

# Final Budget Hearing

Minutes of:

September 22, 2004

The Board of County Commissioners met at 5:30 p.m. at the School Board Administration Office, in a scheduled meeting to consider the final budget. The meeting originally scheduled for **September 16, 2004**, was rescheduled due to recent hurricane activity and to comply with an Administrative Order of the governor.

Chairman Skinner called the meeting to order. Commissioner Montgomery opened with prayer. The Pledge of Allegiance to the flag of the United States of America followed.

## **Present:**

George Skinner, Jennifer Flinn, James Montgomery and Dewey Weaver.

## **Also Present:**

County Manager Dale Williams, Asst. County Manger Lisa Robert, Clerk of Circuit Court DeWitt Cason, Deputy Clerks Sandy Markham and Judy Lewis, and Certified Public Accountant Richard Powell.

## **Absent:**

Ronald Williams has been hospitalized and was not able to attend.

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The advertised Final Budget Hearing for Fiscal Year 2004-2005 opened.

The commissioners were each provided with a copy of the **04-05 Budget**. Mr. Dale Williams reviewed the proposed changes to the floor budget.

## **Revenue Allocations**

Property Tax (7.5%) increase - Leading growth revenue for the County	14,596,240
General Fund	14,596,240
Local Option Fuel Tax (5%)	2,413,845
Transportation Trust	1,538,845
Debt Service	875,000
Constitutional Fuel Tax, a/k/a 5th and 6th (0.8%)	1,449,346

Transportation Trust	\$1,449,346
Voted Gas Tax (5.0%)	\$608,047
Transportation Trust	\$608,047
County Fuel Tax (0.8%)	\$650,817
Transportation Trust	\$650,817
Small County Surtax (3%)	\$5,297,160
General	\$4,672,160
Transportation Trust	\$345,000
Court Services (New Fund due to Article V)	\$280,000
Tourist Development Tax (6.7%)	\$320,000
Tourist Development	
(Operating)	\$220,000
(Debt Service)	\$100,000
Mobile Home Licenses (13.6%)	\$25,000
MSBU	\$25,000
Communications Services Tax (23.7%)	\$228,599
MSBU	\$228,599
Court Facility Surcharge (New Fund authorized by Article V)	\$210,814
General Fund	\$210,814

Interest Revenue continues to drop as has been the case over the past few years.

## **Expenditures**

The Sheriff's budget was segregated this year, due to extenuating circumstances relating to employee turnover and vacancy. For details, see minutes of July 28, 2004. The Sheriff was approved with an \$800,000 increase for next year.

The increase will provide for:

An increase of \$3,500 for all sworn law enforcement officers.

Non-sworn employees will receive an increase of 4% or \$1000; whichever is greater.

Health Insurance increase - 5.1%.

Florida Retirement System increases - Varies.

Operating increase - \$153,740. Primarily used for fuel and insurance.

Additional Capital Outlay - \$30,000.

## **Floor Budget Highlights:**

- 5% COLA Raises for all county employees

- 5.1 Increase (Health Insurance)
- FRS Increase (05/06 \$403,620)
- Article V Expenses Removed
- Other current expenses due to fuel costs, insurance, etc.
- Increased allocation for road materials, road striping, dust suppressant, etc.
- Provides additional funds for 911 (increased contractual expenses)
- Create a new Court Services Fund to cover county Article V costs. This will cover the remaining court costs that the county is obligated to provide.
- Add State of Florida mandated Predisposition Juvenile Justice costs be born by the County. Columbia County's estimated cost is \$341,260, but the County expects to receive a \$241,260 grant that will offset that amount.
- Provides for last payment on the courthouse construction loan in the amount of \$1,200,000.

