

Official

Minutes of the Escambia County Charter Commission Meeting
Held March 13, 2003
Board Chambers, Third Floor, Escambia County Courthouse
223 Palafox Place, Pensacola, Florida
(5:30 P.M. To 8:30 P.M.)
(Eighth Meeting)

Members Present:

M.J. Menge, Chairman
Charles F. Beall, Jr.
Johnny W. Blackmon
LeRoy Boyd
Barbara Forehand "Bobbie" Brown
Laurel Dick

Denis McKinnon, Jr.
Francis A. "Frank" Montenes
Lucy Rentz
Phyllis D. Sims
Lamar Smith
Garrett W. Walton

Members Absent:

Rita A. Riffel, Vice Chairman (Teaching Class)
Elbert Jones, Jr.
E.P. "Ted" Nickinson, Jr. (Wife is Hospitalized)

Others Present:

George Touart, County Administer
Chris Jones, Escambia County Property Appraiser
Dan Church, Chief Deputy, Escambia County Property Appraisers Office
Leatherwood, Escambia County Property Appraisers Office
Stephen E. Sorrell, Executive Director, ECUA
Bill Johnson, Director of Engineering, ECUA
Tim Haag, Assistant to Executive Director, ECUA

Agenda Number

1. Call to Order - Chairman Menge.
2. Approval of the agenda.

Motion made by Mr. McKinnon and seconded by Mr. Montenes, and carried 12-0, with Ms. Riffel, Mr. Jones, and Mr. Nickinson absent approving the agenda as prepared.

MINUTES OF THE CHARTER COMMISSION MEETING – Continued

AGENDA NUMBER - Continued

3. Presentation by Chris Jones, Property Appraiser

FOR INFORMATION:

From approximately 5:40 p.m. to 7:10 p.m., the Commission listened to a presentation made by Mr. Jones. He gave an overview of the office of the Property Appraiser as set by the Constitution of the State of Florida. There is a system of checks and balances that he will explain in his presentation. He conducts business for Escambia County, the local school board, City of Pensacola, and the Water Management Areas. Mr. Jones indicated that his office adheres to the Florida and U.S. Constitutions. His office appraises property, assesses property at fair market value, they have no ability to tax, but can make exemptions. There is 16 billion dollars worth of property in Escambia County and 9 billion dollars have a taxable value. There are 70,000 exemptions administered on an annual basis, the homestead exemption is not included in this taxed value.

Note: Mr. Jones provided a copy of the Deputy Handbook titled, “Chris Jones, Escambia County Property Appraiser” to the Whitman Center for public records.

Mr. Jones responded to question by the Charter Commission. The responses are as follows:

Where does the difference in the 16 billion and 9 billion come from? Mr. Jones stated the difference comes from the homestead exemption, federal and state land exemptions, and Pensacola Beach. Why did Mr. Jones opt out of the Civil Service System? Mr. Jones responded Civil Service was cumbersome. The office now has more flexibility in hiring, recruiting minorities, and more ability to recruit technical personnel. Mr. Jones also stated that moral was up and he has the ability to manage more fully. There are 74 employees in the office and most of them have been there for 15 years or more. Mr. Jones is the final appeal for any complaints filed by employees. The first step to an employee appeal is counseling with the immediate supervisor, the second is for the employee to be written up by the immediate supervisor and the employee can sign or not sign the document, the third step is an appeal to upper management. What is the process for job classifications, promotions, and movement? Mr. Jones responded these answers are explained in the manual distributed to the Whitman Center. Mr. Jones stated that under Civil Service it was exhausting to promote or move someone to another position. Civil Service is antiquated and they are not set up to hire technical people. They now have the ability to pay extra for certifications, previously they were unable to do this as the money was considered a bonus and

MINUTES OF THE CHARTER COMMISSION MEETING – Continued

AGENDA NUMBER - Continued

it was denied. He reported, one of the Civil Service rules was if you moved someone to another pay grade higher, it was an automatic 10% pay raise whether that person had experience or not. This resulted in some people making more than the people already in the position, which was unfair. Mr. Jones resolved this by letting the person go for one day and rehiring them the next day.

