

OFF. REC. 119 PAGE 759

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
SPECIAL MEETING
September 18, 2000**

The Board of County Commissioners of Leon County, Florida met in special session with Chairman Sauls presiding. Those in attendance were Commissioners Maloy, Host, Thael, Rackleff, Proctor and Winchester. Also present were County Attorney Herb Thiele, County Administrator Parwez Alam, and Deputy Clerk Bill Bogan, Jr., and Secretary Sandra C. O'Neal.

The meeting was called to order at 6:00 p.m. The Invocation was provided by Chairman Jane Sauls, followed by the Pledge of Allegiance to the flag.

Pursuant to Florida Statutes 129.03 and 200.065, the Board is required to conduct two public hearings to adopt the proposed FY2000/2001 Tentative Budget. See attached legal advertisement:

9-16-00

NOTICE: LEON COUNTY RESIDENTS

The Board of County Commissioners is conducting a
Public Hearing on the Proposed Budget for FY 2001.

The public hearing will be held on Monday, September 18, 2000 at 6:00 p.m. in the
Leon County Commission Chamber, Fifth Floor,



Leon County Courthouse
301 South Monroe Street
Tallahassee, Florida, 32301



All interested citizens should attend.
Copies of the Proposed Budget are available for review
in the Office of Management and Budget,
Fifth Floor, Leon County Courthouse, or
at the Leon County Public Library.

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The Chairman announced that this is the first of two required public hearings and the second public hearing will be conducted on Tuesday, September 26, 2000 at 6 p.m. She announced that the proposed millage for FY 2000/2001 is 8.58 mills, which is 8.3089 percent over the rollback rate of 8.3089 mills. She explained that the proposed millage increase is due to: minor increases in various County departments, Constitutional Officers and Judicial Officers' operating budgets, funding of new positions for County departments and Constitutional Officers, donations to community-based organizations, other non-departmentals and local community agencies, and changes in capital improvements projects funding and debt service funding. The proposed Fire Municipal Service Taxing Unit (MSTU) for Unincorporated Leon County is 1.39 mills. The total proposed FY 2000/2001 tentative budget is \$141,800,702, less inter-fund transfers.

The Chairman called for speakers to address the Board. The following citizens appeared:

Mr. Zack Shelley, Jr., 8519 Congressional Drive, expressed opposition to the Fire MSTU and stated that he owns unimproved property on which he will be paying this additional fee. He questioned the legality of the County to impose an MSTU without referendum. He made a suggestion that some method be devised for auditing MSTUs throughout the year. Mr. Shelley also urged the County to settle the lawsuit with Talquin and the City, and encouraged consolidation of the two governments as a solution.

County Attorney Thiele explained that the Board has the authority to set up an MSTU for the unincorporated area without referendum.

Commissioner Thaelle clarified that the funds raised by the MSTU would be spent on fire services only, that an audit is conducted annually and this audit would include the MSTU. In addition, he clarified that Talquin initiated the litigation of the franchise fee. He further advised that the County initially intended to raise the funds for Fire Services through a Fire Services Fee, which would not have included the assessment of undeveloped land; however, there were some legal and constitutional problems discovered in assessing this type of fee and that is why the County opted for the MSTU.

County Administrator Alam explained that the 1.39 mills, means \$1.39 per \$1,000 of assessed value and that it would be the same for a house or a business, and legally, an MSTU has to be charged based on property value, including unimproved property.

Commissioner Host asked County Administrator Alam to clarify that the County has requested that Talquin and the City suspend collection of the Right-of-Way Rental Fee pending the outcome of the lawsuit.

Glenn Jenkins, 6627 Reigh Count Trail, expressed his opposition to the Fire MSTU and noted that County residents who pay City electric rates should be exempted from the MSTU.