Changes to the Floor Budget	Increase	Fund
<i>Added Recurring Appropriations are:</i>		
- Meridian Behavioral Healthcare	\$30,854	General
- Columbia Association for Retarded Citizens	\$17,750	General
- Downtown Action Corporation (Fireworks)	\$2,500	General
- BCC - Administration - Senior Management Retirement	\$1,098	General
- South Columbia Sports Park - Increased Operation Exp.	\$8,500	General
- Maintenance - Add electrician with benefits	\$26,911	General
- Columbia County Senior Services	\$2,500	General
- County Engineer with benefits	\$48,978	Landfill
	\$48,978	MSBU
- Library Assistant I with benefits	\$26,572	Library
- Building & Zoning - Pay grade changes (3)	\$6,648	MSBU
- Code Enforcement - Pay grade changes (1)	\$3,308	MSBU
	<b>\$224,597</b>	

The increases were funded from earmarked recurring revenues and certain line item reductions.

*Added Non-recurring Appropriations are:*

- Volunteer Fire Departments - Seven Class A Pumpers	\$1,050,000	MSSD
- West Columbia Fire Dept. - Painting	\$4,500	MSSD
- South Columbia Fire Dept. - Painting & Insulation	\$2,900	MSSD
- 911 Dispatch - Equipment	\$62,200	Court Services
- LC/CC Recreation - Equipment	\$47,400	General
- Fort White - Land Purchase	\$100,00	MSBU
- Tourist Development - Purchase of van	\$25,000	TDC
- EMS Station - 1 upgrade	\$100,000	MSSD
- 911 Addressing - Equipment replacement	\$10,800	Court Services
- Columbia Youth Soccer - Field lighting	\$55,000	General
- South Columbia Sports Park - Equipment	\$32,500	General

The non-recurring outlays will be paid for from fund balances in excess of required amounts in the individual funds.

#### The Budget Overview:

There is an actual a decrease in total expenditures from the current year to next year. The primary reason is due to Article V expenses. Based on current figures, the net expenditures decreased to the county is \$338,000. However, it would be a wash should the State decide that they will no longer provide grants to small counties for the Predisposition Juvenile Justice costs.

Mr. Williams concluded and was available for questions.

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Commissioner Flinn read a letter received from Richard Powell, C.P.A., which notified the commissioners that: He (Mr. Powell) was serving in an administrative capacity for the purpose of developing the incentive component of Mr. Dale Williams' compensation for fiscal year ending September 30, 2004. His letter stated that based upon current the contract, Mr. Williams' compensation is \$82,389. This amount may be adjusted each year by equivalent cost of living factors of other county employees. Additionally, there is a lump sum incentive compensation up to 5% of his current annual salary, based upon vote of county commissioners. The lump sum is not added to the salary amount and is not subject to retirement contributions. A ballot was provided for each commissioner to indicate their vote for incentive pay. Mr. Powell stated in the correspondence that he would prepare a tabulation and computation of the incentive pay earned, once each commissioner had returned their ballot.

Commissioner Flinn said/asked Mr. Feagle, *"According to the Sunshine Law, the Board of County Commissioners cannot take a vote, and Mr. Powell uses twice in his letter the word 'vote', and if it's a 'vote' to give compensation pay and it takes the majority of the Board to do it, it's a 'vote.'"* She asked specifically, *"How can we vote by ballot, to give incentive compensation, even though it's part of the contract. How can we do it and call it a vote, and yet do it by ballot? If we do it by ballot and everyone individually sends it in, what's to stop me or one of the other county commissioners from requesting the information? Anything we sign our name to becomes public record. Since it's not done in the sunshine, what would stop one of the commissioners from going to get copies of what the other commissioners have voted and written, and then we've seen those commissioners' votes?"* She indicated she needed clarification prior to mailing in her letter regarding the matter.

Mr. Feagle clarified how the commissioners are able to vote by ballot. The decisions made by the commissioners are subject to the Sunshine Law. He recalled the Attorney General offered an opinion a few years back stating the commissioners may vote by ballot instead voting in an open meeting. However the ballots are public record, and they are available for public inspection by the public.

Mr. Richard Powell offered additional clarification. According to the County Manager Contract (previously the County Coordinator Contract), each commissioner individually decides on 1% of

a possible incentive bonus. He explained to Commissioner Flinn that it's not really a "vote" and he probably should have used a different terminology such as, "How do you distribute your 1%?"

