

September 3, 2013

Good Morning. This Is September 3, 2013. Please Join Us In Invocation.

Thank You. God, We Come To You In The Name Of Jesus. It Is A Great Nation. We Thank You For Everything You Have Done Thus Far. Lord, Continue To Pour Your Blessing Upon Us And Guide Us To The Moments We Are Facing In Our Daily Life. Have The Commissioners Make Positive Decisions To Bring Us To Success. Please, Lord, Help Them This Morning. In Your Name We Pray. Amen.

Please Join Us In The Pledge Of Allegiance. I Pledge Allegiance To The Flag Of The United States Of America And To The Republic For Which It Stands, One Nation Under God, Indivisible, With Liberty And Justice For All.

Thank You. Please Be Seated. We Have A Special Guest Today. Bring Chloe Up, Please. Our Monthly Spotlight Adoption Pet. She Likes Our New County Manager. You Have A New Best Friend There. Thank You For Bringing Her Forward. We Are Spotighting This Dog Today. Animal Services Received Calls From Neighbors About Cloe. She Was Left Without Food, Water Or Shelter. After Attempts To Work With The Owners, They Finally Surrendered Her After She Became Paralyzed. They Were Cited For Failure To Provide Care. Her Condition Is That She Had A Blood Clot Formed On Her Spinal Cord. It Was Temporary She Needed A Lot Of Care. Gulf Coast Stepped Up To Provide That. She Is A Really Sweet Dog. She Loves People And Other Dogs As Well. She Is A Special Needs Dog Her Whole Life. She Needs The Right Home. We Hope Someone Will See Her And Adopt Her Today.

We Hope She Finds A Good Home. She Is A Beautiful Dog. You Are Spoiling That Dog. She Is A Beautiful Color.

She Is A Beautiful Dog. Very Pretty. It Will Be A Lifetime Of Care For Her. She Is Just A Puppy.

If We Could Our Monthly Promotion At Animal Services. All Dogs 40 Pounds And Over Are \$40 And Cats 25 Pounds And Over Are \$25. Thank You.

We Hope To Find Her A Good Home Today. Next We Go To The Recap. One Item Was Deferred.

So Moved.

Second. No Objection. Motion Carries. The Public Comment On The Consent Agenda. I Have Two Cards. First Is The Mayor Of Cape Coral. We Would Like To

Recognize The Council And The Mayor In The Audience. Thank You For Coming. We Are Glad To Have You Here.

I Want To Thank The Commission For Partnering With Cape Coral. Secondly I Will Make This Short And Sweet. If You Should Run Into Problem Please Give Me A Call. I Will Have The City Manager And Whatever Else Is Necessary To Get It Straightened Out. I Can Be Reached At (239)574-0436. Thank You Very Much.

Thank You, Mayor.

Next Speaker Dana Burnett From Cape Coral, Also.

Good Morning. Economic Development Director To Enlist Your Support For The Incentive Project. You Heard Our Council Approved It On Our Side So You Have Their Support. We Ask You To Do The Same Here. Hopefully To Create 250 New Jobs In The County. I Want To Commend Your Economic Development Staff. They Have Been Very, Very Professional. A Lot Of Communication. I Appreciate That. I Hope We Can Have More Communication Like That In The Future.

I Have No Other Blue Cards. Any Other Speakers. Public Comment Is Closed. Consent Agenda. Items To Be Pulled For The Discussion By The Board.

Second By Commissioner Hall. Any Discussion On The Balance?

Any Objection.

No Discussion. Motion Carries.

Move Item 1. Any Discussion?

I Just Want To Say It Is Great To Have The City And County Work Together On Such An Important Project And I Am Thrilled That The Agencies Are Working Together And That We Have A New Business Opening In The City Of Cape Coral. Thank You All Very Much.

Thank You For Your Support, Council. I Talked To Residents That They Want To Continue Working On The Cape Coral Across The Bridge Area Work Than Is An Incentive To Help The Residents Work Every Day And Be Productive.

Any Discussion?

Quickly. I Understand This Represents Perhaps Filling Up Some Already Built Buildings Sitting Empty Which Is A Huge Plus. Also If I May Call Everyone's Attention To High Level Technology In The Center To Bring In Higher Paying Jobs

Along With What Has Already Been Stated On There. It Is Great For Cape Coral And Lee County.

No Objection. Motion Carries.

2-A.

This Is The Grant.

Any Discussion? Any Objection? No Objection Motion Carries.

Move 2-B.

I Second. This Is A Request For Funding.

Any Discussion? Any Objection? No Objection. Motion Carries.

Move 9-A.

Second.

I Appreciate This.

Could We Ask If You Could Let Everybody Know What Happened Here. I Agree With Commissioner Hall This Is A Step In The Right Direction As Far As I Am Concerned.

Go Ahead.

Thank You. This Is Consolidation Of A Number Of Impacting Districts To Allow Flexibility In Spending Those Funds. It Is Worth Noting That Any Of The Dollars Currently In The Reserve Accounts For The Individual Districts As They Exist Today Have To Be Spent Within The Boundaries Of The Existing District. This Affects All Collections. No Objection. Motion Carries.

Move 14-A. Any Discussion? Any Objection?

No Objection Motion Carries.

Walk On Item Number One.

Second. Any Discussion? No Discussion. Any Objection? No Objection. Motion Carries. Walk On Number Two.

I Move The Item For Discussion.

I Second That Because We Must.

Mr. Manning Makes A Second. Any Discussion?

I Would Like To Hear A Staff Presentation That Focuses At Least Partially On How Did We Get Into This And How Do We Avoid Ever Doing It Again?

