADMINISTRATOR’S REPORT
Mr. Maxcy requested that he be authorized to fill a position in the Utilities Department. They have a Plant Operator III position however; he only needs a Plant Operator I position. Mr. Maxcy stated that it would be a downgraded position and help in lowering costs. The Board consensus was to authorize the request as presented.
2012-21: A Resolution adopting a policy on Medical Insurance Benefits for Retirees and Dependents.

Adopted May 8, 2012
DESMOTO COUNTY, FLORIDA

RESOLUTION NO. 2012 - 21

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, ADOPTING REVISED LANGUAGE TO AMEND THE CURRENT RETIREE HEALTH INSURANCE POLICY TO INCLUDE CITY FIRE RESCUE EMPLOYEES WHO HAD 20 OR MORE YEARS SERVICE WHEN MERGED TO THE COUNTY UNDER THE CLASS B CATEGORY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of DeSoto County, Florida, as a political subdivision of the State of Florida, desires to adopt revised language amending the current Retiree Health Insurance Policy as of the date of this resolution for its retirees; and:

WHEREAS, the Board finds adoption of this resolution is in the best interest of the retirees of DeSoto County, Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, THAT:

Section 1. The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct, and are hereby incorporated by reference as part of this Resolution.

Section 2. The Retiree Medical Insurance Policy attached hereto and made a part hereof as Attachment A, is adopted and shall be followed until amended.

Section 3. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 8th day of May 2012.

ATTEST:

C. Guy Maxey
County Administrator

BOARD OF COUNTY COMMISSIONERS
OF DESOTO COUNTY, FLORIDA

By: April O. Mansfield
Chairman

Approved as to form and legal sufficiency:

Donald D. Conn
County Attorney
ATTACHMENT A

RETIREE MEDICAL INSURANCE POLICY

This policy re-defines and re-states the post-employment health insurance benefits for employees and elected officials retiring from service from DeSoto County BOCC, Sheriff’s Office, Property Appraiser, Tax Collector, Supervisor of Elections, and Clerk of the Circuit Court. There are three classes of benefits, depending on length of service and date of eligibility.

Class A - Those individual retirees, including members in DROP, and dependents or widows and widowers covered and active on the group health insurance medical plan as of December 31, 2008, are eligible to receive Benefit A as a lifetime benefit.

Class B - Those elected officials who have served at least eight (8) years, or two (2) consecutive terms of office, and those employees, who have served sixteen (16) years of service to the County or meet the years of service and are approved for disability retirement and have served in any of the above offices by December 31, 2008, are eligible to receive Benefit B as a lifetime benefit. City Fire Rescue employees that merged over to the County in 2006 and had 20 or more years of City service per the City’s August 30, 2006 Inter-office Memorandum are eligible on a Board approved case-by-case basis for a percentage supplement to the City’s Health Plan. These include the following individuals: Harvey Sweeting, Ricky Wood and Karl Lewis.

Class C - Those elected officials and employees who have not satisfied the service requirement by December 31, 2008, are ineligible to receive any benefit other than Benefit C as a lifetime benefit.

CLASS A

DeSoto County shall continue to contribute a monthly subsidy amount to provide medical coverage to the retiree, both individually and for dependents.

Subsidized Retiree Rate: 100%  Subsidized Children Rate: $449.31
Subsidized Spouse Rate: $496.36  Subsidized Family Rate: $594.80

1. The retiree must continue coverage under the DeSoto County Group Health Insurance Plan or Medicare Supplement Plan (if offered) to receive the subsidized benefit rates.

2. Individuals active in the FRS DROP program as of December 31, 2008 will be eligible for the subsidy benefit upon retirement of service from DeSoto County BOCC.

3. No subsidy benefit shall be paid directly to the retiree, but shall be applied directly to their monthly premium.
ATTACHMENT A

CLASS B

DeSoto County shall contribute a monthly subsidy amount to provide medical coverage to the retiree, provided they meet the years of service requirement and retire from DeSoto County service or are approved for disability retirement. This shall be paid individually and not for dependents.

