
COMMISSIONERS:

DeLoris Roberts, Mayor
John Martin, Vice Mayor
Eleanor Randall
Patricia Bouie
Michael E. Rutledge, Sr.

CITY CLERK:

Donna R. Mayes, City Clerk

CITY ATTORNEY:

Steve Lee

**MINUTES
ALACHUA COUNTY/CITY OF HAWTHORNE
JOINT SPECIAL MEETING
February 3, 2009**

A. CALL TO ORDER

County Commission Chair Mike Byerly called the meeting to order at 6:00. Present was Mayor DeLoris Roberts, Vice Mayor John Martin, Commissioners Eleanor Randall, Patricia Bouie and Michael Rutledge. County Commissioners present were Commission Chair Mike Byerly, Commissioners Cynthia Chestnut, Paula Delaney, Lee Pinkoson, and Rodney Long. County staff present were County Manager Randall Reid, Sheriff Sadie Darnell, County Attorney David Wagner, County Deputy Fire Chief Ed Bailey. City staff present were City Clerk Donna Mayes, City Planner Kelly Moosbrugger, and Attorney Steve Lee.

B. ADOPTION OF AGENDA

Moved to approve the agenda.

Motion – Commissioner Randall

Second – Commissioner Bouie

Vote – 5-0

**C. WELCOME: MIKE BYERLY, CHAIR ALACHUA COUNTY COMMISSION
DELORES ROBERTS, MAYOR CITY OF HAWTHORNE****F. REGULAR AGENDA****1. Status of Fire Services in City of Hawthorne**

Hawthorne Fire Chief Modican not yet present, the commissions decided to postpone this report until he arrives.

2. Discussion of participation in Fire MSTU

County Manager Reid mentioned that he provided letters to Mayor Roberts about the MSTU and about the City of Waldo's agreement with the County. He also mentioned that the City of Archer receives fire services from the county and is part of the MSTU. Mayor Roberts recommended that the Hawthorne Commission take a look at the MSTU and the Waldo agreement.

Vice Mayor John Martin praised the services of both the County and City Fire Departments (FDs). He said if we dissolve the Hawthorne FD it would likely be permanent because the cost would be too high to get one later. Micanopy and other FD's in the county have contracts with the county to provide fire services in unincorporated

areas, but Hawthorne doesn't. Mr. Martin asked why this is the case and could Hawthorne have a contract with the county? He said the budget situation would improve with a contract.

Deputy Chief Bailey said that the calls Hawthorne FD responds to in the unincorporated areas are low, a 14 per month average. The county has a station up the road and has a contract with Marion County to provide services in the Southern part of the county, they have a high level of service. He said Chief Modican approached him a while ago about a non-compensatory mutual agreement.

Mr. Martin said it doesn't seem fair to penalize Hawthorne by not contracting with our FD based on our geographic location and that the county is basing its decisions on its own interests only. Mr. Byerly said there were no legal reasons that would prohibit an agreement with Hawthorne. County Commissioner Chestnut asked if we wanted a contract for 14 calls per month. Mr. Byerly said he thought the point was that there were only 14 calls because there was no contract. Mr. Reid said that the county's regional response policy guides their decisions on entering into contracts.

Mr. Martin pointed out that Hawthorne FD's communications issue had been solved and asked if the county is willing now or in the future to enter into a contract, so he can cast an informed vote.

Mayor Roberts said the Hawthorne Commissioners should probably talk amongst themselves about this issue before meeting with the county.

County Commissioner Long said it is the city commission's responsibility to find a way to fund the FD or Police Department (PD), and he cannot tell them whether or not there will be a contract.

Commissioner Eleanor Randall said since everyone seems to be in agreement about reviewing the Waldo agreement, they should do so and then come back and have a joint meeting. Commissioner Bouie concurred. Commissioner Rutledge said he wants to go over the agreement, but he wants Hawthorne to have its own FD and doesn't see why the county won't contract with us if we are doing our job.

County Commissioner Pinkoson said that the level of service of Marion County FD is higher and is just across the county line. If the county can get a higher level of service it will do so.

Mr. Martin said it is unfair to judge HFD on the actual number of calls it responded to in the county because they could do a lot more with a contract.

Chief Modican arrived and Mayor Roberts asked for his report. The Chief reported that 14 is the average number of calls from just a 6 month period – there were 23 in December. He said Marion County is farther away from many areas that HFD is, so their service would be slower than Hawthorne's. He said HFD wants to get advanced life support in the future to increase the level of service, that HFD is state compliant, and that he expects the average of 14 calls to increase.