For The Record Andrea Fraser. This Case Came About From A Case That Came Through Your Re-Zoning Process. The Plaintiff Which Is Hbh Buckingham Bought The Property For \$4.8 Million. In December Of 2004 Enthusiasm Applied From Re-Zoning From Agricultural To Mixed Use. They Were In The Buckingham Planning Community And Had Insufficient Acreage Allotted To The Lee Plan To Accommodate This Proposed Mixed Use Plan Development. Staff Recommended Approval With Certain Conditions For Re-Zoning. The Hearing Examiner Concurred At The Time But Noted Insufficient Capacity In The Buckingham Planning Community. Concluding That Future Development Order Approval Would Require A Change To The Lee Plan For The Buckingham Community Plan. In September Of 2005, Staff Started The Process For Amending The Acreage To Move The Mapping Horizon Forward From 2020 To 2030. Staff Proposed Amendment Would Have Among Other Things Increased Acreage In The Buckingham Planning Community. However On December 13 Of 2006 The Board Voted Not To Transmit The Acreage To Dca For Compliance Review. Ultimately In June Of 2010 The Lee Plan Was Amended To Increase Acreage And Boundaries Of Map Were Changed And Property In Question Went From The Buckingham Community Plan To The Lehigh Acres Community Plan. The Plaintiffs However In This Case Filed Two Different Suits. One Was Filed In 2007. The Other In 2008. There After The Circumstance Kit Court Found The County Liable For Taking Of Plaintiff's Property From December Of 2006 Through June Of 2010. The Court Ordered A Jury Trial To Determine The Damages. The Jury Set The Damages At \$4.6 Million In That Trial. There Was Also Interest Preceding Of That Over \$2 Million. There After There Is \$860.87 In Daily Interest Payments That Were Due.

Excuse Me. I Need To Interrupt. Judgment Was 4.6.

Jury Came Back With \$4.6 Million.

In Addition To That There Was Already Accrued Interest Of \$2 Million.

Over \$2 Million. \$2.2 Million, I Think. That Was From The Taking In December Of 2006 To June.

Before Any Discussion Of Appeal We Were Already At Risk For 6 Plus Million Dollars?

Yes, Sir. There After Based On Appeal That Was Done By Prior Administration We Appealed The Decision At The Total Of \$860 Running Every Day. That Is How We Are Now Up To Some \$8.3 Million Including Attorney's Fees.

If I May Continue, Mr. Chairman. I Am Trying To Get My Arms Around This \$4 Million In Interest. 2 Had Accrued Before Appeal. That Took About A Year And Another \$2 Million?

Yes, The Trial Was In September Of Last Year. There After The Judgment For The Per Deem Cost Started Accruing The Day Of The Judgment. The Appeal Came Back Last Week. A Little Less Than A Year.

Now, I Feel Compelled To Ask This. I Know You Were Not The County Attorney At The Time Your Predecessor Was On Watch Which The Recommending Was Made To Appeal. It Would Help Me If You Could Shed Light On It. You May Have To Dig Around Yourself, I Don't Remember You Two Guys Don't Have To Feel Responsibility Here Because You Weren't Here When This Happened. I Was And I Feel Awful About How This They Came To Pass. What I Don't Remember Hearing When We Were Asked To Approve The Appeal Was Discussion Of The Interest The \$2 Million Had Already Accrued Nor Was I Advised The Meter Was Running And The Appeal Process Might Take A Year And That Might Cost \$2 Million. I Don't Remember The Discussion About The Interest. Can You Give Me Any Light On That?

The Only Light I Can Shed On That. I Did See An E-Mail From The Prior County Attorney To The Board But It Only Said That There Was Going To Be Discussion About It. It Did Not Lay Out In Detail What The Discussion Was Going To Encompass. That Was Not Had Here At An Open Meeting. I Would Have Thought That Would Have Been Done In The Briefings One-On-One.

I Don't Recall That Either And I Am Pretty Good About Remembering Those Types Of Numbers. That Is My Recollection. I Don't Remember That.

Mr. Chairman I Have Discussed This And Straining My Own Recollection. I Don't Think It Changes Anything. I Confessed To Her Half Joking That In My Advanced Age I Tend To Forget Things. I Don't Forget Things That Will Have The Effect Of A \$4 Million Hit In Interest. I Don't Remember Any Discussion Of Us Being At Risk For Additional Interest Nor Do I Remember The Discussion That We Have Already Approved \$2 Million And That Is How We Got The \$6 Million. Had I Been Aware Of That, I Don't Know How I Would Have Acted. Right Now I Think I Would Have Told The Folks In Buckingham This Risk Is Too Large And We Cannot Continue The Appeal Process With The Likelihood Of Failure. I Can't Risk Another \$2 Million. I Don't Remember Being Briefed On The Potential Hit Of \$2 Million. As I Said, Mr. Chairman When I Asked Miss Fraser To Address This. This Is A Disastrous Result Of

An Appeal Process Approved By Us. I Don't Think I Was Well Informed At The Time. That Excuse Is Flimsy At This Point. But I Want To Make Absolutely Certain For All Of Those Listening And Employed Here Right Now Or May Soon Be Employed That We Never Get Into An Appeal Process Without Fully Understanding The Possible Consequences Good And Bad. That Is My Little Lecture. I Don't Know That Is A Question. If You Can Find A Question In It, Feel Free To Respond. Thank You, Mr. Chairman.

Thank You. Commissioner Hall.