Subsidized Retiree Rate: 100%

1. Dependents shall be eligible for coverage, but at the sole expense of the retiree.

2. The retiree must continue coverage under DeSoto County’s Group Health Insurance Plan or Medicare Supplement plan (if offered) to receive this benefit. Retirees that do not continue coverage after retirement or discontinue coverage with the County shall be ineligible to receive the benefit.

3. No benefit shall be paid directly to the retiree but shall be applied directly to their monthly premium under the Board health plan.

4. Fire Rescue individuals that merged from the City in 2006 who had 20 years or more service at that time will be eligible to be approved by the Board on a case by case basis to receive up to the percentage difference not covered by the City for the City’s health insurance until Medicare eligible, at which time the supplement will cease. Individuals who retire and move to the City plan will not have the option to transfer to the County plan at a later date. Individuals eligible for consideration are: Harvey Sweeting, Ricky Wood and Karl Lewis.

CLASS C

DeSoto County shall not contribute a monthly subsidy amount to provide medical coverage to the retiree. The retiree shall be eligible for coverage, but at the sole expense of the retiree, provided they retire from service or are approved for disability retirement from DeSoto County. The retiree will be responsible to pay the total cost for health coverage as approved by the DeSoto County BOCC after the date this resolution is approved.

1. Dependents shall be eligible for coverage, but at the sole expense of the retiree.

2. Retirees that do not continue coverage after retirement or discontinue coverage with the County shall be ineligible to receive the benefit.
ATTACHMENT A

GENERAL

1. Employees and elected officials that retired or terminated service and did not continue medical coverage shall remain ineligible to receive the benefit.

2. Dependents of deceased retirees shall not be eligible for any subsidized benefit, but shall be eligible to continue coverage as provided by law under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

A. Individual widows and widowers active on the County Health Insurance plan as of 31 December 2008 are hereby grandfathered to continue health coverage and are authorized to continue receiving the dependent subsidized benefit until changed by the Board.

3. Eligible retirees who become re-appointed and/or re-elected to service with DeSoto County BOCC, Sheriff’s Office, Property Appraiser, Tax Collector, Supervisor of Elections, or Clerk of Circuit Courts shall maintain eligibility to restore benefits at the end of their appointment and/or elected term.

4. Medicare eligible retirees will have the option to move between the Group Health Plan and any County offered Medicare Supplement/RX Plan only during the annual open enrollment period.

5. Active retirees under Class A or B, if Medicare eligible that have not signed up for Part B, and are current on the Group Health Plan as of the date of this resolution will receive a one-time offer to sign-up. If they decide to sign-up for Part B they will be required to pay the monthly premium only and the County agrees to pay to the retiree only the monthly Part B penalty for the retiree (not dependents) if they did not previously sign-up. The retiree will provide to the County a copy of the Part B billing invoice and the County will pay only the penalty portion of the Part B premium to the retiree. Yearly updates may be requested by Human Resources from the retiree to verify and update the penalty amount.

6. The County will not be liable for the Part B penalty due to the actions of the individual retiree if they do not agree to sign-up when eligible.

APPROVED BY RESOLUTION THIS _____ DAY OF APRIL, 2012, AND ATTACHED TO RESOLUTION OF BOARD OF COUNTY COMMISSIONERS, DESOTO COUNTY.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF DESOTO COUNTY, FLORIDA

