

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF COMMISSIONERS  
HELD DECEMBER 20, 2012  
SECOND FLOOR, OLD COUNTY COURTHOUSE  
223 PALAFOX PLACE, PENSACOLA, FLORIDA  
(10:00 a.m. – 10:27 a.m.)

Present: Commissioner Gene M. Valentino, Chairman, District 2  
Commissioner Lumon J. May, Vice Chairman, District 3  
Commissioner Steven L. Barry, District 5  
Commissioner Wilson B. Robertson, District 1  
Commissioner Grover C. Robinson IV, District 4  
George Touart, Interim County Administrator  
Alison Rogers, County Attorney  
Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services  
Doris Harris, Deputy Clerk to the Board  
Judy H. Witterstaeter, Program Coordinator, County Administrator's Office

AGENDA NUMBER

1. Call to Order

Chairman Valentino called the Special Meeting to order at 10:00 a.m., and Chairman Valentino led the Pledge of Allegiance to the Flag and Commissioner Robinson delivered the Invocation.

For Information: The Board was advised by Interim County Administrator Touart that he has provided, for disclosure purposes and for filing with the Board's Minutes, a copy of a December 19, 2012, letter from Joe Passeretti, Emmanuel, Sheppard & Condon, Attorneys at Law, advising that he represents Mr. Touart and Golden Professional Solutions, Inc., and Global Employment Services, Inc., two corporations of which Mr. Touart is an Officer, in the following litigation stemming from the BP Gulf Oil Spill:

- A. Case No. 3:11-cv-146, Blackman et al. v. Midwest Environmental Resources, Inc., et al., in which eight defendants, of whom Mr. Touart is not a named party, have been sued for alleged failure to compensate oil spill clean-up workers consistent with the requirements of the Fair Labor Standards Act (FLSA); and
- B. Case No. 3:12-cv-494, Burgess v. Midwest Environmental Resources, Inc., et al., in which seven defendants have been named, including Mr. Touart personally, also alleging failure to compensate a Gulf Oil Spill worker consistent with the FLSA.

MINUTES OF THE SPECIAL BOARD MEETING – Continued

AGENDA NUMBER – Continued

2. Was the Meeting Properly Advertised?

The Board was advised by Doris Harris, Deputy Clerk to the Board, that the Meeting was advertised via a news release issued by the Public Information Office on December 17, 2012.

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried unanimously, adopting the agenda, as prepared and duly amended.

3. SBA #065 and Leave Buyback Program

Motion made by Commissioner Robertson, seconded by Commissioner May, and carried unanimously, taking the following action concerning Supplemental Budget Amendment #065 and the Leave Buyback Program:

- A. Waiving the current Human Resources' Policy and approving to allow employees of the Board to sell back a maximum of 80 hours of accrued annual leave/PTO (Paid Time Off) or MOB (Management Option Benefits), as long as the employee maintains a combined balance of 100 hours of total accrued leave;
- B. Approving to extend this program to the Offices of the Supervisor of Elections, Tax Collector, Property Appraiser, Sheriff, and the Santa Rosa Island Authority should they wish to participate; and
- C. Adopting the Resolution (*R2012-173*) approving Supplemental Budget Amendment #065, Internal Service Fund (501), in the amount of \$2,300,000, recognizing the estimated proceeds from a premium rebate on the Health Insurance Contract, and appropriating these funds for the leave buyback for all participating entities, in an amount not to exceed \$1,400,000, and (*approving that*) the remaining \$900,000 (*will be deposited*) into a health insurance reserve.

MINUTES OF THE SPECIAL BOARD MEETING – Continued

AGENDA NUMBER – Continued

4. Reinstatement of Floating Holiday

Motion made by Commissioner May, seconded by Commissioner Robertson, and carried unanimously, approving to reinstate a floating holiday to be added to the Annual Holiday Calendar for 2012, as well as succeeding years, and approving that the floating holiday will be designated by the County Administrator; the designated floating holiday for 2012 is Monday, December 31, 2012, New Year's Eve.

Speaker(s):

Andrew Rasnick

ITEMS ADDED TO THE AGENDA – COMMISSIONER GENE M. VALENTINO

1. Television Production Equipment

Motion made by Commissioner Robertson, seconded by Commissioner May, and carried unanimously, approving to amend the Contract with General Projection Systems, Inc., for PD 11-12.045, Television Production Equipment Services, to change the start date for the liquidated damages of \$250 per day from January 3, 2013, to February 7, 2013; in return for changing the start date to February 7, 2013, General Projection Systems, Inc., has agreed to extend the training of the PIO (*Public Information Office*) Production staff through February 7, 2013.

ADJOURNMENT

Motion made by Commissioner Robertson, seconded by Commissioner Robinson, and carried unanimously, approving to adjourn the Special Meeting of the Board of County Commissioners at 10:27 a.m.

ATTEST:

Ernie Lee Magaha  
Clerk of the Circuit Court & Comptroller

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Deputy Clerk

Approved: January 3, 2013

12/20/2012

BOARD OF COUNTY COMMISSIONERS  
 ESCAMBIA COUNTY, FLORIDA

By: \_\_\_\_\_  
Gene M. Valentino, Chairman