This Goes Back. We Have Come Forward. It Goes Back Where We Set Aside \$1 Million. We Were Ready To Go To Court. There Were Commissioners That Wanted To Go To Court. We Said What Is This Going To Cost Us? It Is Was Over \$3 Million Or More With Experts. It Is Not Worth Going To Court When We Can Go Back To See What Needs Done. That Is Where We Need All Of The Information So We Can Balance Out The Worst-Case Scenario. I Remember The Case And How Contentious It Was. Everyone Was Aware Of What Was Going To Happen. I Don't Remember Hearing About By The Way If We Lose It Is \$2 Million Potential. As We Go Forward We Are Better Informed. Andrea, You Have Initiated Your Staff Telling Us What Those Options Are, That We Are Fully Aware Of That And The Public Is Aware Of That. At The End Of The Day We Have Run Our Course. We Need All Of The Information In The Chambers As Well As Being Briefed.

What Is The Status Of The Property Now? Are They Building Condos Here?

I Don't Recall If The Property Was In Foreclosure. I Can't Recall. I Think This Might Have Been One Of Them That Went Through Foreclosure.

You Are Going Backwards. In The Future When I Am Sitting Here So This Doesn't Happen In The Future. Is This From The Board Voting Against What The Hearing Examiner Recommended? There Were Friends Opposing This Across The Street?

What Happened The First Time It Came Before The Board. The Board Made A Recommendation To Deny. There After Based On The Changes That Were Made To The Land Development Then The Board Came Back And Approved It.

Any Recommendations To Keep This From Happening In The Future?

We Advise The Board. We Are Required To Do So As The Client. Sometimes The Board Takes Our Recommendation, Sometimes They Decide Not To.

Thank You.

Thank You. That Was My Question. Going Forward With The Process That I Think This Is \$8 Million Lesson. We Need To Be Aware Of What Happened. Both Staff And Your Didn't Recommended What Was Approved By The Board?

From Our Recommendation It Was Recommended Approval By Staff And The Board Determined Not To Move Forward With That Recommendation.

Was There A Point In Time During This That I Think Even After The Judgment We Could Have Bought The Property For \$4.5 Million.

We Would Not Have Gotten The Property. We Would Have Gotten The Opportunity To Pay Them For The Damages.

The 4.6?

Yes.

The Last One. In Terms Of The Budget This Is Coming Out Of The Budget This Year As You Projected \$1.2 Million For Legal Fees. Our Budget This Year Already.

Commissioner, This Is Coming Out Of The Law Fund Ourself Insured For Property Casualty And General Liability And It Is Coming Out Of That Fund. There Is Capacity To Pay It Out Of That Fund.

There Is A Reserve Fund Set Up? How Much Money Is In There Right Now?

\$25 Million.

Is That Before Or After That?

This Is Before.

That Is \$25 Million Minus \$8 Million?

Correct.

Thank You.

Any Other Questions?

Maybe There Is No Answer To This. This Is Triggered By What The Dialogue You Just Had. When We You Are Telling Me That We Over Road Both The Hearing Officers' Recommendation And The Staff?

Yes.

That Makes Me Wonder All The More Why There Wasn't A Much Broader Discussion On The Appeals Process On Whether Or Not We Should Do It When We Were Already Swimming Upstream Against Our Own Best Advices. Why The County Attorney Would Have Recommended The Appeal? The Questions That Come Up. Perhaps There Are No Answers. This Was A Disaster Of Serious Accord All The Way Through That Is Not Going To Happen Again.

Not Under My Watch But That Is Short Lived Though.

Some Comfort In That. Thank You.

Mr. Chairman, There Were A Lot Of People In The Room When This Case Happened. There Was A Lot Of Controversy And It Goes Back To When We Deny And Overturn, How Important It Is To Have A Record And The Conversation At That Overturn. I Remember It Was Not A Healthy One By The Board. If You Go Back To Read The Transcripts, I Think We Were On Shaky Ground. We Overturned It. I Appreciate Because We Have Had A Change In Zoning. They Have Been Careful To If We Are Going To Make A Denial We Deny Based On The Record And Point To The Record. The County Attorney's Office Is To Step Up To Make Sure We Can't Deny Because We Feel Pressure From The Public. We Have To Deny Based On The Code, Laws And Ordinances. Those Are Tough Decisions Because The Ordinance Allowed This Person Their Property Rights. There Were Cases There Back In 2005, 2006, Seven That Were Overturned That Were On The Bubble. I Want To Compliment The County Attorney's Office For Recognizing That These Things Need To Be Taken Care Of. You Need To Guide Us. Sometimes We Don't Know The Right Question To Ask. I Appreciate Your Initiative To Give Us Simple Advice.

The Most Simple Question. Is This Our Only Choice?

This Is Your Only Choice. Unfortunately, I Would Love To Give You Options. There Is No Option. This Is The Judgment Out There. Should The Judge Or We Fail To Pay, You Will Somebody Will Come Over To The Clerk's Office And Say Give Me \$8 Million. We Have No Option.

The Meter Is Running By The Day?

It Does. However, With The Assistance With The County Manager And Opposing Council We Have The Total Including The Per Diem Cost Until Tomorrow Included In The \$8.3 Million. There After If We Fail To Pay It Will Continue To Go Up.

Any Discussion?

Any Objection? Motion Carries 4-1. Commissioner Manning.