Commissioner Flinn was of the opinion that the public should be fully informed of where their tax dollars are spent, and who is receiving bonus' and raises. Further, she would like to know and feels the citizens have a right to know if their commissioner voted for a incentive bonus. She said, *"We know how much all county employees are getting, how much the Sheriff's getting, as well as the Supervisor of Elections and Clerk of Courts. This is just an example, but why don't we know how much of a bonus Dale is getting. It just appears to be done in a secretive way."*

Mr. Richard Powell offered that everything to do with the payment is public record. *"The forms used and the tabulations are supplied to the Clerk of Courts Office, who processes the payment."* Commissioner Flinn concurred it is public record, but contended the public doesn't know to ask for the supporting records, because they don't know the bonus exists.

She asked Mr. Feagle why Mr. Williams' bonus is not handled in a public meeting, the same way other county bonus' and raises are handled, and why this business isn't handled in an open meeting as is the rest of the county's business. She suggested the proper way to handle this would be in a public discussion with a roll call vote of each commissioner. She asked, *"Exactly when did we enact this type of ballot system?"* Mr. Feagle said he recalled the drafting of the contract, but didn't believe the contract specifically stated there would be a vote by ballot. He believes that the ballot was a method assumed by the Board, which is a Board decision. He said, *"I believe this Board can decide by majority vote how they want to do that. You can do it by ballot, which is public record and subject to inspection, or you can do it by a show of hands."* Commissioner Flinn felt the method was questionable, and puts the Board in a position of possibly trifling with trouble. She advised that she would be turning in her vote "in the Sunshine" in tonight's meeting. Commissioner Skinner agreed with Commissioner Flinn.

Commissioner Weaver stated that he believes Mr. Williams' bonus amounts have been published in the newspaper every year.

### **The public hearing opened.**

Mr. James Bonner stated that he believes a vote mailed in would be a vote by proxy.

Mr. Feagle explained that a "proxy" is generally when someone else is designated to vote for another person. If you vote your own ballot, it would not be by proxy.

Mr. Bonner said, "The Charter Bylaws state that absent commissioners may not vote, and mailing in something sounds like a proxy vote... a vote where you're not present at a meeting. That sounds like a violation." Mr. Feagle restated that it would be the Board who decides how they will handle the matter. It will be their choice to either address it in a public forum, or do it by mailing in their decisions, which are public record and subject to inspection. Mr. Feagle informed that the ballots shouldn't be discussed by the commissioners outside of a meeting, and that they should not allow someone else to vote for them.

Mr. Bonner said that even if the bonus' are advertised, it is after-the-fact. He said, "The votes are already casts when the public finds out and that's wrong." He felt citizens should be given the right to address the issue prior to the vote taking place. He recommend the commissioners

review the Charter. Commissioner Flinn and Commissioner Skinner noted that they have not yet cast their vote.

**Chairman Skinner interrupted and announced the proposed aggregate millage rate of 8.864 mills is 3.93% greater than the rolled back rate. The purpose of the increase is to fund inflationary increases in County operations.**

Mr. Bonner is of the opinion there is inequitable taxation within the county. He said there is developed property within the county that is being taxed as pasture land. He suggested this be corrected prior to any tax increase. He said that since property taxes accounts for a large portion of the county's income, the Board should do their part to ensure fair and equal taxes are being applied. He said it is ridiculous that his taxes went up for putting a tin roof on his pump house, when other property owners have developed property that they continue to make improvements on that are still being taxed as undeveloped pasture land. He said there is a particular person in the county that has a piece of property that for the past 4 years has had two houses, two barns, and multiple outbuildings situated on it. This unnamed person is being taxed for undeveloped pasture property. He noted there was an update on the land as of June 2004. Mr. Bonner was of the opinion that there is not a need for a tax increase with there being so much growth in the county and taxes that could be collected that is not being collected. He concluded by promising the commissioners if they vote to pass a tax increase, he would make sure everyone knew how they cast their vote. Commissioner Montgomery said this type of concern should be passed on to the Property Appraiser since it is out of the commissioners' control. Mr. Bonner responded that it has been reported to a representative of that office on two separate occasions. Commissioner Weaver responded there is no increases in the actual taxes one pays. The increase is from value and growth. He also informed Mr. Bonner that the matter he spoke of has been reported to the Property Appraiser.