C. Guy Maxey
County Administrator

Juril O. Mansfield
Chairman
CALL TO ORDER
9:00 AM
PRAYER-Pastor Eric Romick of First Baptist Church of Nocatee
PLEDGE OF ALLEGIANCE-Lcpl. Ryan Hipp, United States Marine Corp
INTRODUCTION OF ELECTED OFFICIALS
SET/AMEND-Motion was made by Commissioner Neads to set the Agenda as presented including addition of agenda item #16. Seconded by Commissioner Selph. Motion carried unanimously.
PUBLIC FORUM FOR NON-AGENDA ITEMS
Mr. Bill Stacey commented on two incidents that he witnessed with DeSoto County Public Safety. He smelled smoke in his home. While he was trying to locate the source of the smoke, his wife called 911. He stated his wife had difficulty with the 911 operator understanding his address. Public Safety was on the scene in 6 minutes. He also stated the fire truck or ambulance never arrived. He later found out that the ambulance broke down. The second incident was when a friend fell off the roof of his home which resulted in a broken hip. The ambulance initially went to the wrong address. He would like to see these issues addressed by the Board. Commissioner Neads called on Chief Prescott for any comments and also to investigate the issues presented by Mr. Stacey and report to the Board the results of the investigation. Commissioner Schaefer asked that the Sheriff check the 911 records. Mr. Maxey stated there are signs missing and that it will be resolved. Mr. Stacey would like to tour Fire Station #4. Chief Prescott will arrange the tour. Chief Prescott stated that unfortunately this type of situation sometimes happens. He also stated that when he arrived at Mr. Stacey’s residence, he assessed the situation and acted accordingly. He then commented that he was not aware of the second situation and would need to do some research. He will do his best to make sure this does not happen again. Commissioner Mansfield mentioned he was in the area on Saturday and he did see the fire department in the neighborhood checking the signs.
maintenance burden to the County. Further discussion followed. Commissioner Selph made a motion to approve the Request for an Amendment to the Florida Department of Environmental Protection Lease No. 4401 requesting an addition of approximately 244 acres of land. Seconded by Commissioner Langford. Motion carried unanimously.

11. Ordinance Request Review/Economic Development Advisory Committee
Ms. Mandy Hines requested staff direction for a proposed Ordinance developed by the Economic Development Advisory Committee (EDAC). EDAC is requesting the Board to consider allowing them to review each and every Ordinance the Board considers prior to taking action. Mr. Conn gave suggestions on how to approach this matter. Ms. Hines stated EDAC would like to have a meaningful purpose. EDAC feels Ordinances passed by the Board may or may not have impact on future or current businesses and would like to review those from the perspective of how they would impact businesses. Further discussion followed. It was consensus of the Board that the Economic Development Advisory Committee only reviews the Ordinances that pertain to Economic Development.

12. Approval/Group Insurance for FY 12-13
Mr. Don Kesterson requested approval of proposed fiscal year 2012-13 Health, Dental, Life and Vision plans and premiums as presented. Commissioner Neads questioned the cost of Health Insurance. Commissioner Neads also questioned what the employee pays and what the County pays of each benefit. He also commented that changes were made previously to help cut the expenditures on health insurance. Commissioner Neads also made the statement that in the future we will need to identify the necessity of the benefits and feels they are above and beyond. Further discussion followed. Mr. Kesterson commented the cost of the premium is for the entire year. The County only pays a portion of that premium. For employees, 100% of the health insurance is paid by the County and only 50% of the family plan is paid by the County. Commissioner Neads stated the biggest expenditure is the health insurance for employees and retirees. Commissioner Neads stated he does not want to be a burden to the taxpayers of DeSoto County. Mr. Ed Johnson opposed the approval of the 4 million dollar healthcare package. Mr. Johnson gave a statement as to why he opposes the proposed healthcare package. He feels the package far exceeds anything available in the local private sector. He also feels the average Board salary exceeds those paid in the local private sector. Further discussion followed. Commissioner Mansfield agrees the healthcare plan needs to be reviewed in the future. Commissioner Langford made a motion to approve the proposed fiscal year 2012-13 Health, Dental, Life and Vision plans and premiums as presented. Seconded by Commissioner Selph. Further discussion followed. Kathy Hill, DeSoto County Tax Collector made a statement that there needs to be research on this subject before anything is decided. She also made a statement concerning her salary and all of the local organizations she contributes to as a Constitutional Officer. Mr. Ed Johnson then responded to the Board and Kathy Hill’s statements. Commissioner Langford commented on Mr. Johnson’s response. Motion carried unanimously.