Only This Came Up This Morning. There Wasn't Any Way To Notify You Earlier. It Had To Do With Action Taken This Morning Involving The Councilmembers Here. I Have Already Received -- I Wouldn't Call It Hate Mail. It Was Upset Mail From Somebody In Lehigh Acres Involved In The Business Community There For Some Time. They Were Complaining About Being Treated As A Stepchild. The Hertz Case And The Matching Money We Approved. I Want To Say For The Record And Hopefully There May Be Some Folks From Lehigh Watching. Certainly This Is An Operation That Should Have Been Located In Lehigh Acres. The Fact Is Hertz Approached Cape Coral Because They Have The Authority And Wherewithal To Respond To The Request For The Just Under \$200,000 Which Would Then Be Matched By The County If We Approved It. Lehigh Acres Not Being A City Has No Mechanism To Provide That Economic Incentive. It Is As Simple As That. All Of The Hate Mail You Want To Send. Our Stepchild Image Mail Won't Help Me. I Would Suggest You Look To Your Own Community In The Future And Consider What I Have Supported For The Last Three Or Four Years. Look As Incorporation To Be A Competitor When These Cases Come Along. Right Now We Have No Option. The Cape Was Prepared To Act. We Want Those Jobs In Lee County. We Supported It. There Was No Opportunity To Share This Wind Fall, This Good Fortune With Lehigh. I Want To Clarify That To The Extent I Could. Thank You, Mr. Chairman.

I Just Warrant To Comment On What Commissioner Mann Just Said. It Was Not Presented To Me The Reason It Didn't Go To Lehigh Was Because Of The Match. In Our Funds We Have The Capacity To Have Made That Happen 100%. I Was Told That When They Are Looking For Areas They Didn't Have A Space That Was Accommodating Like Cape Coral. I Don't Wantonly High And The Residents Or Anywhere In Lee County To Think If A Hertz Or Sony Is Looking For These Facilities We Don't Have The Wherewithal To Make It Happen In Unincorporated Lee County. We Do. Correct Me If I Am Wrong, This Came Down To Availability Of Facilities. Then The Mon We Was Secondary. Am I Incorrect On That?

You Are Correct. It Was Driven By Specific Real Estate Needs. We Did Along With Hearts Conduct A County Wide Search Including Lehigh Acres. Their Needs Couldn't Become Dated There.

Did This Lead Go To Us. It Came Through Our Office And We Went Around?

No, That's Correct. It Was Through Us.

I Want A Clean Record There. North Fort Myers We Would Have Loved To Have Had Some Of That Blanking Shopping Center Space In North Fort Myers Being Available. We Looked For The Best Place. If Lehigh Had It, They Would Have Come To Us To Do The Amount. That Would Have Been Our Choice. Partnering With The Cape To

Participate With Us Is A Big Windfall And Brings Great Companies To Lee County. I Hear You Commissioner Mann. If They Want To Incorporate I Am For It. I Don't Want Them To Think We Can't Make Things Happen For Them.

Commissioner Manning. Reappointments.

First To Redevelopment And The Reappointment. I Doug Gyure.

It Is Gyure.

I Second That.

Any Discussion?

Thank You.

No Objection. Any Appointments?

No.

I Have A Reappointment To The Land Development Code And Reappointment To The Executive Regular To Regulatory Committee.

I Think Last Week You Asked If We Could Invite The Sheriff And Supervisor To Chat With Us About The Budgets. Miss Harrington Is Here And Mr. Burke Witnesses. Your Choice Of Order.

Come On Down, Sharon. Thank You For Joining Us This Morning.

Sharon Harrington Supervisor Of Elections. The Items I Want To Talk About Aren't Part Of My Actual Budget. When We Presented The Budget Initially We Didn't Add In The Money That We Were Anticipating For Adding New Equipment Out To The Polls After The Last Election. That Was All Handled Separately. We Have An Estimate Of What We Will Need Now. There Are Other Things That Will Be Coming Down The Road Later On That We Can Discuss Maybe Another Year. Right Now We Are Looking At Having To Get Additional Scanners In The Precincts And The High-Speed Ballot Readers For Absentee Ballots Which Is The Next Generation And Electronic Poll Books. One Of The Things We Do Is We Need To Move On This Like Now. Everyone Across The Country, Not Just Lee County Or The State Of Florida. I Have Been To Several Conferences That Incorporate All Of The United States And International Entities As Well. Everyone Is Looking At The Same Issues That We Are. They Need More Equipment Out There. Vendors Have Told Us They Can Only Produce So Many Pieces At A Time. We Don't Want The Next General Election Coming With Out Us Being Thoroughly Prepared. We Submitted To Finance An Estimate Of What We Were Going To Need. We Are Looking At Our Current Budget

Right Now Returning Back To The Board \$1.6 Million. I Would Like To Keep That Fund For Either Give Them To You And Know We Are Definitely Going To Get That Back Because I Can't Sign Any Contracts With Anyone Until I Know The Funding Is There. It Is An Estimate. We Don't Have All Expenses In Or Income In. I Would Like To Keep That Money. Now We Are Looking At 1.5 Expenditure. We Might Cover The Majority Of What I Need Immediately Out Of What Is In My Budget Right Now To Return Back. I Would Need To Know The Procedure On That.

Sharon Could You Segregate Those Funds In Another Line Item In Your Budget And Call It Something Temporary? Is That Doable?

Commissioners, I Have Added It Up. It Is \$1.6 Million In Her Capital Needs. When We Projected A Return Of Funds From The Supervisor Of Elections This Year. We Projected \$350,000. If She Is Returning \$1.6 Million That Is From Our Projections How Much You Would Be Out Would Be \$50,000. That Is A Good Plan If She Returned That We Could Give It Back To Her, Basically.

That Is Not What I Said.

It Is Certainly Fair To Blame The Legislature To Helping Load Your Ballot With 40 Plus Constitutional Amendments And It Is Also Fair To Thank The Legislature For Compressing The Voting Time By Taking Away The Extra Voting Days That Had Been Available. Now The Legislature Has Seen The Error Of Their Ways Have Not Given Us All Of Those Additional Amendments. Who Knows What They Will Do Next Year. I Doubt They Will Do That Again To Us At Least For Those That Live Long Enough To Remember That. They Have Given Us Early Voting Days Back That They Took Away From Us. I Am Assuming That You Have Put All Of This Into Your Own Little Computer Planning. I Was Hoping Some Of That Additional Equipment Might Be Alleviated By The Actions Taken.