Mr. H.L. Sistrunk told those in attendance he was a part of an organization being developed named "Citizens for Better Government." He explained the goal of the organization is to hold the county government responsible for the tax dollars spent and to keeping the citizens of the county informed. He also advised those in attendance that he has tried earnestly to convince each commissioners to surrender their \$100 per month travel expense checks to this organization. Mr. Sistrunk said, "Now they do not want to be held accountable for the money." He was of the opinion there has been money unaccounted for that related to the Courthouse Project, and that money was spent frivolously on jail construction. He asked for Commissioner Weaver to respond.

Commissioner Weaver said, *"Since I've been on the Board, I've established an endowed scholarship for students at Fort White High School that will always be there; even after I'm gone. I've given money to the Red Cross to help out with disasters, I've given to the churches of my district, to individuals in my district that have suffered personally, and I've given to the Hospice Building Fund. I also give to all of the Fort White School teams and their yearbooks. I give to that because I believe in that stuff and I believe in Columbia County. That's what "I" choose to do with "my" money, because that is what "I" believe in. I don't give that scholarship to make those students think the way I think. I give them the scholarship so that they can be free thinkers and make up their own minds. I'm not in favor of giving up anything so that you and your group can try to influence people to your personal way of thinking. If "you" believe in that group, I endorse it and "you" are willing to put all of the money "you" want into the group. I give to what I believe in without trying to influence people to think the way I do. I give to simply*

*help them. I think what you're asking for is money from this Board to make people think the way you think, and I'm simply not in favor of that."*

Commissioner Flinn said that she would be willing to give the \$100 per month contingent upon Mr. Feagle determining it would be appropriate.

Commissioner Skinner said that he would be willing to give the \$200 per month contingent upon Mr. Feagle determining it would be appropriate.

Commissioner Montgomery said he would not give to the organization because he has not accepted the \$100 expense check from the county since 1984.

He again revisited the membership of the Charter Commission and stated it is still his belief that the majority of the members were handpicked. He also restated his opinion, as he has in times past, that the commissioners should have selected members from their own districts.

Mr. Sistrunk asked, *"With this budget here, this in the Reporter. Is this correct, or did you read the Reporter? Or, anything? Anybody read the Reporter? It shows we brought over \$29,165,000 from the previous year. Is that correct or not... I know you said we have \$20,000,000 in excess funds... Is it twenty-nine or twenty?"* It appeared to the Clerk that the Board was not clear what he was asking, but before they could clarify, he moved on to the next subject.

*"If we brought this much money over from last year, why was it necessary to go up on the taxes here not long ago... or not taxes, you put a fee on the septic tanks. If you have a problem with the septic tanks out in the county and you have it repaired, you have to have somebody come out there and look at it and do this and that and the other... and you said this was going to give the county \$75,000 in excess... in more money - in revenue. Why was it necessary to do that on the people when you had \$29,000,000 or \$20,000,000? No answer? Okay."*

Commissioner Weaver offered Building and Zoning fees were increased to fund a Plans Examiner position. This decision was made after many residents in the county were complaining about turn-around time. The increased fees was done in an effort to provide quicker service. Mr. Sistrunk suggested the extra position could have been paid from the \$20,000,000 reserve. Commissioner Weaver said it would be poor money management to have done so, because if you fund a recurring expense from a non-recurring fund you will eventually run out of money. He explained the reserves is what keeps Columbia County financially stable.