Sandra Rudd, 5253 E.W. Reeves Road, noted her concern regarding the adverse conditions of E.W. Reeves Road and Bice Road, in her Springhill Road neighborhood, and requested the County's assistance in funding some improvements since these are County maintained roads. Chairman Sauls directed staff to look into this issue and bring it back to the Board as an agenda item at a later date.

Marti Johnson, Capital City Chamber of Commerce, 438 W. Brevard Street, thanked the Board for their continued support and provided a report to the Board on the businesses that have been assisted with funds received this past fiscal year from the Board. She further noted that there were 12 businesses served and that two of those are pending and the reports on them would be forthcoming. In response to a question from Commissioner Proctor regarding the default rate on the County funds, she noted that there were no defaults this year.

Eugene Danaher, Rt. 3, Centerville Road, noted his opposition to the procedures and stated that the Board should allow the student speakers to address the Board at this time so they can go home early.

Barb Brown, 5037 Red Fox Run, thanked the Board for allowing their participation in the public process, and requested the Board reconsider funding the Media at Night Program in this year's budget.

Sherry Pender, 4595 Russells Pond Lane, noted the importance of the Media at Night Program and expressed her disappointment with the Board not including this in the 2000/2001 budget.

Kaleigh Martinello, Canopy Oaks Kindergarten Student, expressed the fun she has participating in the Media at Night Program and asked the Board not to take it away.

Christina Gore, a young student, stated that she enjoys Media at Night and asked the Board not to take it away.

A. J. Torgesen, first-grader, expressed enjoyment of Media at Night and asked the Board not to take it away and thanked them for listening.

David Johnson, a young student, asked the Board not to take away the Media at Night.

John Allaman, Senior at Florida State University School, shared his experience as a volunteer with the Media at Night Program and asked the Board to continue funding it.

Ren'ee Harold-Martinello, 4121 Heniard Drive, explained that there is a need for the Media at Night program and asked that the Board reconsider their decision to cut this from the budget. She further noted that they have started to look for other sources of funding, but that they are too late in this year's funding process.

Manny Joanos, 4019 Wiggington Road, appeared and noted that the Late Night Media Program is a visionary program that the Board started a few years ago to help the children of Leon County. He requested that the Board reconsider its decision to cut the funding.

Byron Potter, 3205 Horseshoe Trail, expressed opposition to the fact that there were no paramedics on staff at the new fire station in his area. He stated that the County should consider this when imposing a tax on County residents for fire services. He noted that other areas in the state provide advanced life support services through the fire department, and suggested the County look at those areas and compare the services.

Commissioner Host noted that there was an agreement with the hospital in Leon County to provide that service along with the Fire Department. Without objection, Commissioner Thael directed staff to look into this issue and bring it back to the Board for review.

David Fraiser, 4841 Easy Street, pointed out that the Media at Night Program not only benefits the children but entire families by allowing them a forum to spend time together. He requested that the Board continue funding this program.

Eugene Danaher, Rt. 3, Centerville Road, noted the number of times that has been before the Board concerning budgetary matters, and expressed his opposition to the MSTU for Fire Services. He stated that assessing impact fees on developers would eliminate the need for any type of additional tax on the citizens. He distributed a comparison sheet of other counties to the Board.

Commissioner Thael advised that there are currently no levied MSTUs or MSVUs in Leon County. Staff noted that the total 1999/2000 budget was roughly \$147 million and the 2000/2001 budget was approximately \$141 million, which reflects a reduction.

Commissioner Host pointed out that this Board has only increased the millage rate two times since he has been on the Commission. He commended the County Administrator for the work he has done over the past few years with the budget problems.

Commissioner Proctor indicated that there was a need for an increase in state funding for the County.

Commissioner Rackleff advised that Leon County has one of the lowest total expenditures per capita of any other county in Florida. He suggested that the County be more aggressive in streamlining government by combining administrative processes and voiced concern regarding the Board's decision to eliminate impact fees on developers.

Commissioner Winchester thanked Mr. Danaher for being in attendance. He reported that the County has taken the first step in combining processes to eliminate duplication in County government by working with the constitutional officers in a workshop to address this issue.