Actually As Far As The Long Amendments There Is A Caveat To Read It Carefully. They Would Be Limited To 75 Words. However If The Court Does Not Feel That That Is An Adequate Explanation They Can Put As Many Words In There As They Want. We Hope That Is What The Courts Are Going To Do. There Is Always That Possibility. In Addition To Increasing Early Voting, The Times And Days, We Are Going To Add Additional Sites. We Need More Equipment In That Respect. We Are Going To Add At Least Five Right Now Additional Early Voting Sites. We Do Have Some Precincts That I Think We Could Possibly Justify Having Two Scanners In That Precinct Regardless Of What The Election Might Be. We Hope For A Big Turnout For The Presidential. When We Did Redistricting We Figured More People Would Vote Early Or By Mail. That Might Still Be The Trend. We Do Have Some That Will Have Four Or Five Thousand People In Them And We Need To Make Sure They Have

Adequate Voting. The Federal Government Is Looking At A Half Hour Or Less. We Will Be Happy With An Hour Wait Time Or Less. We Were Very Careful When We Looked At The Extra Pieces We Would Need. It Doesn't Put Scanners In Every Presents But It Does Help Out In The Larger Once.

Here Is Where I Am Going. I Am Sure Your Budget Folks Worked With Our Budget Folks To Put A Sharp Pencil To This. Prior To The Last Election And The Built In Problem With All Of This, Not The Length Of The Constitutional Amendments Which Were An Issue But The Number Of Them. 40 Plus. If I Think Back Prior To That Election We Never Experienced Anything Like That. There Was Nothing So I Am Thinking That They Took Away The Early Voting Days There Is Only One Election That Was A Disaster That Had To Do With Those Major Problem Of The Legislature. I Am Hoping Before We Decide On A Final Number As To What You Need We Look Back And Remember That There Weren't Any Problem Except For This One Disastrous Election Created By The Legislature And Not By Your Office.

Some Of This Is True. I Am Glad To See That It Gave Those Of Us In Elections A Seat At The Table. Prior To That Time They Did Not That Is What Happened. They Got In A Lot Of Trouble. This Time They Listened To Us. The Next Presidential Will Be Open On Both Sides. I Think It Is Going To Be Probably More Attended Than The Last One. I Feel Bad For Those That Walked Away And Did Not Vote. I Would Not Want To Deny Anyone That Right To Do That.

Nor Would Any Of Us. Even In Previous Election Years It Did Not Create The Problem We Had In That Election.

As Soon As We Can Do It We Have To Replace Ada Equipment. It Is Old.

We Will See You Next Year.

That Hasn't Been Certified Yet. We Have That. That Is Not Everything We Are Going To Need But It Is Really Important. One Of The Big Comb Opponents Is The Electronic Poll Books. They Think It Is An Ipad And We Are Getting Rid Of Paper. It Is More Than An Ipad Instead Of A Lot Of Paper At Polling Locations. It Gives Us Realtime Attendance, I Could Monitor From My Desk Any Presents To Know How Many People Had Voted. It Takes Care Of Time We Spent After The Election Gathering Voter History. We Can Get That Up To Tallahassee A Lot Faster. It Will Be Days Instead Of Weeks. It Will Handle The Poll Workers. We Don't Need Separate Time Sheets. It Can Be Dumped In The Financial Package And Checks Cut Immediately. It Is Time Saving As Well As Being Able To Produce A Lot Of Reports We Can't Do Now Because Of The Paper.

Two Questions. The First One Now This Money We Are Talking About Is Part Of This Year's Budget. The Equipment Yes, It Is. It Is \$350,000. She Is Returning \$1.6 Million.

There Is No Incremental Cost To The Budget This Year Over And Above What You Projected On The Budget We Are Voting On. \$350,000. Same Thing. You Have Me A Little Scared. You Said We Are In Line With Some Of The Other Vendors If Terms Of If We Can Get Access To Equipment If We Order Them?

Absolutely.

Have You Made A Request? Are You Waiting On Us To Put In An Order Or Have You Put In An Order?

The High-Speed Belt Counters Are 850. They Have Been Included In The Budget For The Last Three Years. That Is Pretty Much Taken Care Of The Contract Will Be Signed Shortly. On The Extra Scanners. That Is Different. I Am Waiting To Find Out. If I Am Guaranteed I Will Get This Money Back I Can Sign The Contract.

You Haven't Made The Official Request To Order The Equipment From Staff Yet?

No. It Doesn't Go Through The County At All.

If We All Shake Our Head Yes, I Think We Need In Front Of Everyone. If Everybody Is Waiting For The Budget Before They Order, Everybody Will Order It The Same Day. If We Are Spending This Money Shouldn't We Get In Front Of The Line, Not In Line Like When We Voted?

Sure.

Commissioners Use The Excess Fee Dollars The Supervisors Talked About. If You Tell Us About That Today We Will Vote To Get It Done.

I Don't Want To Miss Anything. Is That Happening Here.

Do I Get To Keep It And Spend It Or Get It Back From You? Does This Have To Come Back For A Vote? This Is Not Blue Sheeted. I Don't Know If We Can Actually Vote.

We Can Say Cue It Up And Blue Sheet It For Public Comment. Andrew Is Getting To The Processes. Tomorrow We Have The First Public Hearing Which We Can Add Don't That Budget To Key Up The Blue Sheet For Tuesday To Authorize That Money To Be Spent.