Mr. Sistrunk told the Board regarding the Industrial Development Authority, "I don't quite understand what...you have said exactly what takes place there. I think that what your saying with the Industrial Development Authority just says, "I just need so much money" and they're staying at the same millage rate and everything. You just...uh...they hand it to you what they need. I see their pay went up to \$99,000, now it's back down to \$95,000. Ya'll don't know anything about that I suppose. That's the impression I got from you." He told the Board that the Industrial Development Authority "people" are appointed and not elect. Mr. Sistrunk said that those "people" say they need money and we (the citizens) can't vote them out of office. He asked, "Where's this fair?" He wondered why the Tax Collector and Property Appraiser gets

money from the county. He asked, "Why can't you get it out and say actually what the IDA gets? Mr. Powell would you like to answer that?"

Mr. Powell answered. The IDA collects ad valorem under Florida Statute. The Property Appraiser's budget is funded from fees from taxing authorities (County 89%, IDA, Lake Shore Hospital, and Suwannee River Water Management). The state decides the Tax Collector and Property Appraisers Budget and the County has to allocate funds accordingly. Mr. Sistrunk responded, *"I was told once that if you didn't understand what was going on, you'd never understand it. So I don't guess I'll ever understand it, but I'll keep digging."*

Supervisor of Elections Carolyn Kirby noticed in the list of "Added Recurring Appropriations" listed above that her request for funds were not granted. She reminded the Board that each request was in the area of election and not supervisors, other than the requested increase for regular staff and a new employee.

Mr. Williams said funds for an additional employee were not funded, and the salary adjustment requested for employees was not granted. Regarding the casual salaries, Mr. Williams said he was not at that meeting, but he believes they were approved.

(Several of the commissioners began speaking at once and the conversation was not audible.)

Mrs. Kirby attempted to clarify the requests and dates she appeared before the Board: "I'm talking about when I came to you at the budget hearing, and I made a presentation to you on that day. Nobody asked any questions. If you all are confused in our present budget, when I came to you and asked you for my contingency monies, because there isn't enough money in those accounts because of special rules... You all agreed on that and that's a totally different thing. We're talking about the budget we're all living in right now. This one we're all talking about tonight is a new future budget... A budget from October 2004 forward.

Commissioner Montgomery asked what it was that was brought before the Board separate from the budget. He said, "We approved all of that." Mr. Williams responded it was a contingency request, and while it may have been misconstrued to have partially been for 04-05, Ms. Kirby has stated it will all be allocated and spent in this fiscal year. Commissioner Flinn recalled the date they are speaking of is the same day that everyone with requests for funds had the opportunity to make a presentation. "It's the same day Meridian requested funds. We had a discussion and I strongly believe we voted to fund most of the items she requested."

Ms. Kirby said explained that she had made an earlier request that she be allowed to use her contingency money for the upcoming election. "But that request had nothing to do with this request (for funds in excess of the floor budget) at all."

Ms. Lisa Roberts attempted to give further clarification on the Supervisor of Elections' request for contingency monies. "It was a \$30,000 request. As I remember, it was for the current budget year, which we are in."

Ms. Kirby agreed and asked regarding the '04-'05 floor budget, "What's my status on the three items requested in excess of the floor budget? Since my requests are not reflected on this list, are you telling me you're not giving me the \$12,000 for casual salaries, employees salary increase and money for one new employee?"

Mr. Williams said he believed the Board felt the additional employee decision should be held in abeyance and discussed with the new Supervisor of Election. Five percent cost of living raises were allocated for all county employees, therefore adjustments were not approved, and there



were no justification, such as salary surveys mentioned. He concluded, "I thought the additional money for the poll workers was included. If that was the intent of the Board, I'd suggest it be reaffirmed by the Board by motion, and then it will no longer be an issue."

Commissioner Weaver said that he isn't personally opposed to readdressing the salary increase, but he'd like something to base his decision on such as a salary comparison to comparable sized counties. Ms. Kirby explained she had those comparisons in her office and would have been happy to provide them if someone would have asked for them. She stressed the office needs and told the Board her staff is working overtime in the evenings and on Saturdays and they need relief. She let the Board know that she was very stunned to see that some of the requests were funded, such as fireworks, when her request for financial assistance with elections was denied. She said, "I certainly think elections and staff is more important than a van purchase or fireworks."