The County Attorney read the resolution adopting the tentative millage rate into the record. Chairman Sauls for the record, pointed out that under the second indenture under Fine and Forfeiture, it should be 4.95 mills. The County Attorney noted that it was a typographical error and that the resolution under Section 1 should read 4.95 mills, and noted that the total rate of 8.58 was correct.

Commissioner Thael moved, duly seconded by Commissioner Maloy, to adopt the attached Resolution R00-35 establishing the tentative millage rate at 8.58 mills for FY 00/01.

Commissioner Proctor requested clarification that the MSTU is a temporary solution pending the outcome of the litigation with Talquin. County Attorney Thiele explained that the Fire MSTU will be imposed for one year's budget and that the other MSTUs were not utilized and will be repealed. County Administrator Alam explained that in order to continue utilizing an MSTU next year, the Board would have to go through the same process as this year, and that it would not automatically continue.

County Attorney Thiele noted that most likely the franchise fee issue would be resolved by next year.

The motion on the floor carried 5-1, with Commissioner Winchester in opposition and Commissioner Maloy out of chambers. See attached Resolution R00-35:

RESOLUTION - R00-# 35

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WHEREAS, the Board of County Commissioners of Leon County, Florida, has ascertained the total valuation placed on the 2000 Tax Roll for Leon County, Florida, to be \$8,113,533,920; and,

WHEREAS, the Board of County Commissioners of Leon County, Florida, has ascertained the total valuation placed on the 2000 Tax Roll for the Fire MSTU for unincorporated Leon County, Florida, to be \$2,663,645,215; and,

WHEREAS, the Board has determined that the tentative millage to be assessed on the Tax Roll for the fiscal year ending September 30, 2000, for Leon County, Florida, to be as follows:

GENERAL FUND	3.63 MILLS
FINE & FORFEITURE	4.95 MILLS
TOTAL	8.58 MILLS; and,

WHEREAS, the Board has determined that the tentative Fire MSTU to be assessed on the Tax Roll for the fiscal year ending September 30, 2000, for unincorporated Leon County, Florida, to be as follows:

Fire MSTU	1.39 MILLS; and
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WHEREAS, the tentative millage rate herein adopted exceeds the rolled back millage rate by 8.75 percent.

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

Section 1: That the tentative millage for the fiscal year beginning October 1, 2000, and ending September 30, 2001, shall be:

GENERAL FUND	3.63 MILLS
FINE & FORFEITURE	4.95 MILLS
TOTAL	8.58 MILLS; and

the total valuation shall be \$8,113,533,920.

Section 2: That the tentative Fire MSTU for the fiscal year beginning October 1, 2000, and ending September 30, 2001, shall be:

Fire MSTU	1.39 MILLS; and
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the total valuation shall be \$2,663,645,215.

PASSED AND ADOPTED by the Board of County Commissioners of Leon County, Florida, on this the 18th day of September, 2000.



ATTESTED BY:

DAVE LANG, CLERK OF THE COURT

BY: *Dave Lang*

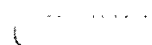
LEON COUNTY, FLORIDA

BY: *Jane G. Sauls*
JANE G. SAULS, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM:

COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

BY: *Herbert W.A. Thiele*
HERBERT W.A. THIELE, ESQ.
COUNTY ATTORNEY



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Commissioner Proctor moved, duly seconded by Commissioner Rackleff, to adopt the attached Resolution R00-36, adopting the tentative budget for FY 2000/2001.

Commissioner Host noted that it would be unlikely that the Board could find an additional \$200,000 for the Media at Night Program, and the reason the Board decided not to fund it is a lack of cooperation from the School Board to apply for grants to fund this program.

Commissioner Winchester noted \$200,000 was money well spent and noted the positive results achieved by the Media at Night Program. Further, he pointed out that the children who are served by this program are in areas where this is most needed, and urged the Board to reconsider funding this program fully, until grant money can be secured. He explained that the School Board has taken steps to apply for grant monies this next year.