I Guess Because We Don't Get That Until The 18th He Doesn't Have The Money So We Have To Do It Out Of Budget, A Pre-Budget Amendment To Give Us Back The Money. I Would Think And I Am Looking To Andrea That We Have To Blue Sheet That.

We Can Give Them Directions For Tuesday.

That Gives You A Chance To Get It Ready, Contact And Put It. We Need To Go Through The Process. We Are Ready To Go.

Is It Permissible To Refer To This As Estimated. Those Numbers May Change. One Way Or The Other It Is Not Drastic But It Is Close. Work With Tina. Sit This Budget. I Would Say Make Sure That Is Worded Correctly. How It Relates To The Budget Hearing Tomorrow And The 18th.

That Is All I Had. If You Are Going To Start The Process That Will Be Fine.

We Will Get It In The System So We Can Move As Quickly As Possible.

Thank You.

I Would Like To Apologize For The Sheriff. He Had Scheduled Out Of State Before We Got The Notice On Wednesday.

Any Questions With Working With The Sheriff's Budget?

How Much More Is Your Budget This Year Than Last Year?

It Is 3.4% More. I Think It Is \$4.8 Million More.

\$4.8 Million.

We First Looked At This A Few Months Ago. Is The Increase Of?

We Did The Powerpoint If We Had The Budget That We Truly Needed We Would Ask For 100 Cars. We Would Ask For Computers. That Was The What If? The Vehicle We Are Going To Buy Will Be Cut 20 To 30. We Are Going To Buy Some Computers. Per Capital We Request \$700,000. What We Truly Need At One Time It Was \$4 Million To \$6 Million A Year. Like Everybody Else We Got Rid Of The Replacement Vehicles And The Computers. Now We Are On The Maintenance Side On This Computers As Well As Fleet Is Going Up. An Example This Past Week One Of The Tahoes Engines Blew Out. Based On The Cost Factors We Put A Whole Crown Victoria. Instead Of Buying A New Vehicle We Are Trying To Put Money From This Pocket To Replace What We Can. Normally We Would Have Replaced That Tahoe With 160,000 Miles On It.

Any Questions?

I Am Trying To Navigate Through The Budget Process. I Have Never Experienced One Like This Before. You Appreciate The Fact That He Went Back And Asked For Scenarios Of 5%, 10%, 15% Increase What Does That Mean? Decrease? What Does That Mean. With That He Put Logic Behind It. He Was Able To Make Considerable Cuts. You Know, I Don't Know That You Have Had That Objective Before In Terms Of Going Back To Take A Look At What Those Scenarios Might Look At That You Can Share With The Board If You Get A \$1 Million Or \$2 Million Objective. We Need You To Not Spend As Much To The Tune Of \$2 Million. What Does That Look Like? I Would Like To See That. You Know, I Am Distant From Your Budget. You Gave A Great Presentation. I Know You Run The Business Very Well And We Obviously Understand The Need For Your Services. That Still Doesn't Let You Off The Hook In Terms Of, You Know, What Can You Do? I Have Done Business A Long Time. I Have Never Seen Folks This Is The Money I Want To Spend That Is The End Of The Conversation. I Would Like To See That.

For The Record We For The Last Four Years Reduced The Budget \$20 Million. We Believe We Are At Bear Bonuses Of What We Can Do. There Is A Lot Of Stuff. We Have Four Pods Vacant In Corrections Right Now. With The Economy Changing, Opportunity Crimes Do Come In. We Believe Over The Next Year Or Two The Jail Will Start Escalating In Population. We Will Have To Approve Additional Positions To Put Inmates In Those Pods. When We Do That. The Problem Is When We Hire Somebody We Have To Put Them Through The Corrections Academy. It Is A Year Before We Get Workout Of Them. If We Get Behind The 8 Ball That Puts Us In A Lot Of Trouble. Now We Have Stuff That We Used To Have Back When The County Built The Core Facility We Put This Up And Everything Else. Those Are Examples. Right Now One Of The Questions Asked Is How Many Vacancies. We Have 22. We Have 32 Going Through The Process. They Want To Go To Law Enforcement. The Problem Is We Cannot Transfer Them To Law Enforcement Because We Have Mandatory Over Time In Corrections. The Vacancies In Moving Inmates Around. The Problem With That Is When I Came To My Office Today We Do An Exit Interview On Everyone That Leaves. Two Of The Officers From Corrections Are Now Going To A Jurisdiction Down The Road From Us To Get \$10,000 More In Salaries Day One. We Train Them, Put In Their Five Year Employees, Four Year Employees, We Put In That Money. Now We Have Vacancies And They Get \$10,000 More That Is Why There Is A 3% Increase. We Know That Is Way Under Market For Correction Officers As Well As Law Enforcement Officers. We Are Trying To Do The Best We Can. We Are At The Point Where Things Change Government Is 18 Months Behind Getting The Revenues In. We Are Trying To Hold Down Everything. The Retirement System Was Biggest Increase. 1,000 Employees Are High Risk. It Went Up 6%.

That Is Every Employee. If We Pay Them \$1 We Pay 20% Into The Florida Retirement System. We Can't Control That. That Is One Of The Biggest Costs That We Did With The 3% Raises For October.

I Have Got To Give It To You With The Passion For Your Job And Things In Front Of You, I Appreciate Your Reference To The Last Four Years. I Will Recognize And Knowledge That You Cut \$20 Million Out. I Commend You On That. That Is Not A Debate. What I Am Talking About Is This Point Going Forward. I Would Agree With You That Raises Are Important And I Think We Are Accommodating That In The Rest Of The County. I Have No Argument With That. However, I Still Would Like To See What You Can Come Up With The \$2 Million Target. What Does That Mean? I Would Like To Have That Debate With You. I Would Probably Agree With Every Justification You Just Mentioned. I Still Would Like To See A \$2 Million Target. What Does That Mean If You Are Required To Cut That?