Commissioner Flinn said with a Presidential Election around the corner and the county's population exploding, it is very easy to see why a huge crowd is expected at the polls in November, and why they are having to work overtime now. She stated she trusts this constitutional officer's judgment in assessing her needs for the upcoming election.

Commissioner Weaver said he would be happy to readdress the needs of the Supervisor of Elections' office after having an opportunity to inspect a salary comparison. Especially, since it is a competitive raise being discussed. She agreed to meet with Commissioner Weaver.

Mr. David Rountree asked for an explanation of the proposed \$800,000 increase for the Sheriff's Department. He said that he understands there is a total increase of \$1,782,861 in public safety. He said, "When you deduct safety only; the balance appears to be a \$1,309,687 increase for the Sheriff Department versus \$800,000." Mr. Williams referred him to a summary sheet provided and explained, "The budget is a compilation and is composed of things other than just the Sheriff's budget. The \$800,000 reflects the total budget increase. What you're reading in the budget, includes more than just the items we're referring to here." Mr. Rountree said he was referring to page 5 of the budget, public safety is a 19.5 % increase. Mr. Williams replied, "You mentioned safety officer, emergency management costs and there are also expenses in that number that we pay directly such as utilities, insurance and those things." Mr. Rountree said that he'd like to work with him (Mr. Williams) to see those differences. Mr. Williams agreed.

Mr. Rountree questioned a change in the budget from since the September 07, 2004 meeting. He asked why \$74,800 was transferred from *Other Funds - Administration* to the *Landfill Enterprise Budget*, and why the transfer was not reflected or allocations reflected in the *Landfill Enterprise Budget* on Page 16. Ms. Judy Lewis, internal auditor for the Clerk of Courts answered: "The Landfill budget looks different from the other budgets, because it's an enterprise fund. When you see *Other Current Expense*, which is what we put in the budget... and then when we actually put the budget in that is many different things. It's insurance, it's fuel, it's all sorts of things wrapped up into one figure for this particular budget. It's not broken down into line items." Mr. Rountree stated he understood her explanation, but did not understand why these particular numbers appear hidden instead of being broken down. He said, "The \$14,300 transfer from Library Enhancement is also either buried or not there."

She said, "The reason for the transfer is to pay for the services that are given these funds, from the General Fund of the County. So, it's not transferring money from one thing to another. They're paying for the services they are receiving, that General Fund is bearing the expense for."

Ms. Lewis did not feel the amount was hidden. Mr. Williams added those were the first two funds the County charged back for administrative expense, and over time they've just always been kept in *Other Current Expense*. Mr. Williams said they can be broke out.

Mr. Rountree said the MSBU and MSSD is contractual services for the Tax Collector. The General Budget should reflect a revenue source for those contractual services." He asked regarding these collection assessments, "Shouldn't this appear as a revenue in the floor budget?" Mr. Dick Powell explained, "The Tax Collector's operating budget, as a constitutional officer is not part of this floor budget. The Tax Collector is a fee officer, and only the fees that go to the Tax Collector from the County are included in the budget. The Tax Collector's budget is approved and controlled by the Department of Revenue, and only the portion of his budget paid by the County is shown in the budget. Just like the Property Appraiser's budget."

Mr. Rountree made staff aware of a mathematical error in the total appropriations for *Emergency Communications* in that the total should be \$73,000 instead of the reflected amount of \$63,280. The needed correction was noted.

Mr. Rountree asked Mr. Williams to clarify his comment that the total operating budget decreased this year, since the general budget alone increased 5.7%, and the total operating budget of all funds increased 11.2%. Mr. Williams clarified he was speaking of the operating budget (not total budget). The current year's operating budget is \$39,113,377 and the 04-05 operating budget is \$37,669,565, which is a difference of \$1,443,812 (or 3.7%). This is offset by an increase in Capital Projects Funds of 7.4%. The difference is .8%. If one is looking at the "total" budget, of course the number will be different.