Is there an organizational chart for you organization? What is the annual budget, how is it approved, allocation to functionality to department for a given task and who funds this? Also, it seems as if all of the Constitutional officers want to stay Constitutional officers, why is this? Do you get involved with the county Clerk of Courts for anticipation of growth? Mr. Jones indicated that he would respond to the questions one at a time. He has a 4.6 billion dollar budget, the Department of Revenue has oversight, they approve/disapprove and make adjustments to his budget. The county funds his budget. If the tax roll is not approved the people could lose their homestead exemption. He submits his budget to the county by June 1st as required by law and submits to the Department of Revenue by July 1st. He indicated their department is driven by production. What were the average growth projections for the past 3 years? Mr. Jones responded the average growth is at 4-5% annual growth and that he cannot predict what the future value of real estate will be. What about the integrated fiscal growth plan and the 20 million for economic development and who gets it? The economic growth of EDE, there is incentives to grant this. Mr. Jones indicated that he can exempt businesses for up to 10 years.

Do you interact with other constitutional officers when working on the budgeting process, insurance, purchasing, and risk management? Mr. Jones stated that his department does not buy a lot of things and would not bring data processing integration into his department. This has been tried before in the past and it did not work, he cannot be second in line to do payroll or anything else. Mr. Jones indicated he is opposed to an integration of data processing. How did the decision of opting out of civil service come about? Mr. Jones responded, the staff was surveyed and the staff was the decisive factor in opting out of the Civil Service Program. In addition, who decides about in house promotions? Mr. Jones indicated, they have not decided how promotions will work. There are biannual evaluations between employees and supervisors, so the employee will know where he stands. Is there an unfair advantage for people vying for positions? Mr. Jones responded, there are no problems with this as all employees are on a merit system and work performance evaluations. Mr. Jones also commented at this time that he does not want to be removed from the citizens themselves, his department makes themselves available to the people of Escambia County. He compared himself to the BCC at no disrespect to them because they are part-time workers and he is not.

Can all the data systems could be married up, if they were all in the same general area it would be easier for the public to access? Mr. Jones indicated, his

MINUTES OF THE CHARTER COMMISSION MEETING – Continued

AGENDA NUMBER - Continued

agency is web connected to the county web-site. Mr. Jones indicated that he does not want to lose control of his office if things were to be married up. He was also asked how many buildings he has. Mr. Jones stated, their offices are very meager. He has two sites, one in town, and one in Molino, he works out of an old gas station. The county would benefit if there were one office for them to access. Can you explain the discrepancy in the soccer complex values? Mr. Jones answered that he is a licensed appraiser and he could not answer the question without the chance of losing his license. Mr. Jones indicated that all of the information is available on the website. Where the 4-5% growth comes from? Mr. Jones indicated it comes from waterfront property and new construction. Is the assessed value in comparison with fair market value? He reported, it has to be 85% of fair market value for general purposes. Can you explain the criterion used to appraise property and stated that citizens are confused on varying amounts of appraised land value? Mr. Jones responded FL Statute 196 goes by appraisal institute, strict guidelines, a definite willing buyer, and a willing seller.

Does the Department of Revenue set your budget or does the county have some say so? Mr. Jones replied they have to appear before the county and have to go by what the county sets in their budget. If the county puts 3% pay raises in their budget, then he does also. The Office of Management and Budget looks at it and will make changes, the county can appeal Mr. Jones cannot since he does not have the power to do so.

4. Presentation by Stephen Sorrell, Executive Director of ECUA

FOR INFORMATION:

From approximately 7:10 p.m., the Commission viewed a power point presentation, entitled “An Overview of the Escambia County Utilities Authority”, which was provided by Mr. Sorrell to each Commission Member as a hard copy, and to the Whitman Center for the official public records .

Note: Two slides were missing from the Whitman Center's Copy 1) ECUA now has 5 regional offices that allow for rapid response to any problems and 2) ECUA supports the local community through volunteering for March of Dimes, United Way, and the Cancer Society with no corporate matching funds.