13. Agreement/Landfill Access Road Construction Settlement and Warranty
Mr. Donn Conn requested the approval of the Settlement and Warranty Agreements with Clary’s Sitework & Development Inc., for completion of the landfill access road construction. As the project was nearing completion, it became evident there were significant problems with the quality of the work. As a result, the County has retained $66,752.00 from the project. Mr. Conn sent a Letter of Termination to Clary’s which is the first step in terminating the agreement. The Settlement Agreement provides that upon execution of the Settlement Agreement, 2/3 of the retaining fee will be released to Clary’s so they can then put another 1 ½ inches of asphalt on the road. Staff feels the additional asphalt will remedy the deficient condition of the road. Upon satisfactory repaving, the remaining $22,251.00 will be released. Mike Giardullo then commented on the matter. Mr. Conn then stated he is recommending the Settlement
August 27, 2013

SENT VIA ELECTRONIC MAIL [d.kesterson@desoto.boc.gov]

Donald Kesterson, Human Resources Director
Administration Building
DeSoto Board of County Commissioners
201 East Oak Street, Suite 201
Arcadia, FL 34266

Re: Attorney Opinion on Proposed Change to Resolution 2012-21
(2096 ANB 1(T))

Dear Don:

You have indicated that the DeSoto County Board of County Commissioners is considering modifications to County Resolution 2012-21, whereupon retirees would be ineligible to participate in the County’s health insurance plan upon reaching the age of Medicare eligibility. Based upon the information provided to us, it is our legal opinion that this can be done.

In sum, while the County inherently has the legal authority to prospectively modify retirement benefits, it cannot legislatively reduce benefits that employees have vested or otherwise contracted for. Thus, we reviewed the previous versions of the Resolution and the Commission minutes regarding the adoptions of the Resolutions to evaluate what benefits, if any, have vested. We then performed some legal research and analyzed the information to reach a conclusion. It appears that, in this case, the benefits provided in Resolution 2012-21 are not vested, and can be modified.

First, it is unlikely that a challenge to a change in the benefits provided by Resolution 2012-21 would succeed because there was no consideration for a contractual vesting of benefits. Specifically, because the language alluding to a vesting of benefits as of December 31, 2008 was not added until at least February 10, 2009, the DeSoto County employees were not working toward vesting. The benefits provided by the County were provided after the employees had either already retired or had worked for specified time periods. In essence, any promise to provide benefits by the County was gratuitous, and gratuitous promises generally do not create enforceable contracts.

Affiliate of Worklaw Network: The Nationwide Network of Management Labor and Employment Law Firms
But, even if there were some contractual argument to be made, the next question would be: what was it that the County contracted to do? The plain language of the Resolution includes the statement that “it is adopted and shall be followed until amended.” (emphasis supplied.) This language was present in earlier iterations of Resolution 2012-21, including Resolution 2009-10 and Resolution 2009-88. Indeed, the language in the initial Resolution was amended, with the level of benefits provided and the definitions changing with each amendment.

The fact that Resolution 2012-21 contains language which contemplates a future amendment significantly undercuts an argument that benefits provided in Resolution 2012-21, even if contractually-mandated, cannot be changed. At most, what was promised by the County is that the County would follow Resolution 2012-21 until the County amended it.

As we understand it, the Board of County Commissioners is considering modifying the retirement benefits such that individuals who reach the age of Medicare eligibility will no longer be eligible to be enrolled in the County’s health insurance plan. Pursuant to federal regulations, it does not appear that eliminating the health insurance benefit based on attaining the age of Medicare eligibility would be unlawful. 29 C.F.R. § 1625.32. As a result, it is our opinion that, based on the information provided to us, the County may lawfully amend Resolution 2012-21 such that health insurance benefits are eliminated upon the retirees reaching the age of Medicare eligibility.

We trust that this opinion letter addresses the County’s inquiries with respect to the potential changes to the Resolution. However, should you or any of the Commissioners have any further questions on this issue, please do not hesitate to contact us.

Sincerely,

Brian W. Koji
Shaina Thorpe

cc: Donald D. Conn, County Attorney [dconn@penningtonlaw.com]