As a matter of information, Mr. Rountree informed those in attendance that based on the Basom Norris Bypass Project, the Local Option Gas Tax - Five cents per gallon gas tax expires on December 31, 2005. The two cents per gallon gas tax expires December 31, 2008. The four cents per gallon gas tax expires December 31, 2014. The one-cent per gallon gas tax never expires unless the tax is repealed by the Board of County Commissioners.

Mayor Ray Kirkland said that the City perceives some inequities that needs to be addressed in the near future. Specifically, he was speaking of interlocal agreements that outline exact amounts allocated between the City and County. He said since 1990 without the benefit of these interlocal agreements. He asked that the Board schedule a joint meeting to discuss fire and recreation costs. Mr. Williams will meet with the Chair to establish a meeting date.

Ms. Rhonda Crews of Wilton Way addressed the need for a sidewalk along Lake City Avenue. She said that she spoke with Commissioner Skinner at the end of 2003 to discuss this need and was promised the sidewalk would be budgeted in October 2004.. She stressed to the Board that the need grows greater every week due to the tremendous growth in the area. She said you will find traffic constantly dodging walkers, joggers, children waiting on school bus, and wheelchair bound citizens on that road. She asked if the matter was budgeted and if she was overlooking it. Mr. Williams said the need is justified, but it is rare that the County will budget a sidewalk project. Normally, the County will depend on the Florida Department of Transportation, through their ISTEA to fund those projects. The County has already made a request for DOT to include that particular section of Lake City Avenue for a sidewalk. Mr. Williams admitted the problem with the process is that it may take 3-5 years to get a sidewalk project completed.

Commissioner Flinn asked since this matter is obviously a safety issue if it is possible to fund the sidewalk out of the reserves. Mr. Williams said that is something the reserves can be used to fund, but the decision would be that of the Board. Commissioner Weaver recalled another sidewalk project that was critical and DOT worked with the county to fund the project right-away. He suggested the DOT be apprised the situation has become urgent to determine the possibility of immediate funding, or scheduling the project earlier. If it is not possible, then it could be appropriated out of contingency. Ms. Crews advised that a portion of the needed sidewalk would be inside the City limits. Commissioner Flinn agreed. The Board agreed to refer the matter to the Community Safety Committee with hopes the matter will be expedited.

Mr. Wayne Sapp commended Carolyn Kirby for her outstanding work performance during her tenure as Supervisor of Election. He said she has done a remarkably good job considering all the rejection she has received from the county in the past when attempting to gain assistance. He felt assistance had been granted to many others whose need was not as great.

Clerk's Note: He was not specific.

Mr. Sapp revisited his daughters flood issue explaining he has worked diligently in obtaining assistance for his daughter, but to no avail. He asked if there was anyone in attendance that could explain FEMA's procedures for processing and handling claims.

He said after research he's learned the County can file for grants to assist flood victims. Mr. Dale Williams reported the County has been in contact with FEMA daily asking if they would provide a date and time a representative could be made available to the citizens of Columbia County; a date and time the citizens can sit down face to face with a FEMA representative. Unfortunately, the County has not been successful in its attempts. Currently, FEMA offices are being established in the the old K-Mart Plaza. To date, they still have not provided a date they will be available to the citizens. Regarding the grants, the Notice of Intent on the Flood Mitigation Grant is due October 01 and the County intends to file for the grant. This week the County met with the Water Management District Office, and plans to file a Damage Assessment Report under the Emergency Watershed Grant Program right away. The Project Torchlight Grant is not currently available to Columbia County, but hopefully will eventually become available. He asked Mr. Sapp if there are others that he is aware of that he has not mentioned to please let him know.

Mr. H.L. Sistrunk advised that he recently read an article that suggested citizens to have FEMA representatives identify themselves with the FEMA identification. He further advised that the FEMA website is: [www.fema.gov](http://www.fema.gov)

As a point of order, Commissioner Weaver reminded the Chair that we were in a public hearing to address the budget and that the meeting had strayed off course.

The Chair closed the public hearing.