CITIZEN COMMENTS:

William Carlton – cost of FD will go up, we should use county services

Cheryl Elmore – appalled at HFD service

Vicki Logan – will the county enter into a contract with Hawthorne?

Mr. Long said Hawthorne is a member of the MFA and if they meet the level of service they would most likely be included in agreements.

Mr. Martin asked if the county was going to charge an assessment for fire services on top of the MSTU. Mr. Byerly said they are not currently discussing doing so. Reid explained that an assessment would replace the MSTU and Hawthorne residents would pay the same as residents in unincorporated areas.

Ms. Chestnut asked about the debt to the county from the last time Hawthorne received fire services from them. County staff replied that Hawthorne pays \$11,171 each January in arrears, until 2013.

Mr. Reid encouraged the city commission to speak with the Florida League of Cities about the MSTU if they decide to dissolve the FD.

Mayor Roberts said Hawthorne is not in an ongoing battle with the county, that they are just having disagreements and healthy debate.

3. Discussion of participation in Law Enforcement MTSU

Mayor Roberts said she would like to get input on a law enforcement MSTU.

Mr. Byerly suggested having an independent meeting with the Sheriff first.

Commissioner Delaney said public safety costs are growing and that county services will be good and if Hawthorne uses the county it could free up money to use on quality of life issues. As Hawthorne grows, in the future they could decide to have their own PD.

Mr. Martin said law enforcement in the county is more complex because you have to deal with 3 entities, the county, the sheriff, and the city. He said the motion to dissolve HPD included specifically that the city not enter into the MSTU, and are there consequences for that?

Mr. Byerly said the county commission represents everyone in the county and even if you don't pay the MSTU you still get service, but it's not fair that residents in unincorporated areas have to pay for services and city residents don't pay. He would like to see both MSTUs adopted.

Sheriff Sadie Darnell gave a report on which cities in the county have PDs, which pay the MSTU and which don't. She said unincorporated residents subsidize any cities that don't pay the MSTU but receive services. She outlined the services the sheriff's office provides and said that with an MSTU, Hawthorne would only pay 30% of the actual costs of service.

Mr. Pinkoson asked why the city voted to not join the MSTU.

Attorney Steve Lee explained that the state statutes do not require municipalities to fund the sheriff's office – it is the county's obligation. It is not a question of fairness. The county cannot impose the MSTU on cities – the county decides how to fund the sheriff's office.

Mr. Byerly pointed out that this is a legal loophole and that the county needs MSTUs to provide good service.

Mr. Lee said there is a process in the statutes that allows the sheriff to take budget decisions to the governor to appeal the county's funding decisions.

Mr. Pinkoson asked what they should cut if they don't fund the sheriff with an MSTU. He said citizens would be deprived of services and quality of life would suffer.

Sheriff Darnell said cities have a responsibility to pay for public safety.

Mr. Martin said paying for the MSTU is a policy decision, just like the county's decision on fire contracts. He wants Hawthorne to consider joining the MSTU if we join the fire MSTU. He thinks all municipalities should join and pay, even those with PDs, because

the sheriff's office patrols in these cities too, especially Gainesville. He said a PD is an enhancement of law enforcement provided by the county.

Mr. Pinkoson said that Hawthorne residents would have to pay taxes to the general fund instead of the MSTU if the county switched the budget to pay for the sheriff's office with the general fund.

CITIZEN COMMENT:

Eddie Higginbotham – MSTU is fair, 2 years ago the assessment was too expensive and that's why Hawthorne created its own FD and PD. Mr. Pinkoson said the year before that the county offered the city an MSTU.

Vicki Logan

Memory Stewart

Vivian Wagner

Ms. Delaney asked what is the timeframe for the MSTU.

County Attorney Wagner said they need a decision from Hawthorne by May 15 to change the MSTU boundary for the next fiscal year.

G. COMMISSION GENERAL AND INFORMAL DISCUSSION

Mr. Martin encouraged the county commissioners to ride through the county public housing in Hawthorne, half the houses are vacant.

The county commissioners suggested inviting the county Housing Authority Board to see it.

H. CITIZEN COMMENTS

I. ADJOURN

County Commission Chair Mike Byerly adjourned.

These Minutes of the Joint Commission Meeting of February 3rd, 2009 are submitted for Commission approval.

Donna R. Mayes, City Clerk

DeLoris Roberts, Mayor

Transcribed by: _____ **Signature:** _____