Mr. Sorrell responded to questions from the Charter Commission. The question and responses are as follows:

MINUTES OF THE CHARTER COMMISSION MEETING – Continued

AGENDA NUMBER - Continued

How the rates are decided when it is a nonprofit and a non-tax agency? Mr. Sorrell responded, all rates are cost based; they can be projected by the cost of living and through concerns and regulations set by the EPA. What about the Main Street sewer plant and was the cover placed there due to the Trillium project and what else has been done for the Trillium project. The cover had nothing to do with Trillium; it is in the central business part of Pensacola. Mr. Sorrell you are continuing to improve it but people downtown want to move it, can you comment on this? I do not have a problem with moving it, just as long as the ECUA customers do not have to pay for it. It would take 10 years and a phenomenal amount of money to move it. He does have plans to build a small water reclamation site in the north end of the county. How much it would cost to move the main street facility? Mr. Sorrell responded approximately 150-200 million dollars. What are the benefits of moving it to another location? He stated, it was originally built on that location in 1935 because everything flows downhill, the advantage is a brand new high tech plant with less odors. What type of environmental problems would be left there if it were to be move? He indicated the problem is not contamination, it would be a minor cleanup, but we would need a large pump.

How the downtown plant is unique and why does it smell? Mr. Sorrell stated the Marcus plant has very little smell. Mr. Sorrell indicated with his short tenure, he has developed a good working relationship with Mr. George Touart and the SRIA. How has the heightened security impacted the ECUA? Mr. Sorrell responded, we have a security manager who is an ex-cop on staff, no one can get into the buildings, they are guarded, no tours without complete background checks. Why the beach cost of water is double than that of in town rates? He responded, when ECUA took over in 1992, the rate structure was different and it does cost more to get water to the beach. Is there any advantage of putting ECUA under the county? Mr. Sorrell responded, ECUA is an individual authority, pros/cons, county does garbage collection, it separated years ago and it was a mess, as funds got short it was taken from somewhere else.

Is ECUA still under Civil Service and it is a good thing? He indicated it depends, Civil Service needs to be quicker, overall not a lot of complaints, there could be some improvement. What is ECUA's partnership with International Paper? Mr. Jones stated, we have an outstanding partnership and we met frequently. We can accomplish a few things. The pipeline being built to take the effluent back to IP and they can use it. This is a win/win situation. He also indicated the odor is IP, not ECUA. Was the Civil Service problem due to the former director who has been replaced? Could the Charter do anything to assist ECUA? Mr. Jones responded this is hard to say, ECUA has a great working relationship with the ECUA board and they do things for the right reasons. He stated, the citizen oversight committees can be cumbersome, you need the right people on these committees. How many citizen advisory committees does ECUA

MINUTES OF THE CHARTER COMMISSION MEETING – Continued

AGENDA NUMBER - Continued

have? Mr. Jones reported there are three committees: a technical, a financial, and an administration committee. Can you explain the separation of sanitation services north of Nine Mile road? Mr. Sorrell responded, BFI has the franchise at the current time and it is franchised out by ECUA. The county also has franchise authority for disposal of the waste and landfill. It is dollar and sense for the landfill. He also reported there are a number of commercial haulers for commercial disposal.

What are you doing to address the toxic plumes and to protect the water quality? Mr. Sorrell indicated that ECUA has installed filters to address those types of problems. He also replied filters are the best source for providing safe drinking water. Are all the 30 wells working or shut down? Mr. Tim Haag responded, we have different wells shut down for different reasons. But not necessarily related to toxic plumes. Are you injecting fluoride in the water system and do you monitor or control the fluoride in the water? Mr. Haag responded, yes we do monitor. But we do not inject at all of the wells. He indicated that it is expensive. However, he reported ECUA is getting a hundred percent coverage into the distribution system.

5. Approval of the minutes of the February 27, 2003 meeting.

After discussion a substitute motion was made for the February 27, 2003 minutes.

Mr. Montenes made a substitute motion not to approve the presented February 27, 2003 minutes until it included action items in the minutes. The motion was seconded by Mr. Boyd, and carried 12-0 with Ms. Riffel, Mr. Jones, and Mr. Nickinson absent.