I Can Get With Our Sheriff. We Can Do What He Would Like To Do With That.

It Is Not Just Me. We Need Two More Folk.

With The Board. The Sheriff Has Worked With The Board For The Best Way. What You Have To Do Is The Same Thing To Protect The Citizens And Investors To The Community.

The Question Is This \$2 Million From The \$4.8 Million?

The Current Budget Proposal Right Now In Total. A Couple Million Cut Out Of It. What Would That Look Like? What Does That Mean?

I Understand The Question. The Vehicles And Stuff. I Am Not Sure. Time Wise That Can Be Did You Unless We Have A Public Hearing. We Have One Two Weeks From Now.

Mr. Chairman, I Am Not Uncomfortable With The Sheriff's Budget. For Me, I Think The Sheriff Has Gone Through To Specified That. We Had A Presentation By Them. Will He Be Here Tomorrow?

He Will Not Be Here Tomorrow.

The Second Public Hearing He Can Address That If You Want. I Don't Have A Problem With Him Addressing The Commissioner's Concern. It Is Not My Concern. I Am Comfortable With Your Budget. I Have Seen Where We Are. Where We Are Going. I Am Not Uncomfortable Where You Are At And How You Are Spending That Additional \$4.8 Million. Maybe Tomorrow It Would Be Helpful For The Public's Benefit To Summarize More Specifically How That \$4.8 Million Is Being Used. I

Think That Would Be Helpful For Us If It Is Employees Or How That Is Being Done. I Don't Have An Issue With Commissioner Kicker Asking You If You Want To Address If We Had To Take Your Budget Only Increasing 2.8, What Would That Mean? I Just Am Not Supporting The Budget As Requested Either.

I Am Going To Support You On The Request. We Will Have A Discussion With The Sheriff. We Have To Make Hard Decisions Here. We Are Buying Cars, Replacing Cars, It Is A Hard Balance. I Support The Original Balance. We Will Have That Dialogue During The Public Hearing. 2.8 Or 3.8 Or 4.8 To Make The Agency Run? That Is My Question.

One Last Comment Here. You Heard Me Talk About This. I Have Spoken To The Sheriff. Part Of The Request Was Radar Equipment Upgrades Or Equipment Or Something Like That. I Continue To Drive To Work Same Route Every Day And Sunday And Frequently Passed The Radar Guns On A Little Stretch Of State Road 31 That Has Not Had A Daytime Accident In 10 Years. Now, I Fail To See The Need For An Update And Upgrade In Radar Equipment When We Are Spending An Awful Lot Of Time Harassing The Public In An Area That Produces No Accidents. Yes, Whatever You Want For Radar Equipment I Am Not Supporting That. I Support Commissioner In Doing A Thorough Review. In The Recession And Terrible Times No Sheriff Has Done More To Recognize Reality And Work With Us And I Am Grateful For That. I Don't Want To Just Throw In The Towel This Year Without The Sharp Pencil. We Start With Radar Equipment.

That Was Mainly If We Had Our Dream Budget We Would Buy That Additional Radar.

I Feel Great Comfort In Knowing That, Thank You.

On The Vacant Area By The Ballpark There Is No Traffic And No Accidents.

Thank You Very Much. Setting Off Radar Going On And Off The Beach. I Would Like To See More, Not Less.

I Know Where You Can Pick Up Ford Cars Any Sunday Morning. I See Them, Too.

Any Other Questions For Bill?

For Clarification Second Public Hearing When The Sheriff Is Here To Address The Questions Is That What We Are Looking At.

Even If It Is Mmp If You Want To Come In To Talk About It If That Is Possible. I Leave This To The One That Can Orchestrate This. I Would Refer Back To You.

Mr. Chair.

Go Ahead. We Will Have Not An Mmp Between Now And The Final Public Hearing. We Will Work With The Great Respect For The Sheriff. No One Has Ever Done A Better Job On The Budget Than He Has. We Could Use A Little Help. You Know I Love You, Right?

We All Love You, Bill.

What We Have Scheduled. I Am Holding That For The 16th. That Is Not Happening? That Is Monday The 16th. That Is Still Being Held On My Calendar. Are We Not Doing That? It Is Being Held.

I Don't Have A Problem Canceling It. There Is Nothing Going On But We Are Holding That Date.

We Cancelled That. I Didn't Realize We Were Holding The 16th. If There Are A Tell Us On The 16th, We Could Do That. Do You Have An Item?

I Am Going To Cancel It If You Didn't Have Anything In September That Is Why I Am Saying It Is Being Held. Let Me Know.

We Will Talk To The Sheriff's Office To See If That Is Something We Want To Do.

Again I Am Okay With The Sheriff On The 18th. I Know He Is Really Busy And This Is Important But It Is Not Like It Is Going To Take Five Hours To Tell Us. I Think Mike Is Very Defined In What He Feels He Needs And Can Live With And Without. I Don't See That Being A Very Long Conversation With Him. Between Now And The 18th If There Are Dollar To Be Shaved Off That 4.8 That Is Cut And Dry. I Found Him Very Much To The Point.

I Will Get With The Sheriff. That Will Be The Second Public Hearing.

Feel Free To Call Us Ahead Of Time For The Meeting To Sit Down And Talk About This.

You Can Do That Anytime You Like When You Are Ready.

Just Come Over.

Thank You.

In Your Budget For Reserves? What We Do That Goes Back To The Fiscal Year 2000. The County Holds The Reserves On The Total Expenditures Of The County Budget And The Sheriff's Office Budget.

You Have A Pro Rat Take Share.