Commissioner Winchester moved a substitute motion to direct staff to bring back to the Board, before the next budget hearing, options for funding the Media at Night Program. The motion was declared dead for lack of a second.

Commissioner Rackleff commended the parents who spoke to the Board, but advised that would support the decision of the Board to not fund the Media at Night Program. He stated that he was dissatisfied with the School Board for not applying for available grant money to pay for the program. Further, he noted that there were many obstacles facing the Board this year in funding for necessary services to the County.

Commissioner Thaelle noted his disappointment at the lack of cooperation the school system showed in seeking funding through available grant money to continue the Media at Night Program. He voiced concern that it would be difficult to find additional money to fund the \$200,000 program.

Commissioner Thaelle moved, duly seconded by Commissioner Winchester, to direct staff to look for \$50,000 of possible funding for the Media at Night Program; and to encourage parents and the School Board to seek other sources of funding for next year.

Commissioner Proctor noted his concern regarding finding \$50,000 for this program without first ascertaining the position of the School Board on this issue. He suggested taking \$50,000 of the additional money that would be going to United Way. He requested that Manny Joanos address some of the comments he made regarding this issue. Mr. Joanos explained the history of the Media at Night Program; its initial involvement in bringing together the school and the library to help children in reading. He urged the Board to support the motion.

Chairman Sauls noted the importance of the Media at Night Program, but suggested that the School Board seek available grant monies to help fund this program in the future.

Commissioner Maloy indicated his support for the Media at Night Program but pointed out that he would like to see more involvement from the School Board in the funding of this program.

The Board combined the two motions on the floor as follows:

Commissioner Proctor moved, duly seconded by Commissioner Rackleff, to adopt the attached Resolution R00-36, adopting the tentative budget for FY 2000/2001; and directed staff to look for \$50,000 of possible funding for the Media at Night Program within the budget, but not to change the bottom line of the budget; and to encourage parents and the School Board to find other sources of funding for this program in the future.

Commissioner Winchester noted, for the record, that he would support the motion, but stated for the record, that he does not support the MSTU. He urged other Commissioners to support this motion even though they do not agree with funding the program.

The motion on the floor carried 6-1, with Commissioner Rackleff in opposition. See attached Resolution R00-36:

RESOLUTION - R00-# 36

WHEREAS, the Board of County Commissioners of Leon County, Florida (the "Board") has held a public hearing in accordance with Subsection 200.065, Florida Statutes, being on September 18, 2000; and

WHEREAS, the Board has provided notice of the hearing on the tentative budget and the summary statement of the proposed tentative budget, and the tentative budget hearing in accordance with subsection 129.03 and subsection 200.065, Florida Statutes; and,

WHEREAS, the Board, after due consideration, has determined to adopt the tentative budget for the fiscal year 2000-2001, a summary statement of said budget being attached hereto as Exhibit A and incorporated herein by reference.

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

Section 1: That the tentative budget for the fiscal year 2000/2001, attached hereto as Exhibit A and incorporated herein, shall be and is hereby adopted as the tentative budget of Leon County, Florida, for the fiscal year commencing October 1, 2000, and ending September 30, 2001.

PASSED AND ADOPTED by the Board of County Commissioners of Leon County, Florida, on this the 18th day of September, 2000.

ATTESTED BY:

DAVE LANG, CLERK OF THE COURT

BY:

Dave Lang

LEON COUNTY, FLORIDA

BY:

Jane G. Sauls
JANE G. SAULS CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM:

COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

BY:

Herbert W.A. Thiele
HERBERT W.A. THIELE, ESQ.
COUNTY ATTORNEY



There being no further business to come before the Board, the meeting was adjourned at 8:00 p.m.

APPROVED: _____
Jane G. Sauls
Chairman

ATTEST:

Clerk of the Circuit Court