6. Communications.

FOR INFORMATION:

Chairman Menge advised that the following items had been provided to the Commission Members (as part of the agenda package):

- (1) A revised copy of the Charter Commission Meeting dates, times, and places for periods March 13, 2003 through July 17, 2003.
- (2) A copy of the letter addressed to Mr. Menge from Mr. Robert Davis responding to Mr. Menge's letter recommending his original letter be forwarded to Mr. Thomas Tait.
- (3) Copies of the article entitled "The Escambia County Charter Commission" by M. J. Menge.

MINUTES OF THE CHARTER COMMISSION MEETING – Continued

AGENDA NUMBER - Continued

- (4) Copies of the synopsis of “The Board of County Commissioners” prepared by M. J. Menge.
- (5) Copies of the synopsis of the “Structure or Form of Government” prepared by M. J. Menge.
- (6) A copy of the status of the Whitman Center research projects listed in correspondence of January 30, 2003.

CHAIRMAN MENGE RECESSED THE MEETING FROM 7:40 P.M. TO 7:50 P.M.

7. Interim report from The Whitman Center.

FOR INFORMATION:

Note: Dr. Wynn Teasley distributed a handout entitled, “Status of Whitman Center research projects listed in correspondence of January 30, 2003.

Dr. Teasley reported compilations of the Charlotte County Charter and the Administrative Codes have been completed. He indicated the Florida Association of Court Clerks is a three-year old report. He also reported the Center has conducted a study of 14 counties—seven with Charters and seven without. Dr. Teasley indicated that the Center was bringing the data forward for Escambia County with regard to a five-year history of taxes, revenues, and spending. The project is to be completed by April 1, 2003. Other research to be completed by April 1st include: Possible efficiencies derived from transferring accounting and finance from the Clerk of the Court to the County Administrator; Change in status of Constitutional Officers; A study of County Commission sizes and types; and An overview of the forms of government. Dr. Teasley indicated that the Civil Service Report had been completed. Dr. Teasley agreed to provide Mr. Dick with a list of the 14 counties. Mr. Montenes raised questions about the completion of research pertaining to other County Preambles, Bill of Rights and also operating procedures for the Charter Commission. Mr. Menge responded he had a list of action items that included those issues and that he would follow-up on getting that information.

8. Unfinished Business.

FOR INFORMATION:

The Charter Commission reviewed and discussed the meeting, date, and places for periods March 13, 2003 through July 17, 2003.

During discussion the following points were made:

MINUTES OF THE CHARTER COMMISSION MEETING – Continued

AGENDA NUMBER - Continued

- 1) Mr. Menge indicated that at the April 10th meeting the Commission would summarize the previous meetings and participate in a general overview discussion.
- 2) Mr. Montenes indicated that he feels it is important to have the following to items prior to drafting a Charter. One a summation of the governmental presentations and second a summary of the information obtain from the citizens in the public forums.
- 3) Mr. McKinnon would like to have public input prior to drafting the Charter.
- 4) Mr. Beall strongly opposes drafting a report prior to the Charter report.
- 5) Mr. Boyd concurs with Mr. Menge citizens need to have input.
- 6) Mr. Walton indicated that he would like the Charter Commission to discuss the process of how the Commission will proceed at the July 31st meeting.

9. Items added to the Agenda.

For Information:

Mr. Montenes requested that action items be included in the minutes along with information for who is responsible for completing a task and by what time period.

10. Announcement regarding the next meeting date, place and topics for discussion.

Chairman Menge announced the next meeting is scheduled for Tuesday, March 18, 2003 at 5:30 p.m. on the 2nd Floor of the City Hall building.

11. Public Forum.

Ms. Rita E. Jones indicated that she felt the Charter Commission is making progress. She advised the Commission not to formulate anything without public input.

12. Any Commission Response.

None.

13. Adjournment.

The meeting was adjourned at 8:40 p.m.

MINUTES OF THE CHARTER COMMISSION MEETING – Continued

AGENDA NUMBER - Continued

APPROVED BY:

THE CHARTER COMMISSION

PREPARED BY:

UNIVERSITY OF WEST FLORIDA WHITMAN CENTER FOR PUBLIC SERVICE

Action Items:

Responsible Party:

Due by:

Provide Mr. Dick with the 14 counties listed in the study.

Teasley/Ramos

ASAP