It Is Part Of The Reserve For Contingencies. It Is Not Designated. When We Submit The Budget We Say 3% Of The Total Operating Expenses Please Have That In There As Part Of Reserve For Contingencies. We Have Not Come Back For Reserves In Years. I Want Remember The Last Year. It Is Probably Three Or Four At Least.

My Point Is In Your Example Of The Jail If We Had To Break Into Those New Funds Cubicle And Fill Them. That Is What It Is For. Our Problem Is It A Year To Get The Officers To Work. That Is Our Problem.

We Are Not At Risk Of Not Being Able To Respond To That Demand?

Correct.

Thank You. It Is Always A Joy To See You.

Thank You.

Do You Have Anything Else?

County -- County Attorney Items.

On Friday Our Office Sent You A Memo Regarding Public Comment At Board Meetings. On October 1st There Is Going To Be Implemented An And H Amendment To Statute 286 Which Will Be 286.0114 Which Requires The Period To Permit Public Comment During The Decision-Making Process. Basically Prior To Your Decision Being Made. We Had An Opportunity To Review The Board Meetings And Our Office Is Recommending That During Your Mmp Your Budget Workshop And Any Joint Meetings That We Allow Public Comment On The Agenda. That Including Your Mmp. That Is Public Comment. The Question Is Should You Allow Public Comment Before You Make All Of The Decisions Or Consensus Or After. We Are Recommending The Public Comment Be Similar To The Regular Board Meeting That It Occurs Prior To Any Consensus That You Make. The Other Option We Are Asking For Direction Is Your Commissioner Items. Sometimes Commissioner Items Require Some Type Of Vote. The Options We Presented To You Were To Have The Commissioners Send The Items To Public Resources At Least 24 Hours Before Your Regular Board Meeting So It Can Be Placed On The Website. The Other Option Is If You Are Going To Have A Commissioner Item Brought Up That Requires Action That It Occur The Next Week If There Is An Action Required In Order For The Public To Be Able To Comment On It Prior To The Decision Being Made. We Are Asking For Your Input At That Time Where You Want To Put It So We Can Allow For Public Resources And The Agenda To Be Correct.

On The Commissioner Items Is There Anything Wrong To Do Both Of Those If We Know The About Issue We Notify In Advance. If It Comes Up Today We Would Target It For Next Week's Action.

You Could Do Both. It Is Up To The Board If You Have A Last-Minute Item You Just Heard About Like This Morning You Would Know That You Are Going To Add Vice The Board And Bring It Back Next Week For Action. It Cannot Be Taken For Action At This Meeting.

I Understand The Point. I Don't See A Problem Doing It Both Ways. If We Know We Tell You. If It Comes Up Spur Of The Moment We Deal With It As Suggested.

Yes, Sir.

Most Of Our Commissioner Items Deal With A Letter. We Have Never Voted On Something Like That. The Mmp Are Usually Moving Something To The Blue Sheet. I Guess If You Are Asking We Post The Agenda And Allow The Three Minutes Comment And Then Go To Business.

For Purposes There Are Times To Move It Forward. There Are Times When There Is Not Consensus To Move The Item Forward. The Item Might Die. Our Concern Is If That Happens That Would Be A Violation Of The Opportunity For The Public To Comment.

I Don't Have A Big Issue. I Guess I Am Concerned About Commissioner Items 24 Hours. Information I Am Telling About A Meeting?

No, Ma'am, We Are Asking If There Is Going To Be An Action Item On A Commissioner Item There Be Notice To Be Posted On The Website.

Mostly Letters We Are Writing A Resolution.

Mr. Chairman. We Are Going Through A Budget Workshop You Want Us To Do That Before The Workshop Before It Goes To Public Hearing Where There Is.

Yes, Sir.

When Did This Happen?

This Is October 1st Of This Year.

Your Budget Workshop, Public Comment Will Be Required.

The Name Of The House Of Representatives That Did That.

Senate Bill 50. I Don't Think This Was The Bill. I Think That Was Actually.

Rodriguez.

It Was His Bill.

No Sunshine There And No Worry About Public Comment On Their Item That Is The Thing.

Are You Sure We Are Not Overreacting To This. Maybe We Should Get Mr. Rodriguez In Here To Explain To You.

He Will Explain Term Limits As Well As District Items As Well.

I Am Okay With It. More Public The Better. Three Minutes Prior To The Meeting Like We Do Is Not A Big Deal.

We Should Have More Public Input And I Say But There Is Times When We Get To Talk About Things. That Is More Than Public Input. That Is My Concern.

What Direction For The Board For Today?

Your Direction Is The Options We Presented. If You Want Both Options We Will Make Sure That The Public Resources Knows That Will Be.

24 Hours Commissioner Items And Public Input Prior To The Agenda Items On The Public Meetings?

Correct. Also We Have To Amend Your Administrative Code To Permit For This. If I Can Have Direction On That.

Go For It.

Yes. No Problem.

That Doesn't Start Until October 1st We Are Good.

Mr. Chairman I Think It Is Good. The Only Complaints About The Meeting Is The Public Is Shut Out. From Time To Time We Get Complaints On That. This Gives Them The Three Minutes. The Agenda Is Published In Advance So They Know What We Are Talking About So They Can Prepare To Come Make Comments On It.

The Only Items Listed On The Agenda?

Correct. Now As To Your Public Comment On The Second And Fourth Tuesday That Rule Will Continue Unless You Have Direction.

We Have To Make It Every Week? No Thank You.

Can We Make It Once A Month?

You Can. It Is Up To The Board.

Twice A Month?

Let's Not Do That.

Thank You.

Thank You Very Much.

Anything Else? The Meeting Is Adjourned. 9:45 A.M.