**Motion by Commissioner Flinn to fund a new position for the Supervisor of Elections, and approve the extra funds to pay poll workers and other expenses needed for election day.**

Commissioner Weaver asked that the motion be delayed until the next regular meeting, which will allow him time to review the request further. Commissioner Flinn was not inclined to delay the motion since the request come before the Board several weeks prior.

Commissioner Montgomery said he would not agree to pull money already allocated to fund the new position. He also felt the new Supervisor of Elections should have an opportunity to assess the needs of the office prior to funding it. If it is determined the position is still needed, the need could be taken care of by a budget amendment.

Commissioner Flinn reminded the Board that Carolyn Kirby is a constitutional officer who has taken an Oath of Office, and is still the County's Supervisor of Elections. Her request for assistance will be for this year's election, which will take place while she is still in office.

The motion died for a lack of a second. Commissioner Weaver promised he would go by the Supervisor of Elections' office Thursday or Friday, and make a recommendation to the Board.

Mr. Williams said it is unclear whether the casual salaries had been folded into the new operating budget. Therefore, in order to insure there is no dissention, if it is the Board's wishes, the casual salaries can be reaffirmed.

**Motion by Commissioner Weaver to approve the state match (15%), the casual salary increase of \$12,000 for Ms. Kirby's budget. Second by Commissioner Flinn. The motion carried unanimously.**

Commissioner Flinn revisited the issue of incentive pay for the County Manager. She shared her opinion: Any time the County Manager receives incentive pay, it should not be done by secret ballot, but instead in a public forum so that the public can be informed. There should be a roll call vote so that the public knows if their commissioner voted for the incentive pay, and if not, the reasons why should also be a part of the record. She stated that because she has doubts that the current process for deciding the incentive pay is legal, she was hesitant to complete her ballot and send it in. She reiterated that the supporting records of the incentive pay may be public record, but because the public is not aware of the incentive bonus, they do not know to raise questions or request documentation. Finally, she offered she is not comfortable with the secret ballot process, and wanted it documented that she votes against this year's incentive pay for Mr. Williams.

Motion by Commissioner Flinn to address incentive pay for the County Manager in a public setting and not by secret ballot.

Commissioner Montgomery said he didn't really have a problem with what Commissioner Flinn is suggesting, but he'd like to have time to think about it since the issue came up without notice. He is in favor of revisiting it at a later date. Commissioner Flinn encouraged a second from Commissioner Montgomery, "There's not a lot to think about. Either we're going to give him a raise, or we're not going to give him a raise. Why does the County Manager have to be the only person in the county that the commissioners give incentive pay to by secret ballot?"

The motion failed for lack of a second.

Commissioner Weaver replied, "It's not a secret ballot and it's open to the public. Violation of Government in the Sunshine Law is just as dependant that you (Commissioner Flinn) and Commissioner Skinner don't talk together, as it is that you don't go look at Commissioner

Montgomery's ballot before do vote. Commissioner Flinn said she took offense and asked, "Who says that Commissioner Skinner and I talk together?" Commissioner Weaver explained that he was just using the two names as examples.

Commissioner Flinn pressed her question to Commissioner Weaver, "Why do we have to do this for Dale Williams and not for anyone else in the county?" Commissioner Weaver's answer was, "Because I have to decide whether I want it to be a public bashing by some commissioners, when the incentive is discussed." Commissioner Flinn said it's simple accountability, not public bashing, and that Charter states the County Manager is held accountable by a yearly evaluation done by the Commission.

Mr. Marlin Feagle said he is aware of an AGO that states it is acceptable to vote by ballot. To say it is a "secret ballot" is a misnomer, because the ballots are available for public inspection. Mr. Feagle suggested the Board table the matter until the next meeting. He said the ballots are clearly public record, and the Board has the right to vote in the sunshine. However, he would like an opportunity to look into Commissioner Flinn's concerns of adhering to the Sunshine Law.

There being no further business to come before the Board, the meeting adjourned at 9:25 pm.

ATTEST:  
Board of County Commissioners

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George Skinner, Chairman

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P. DeWitt Cason  
Clerk of Circuit Court