

Clerk



**AGENDA
COMMITTEE OF THE WHOLE WORKSHOP
BOARD OF COUNTY COMMISSIONERS**

**Board Chambers
Suite 100
Escambia County Government Complex
221 Palafox Place**

**December 13, 2007
9:00 a.m. – 3:00 p.m.**

- 1. Call to Order – Comr. Kevin White

(PLEASE TURN YOUR CELL PHONE TO THE SILENCE OR OFF SETTING.)

- 2. Was the meeting properly advertised?
- 3. Preliminary Budget to Actual Report for Fiscal Year Ending September 30, 2007
(Patty Sheldon – 20 min)
 - A. Discussion
 - B. Board direction
- 4. "HHRP Housing Recovery and Rebuild NWF Updates"
(Randy Wilkerson – 30 min)
 - A. Discussion
 - B. Board direction
- 5. Pensacola Little Theatre Funding Request
(John L. Peacock, Jr. – 20 min)
 - A. Discussion
 - B. Board direction
- 6. Funding for Parking Garage on Pensacola Beach
(Buck Lee – 30 min)
 - A. Discussion
 - B. Board Direction

7. Youth Sports Parks Mowing
(Kevin Briski – 15 min)
 - A. Discussion
 - B. Board direction

8. Perdido Key Beach Re-nourishment Update
(Keith Wilkins – 30 min)
 - A. Discussion
 - B. Board direction

9. Adopt-a-Spot Program
(Keith Wilkins – 30 min)
 - A. Discussion
 - B. Board direction

Break for Lunch

10. Boat Ramps Update
(Keith Wilkins – 15 min)
 - A. Discussion
 - B. Board direction

11. Governmental Channel Update/Status
(Sonya Daniel – 15 min)
 - A. Discussion
 - B. Board direction

12. Insurance Requirements for Escambia County's Solid Waste Management Permit Holders
(Comr. Gene Valentino – 20 min)
 - A. Discussion
 - B. Board direction

13. Fire Rescue Funding Alternatives
(Ken Perkins – 20 min)
 - A. Discussion
 - B. Board direction

14. Interlocal Agreement for Parking Garage Located on Intendencia
(Jean Kassab – 20 min)
 - A. Discussion
 - B. Board direction

15. Letter from Mike Patterson
(Comr. Whitehead – 10 min)
 - A. Discussion
 - B. Board direction

16. Pensacola Ice Pilots Contract
(Bob McLaughlin – 15 min)
 - A. Discussion
 - B. Board direction

17. Topics for Joint City-County Meeting – January 22, 2008
(Bob McLaughlin – 10 min)
 - A. Discussion
 - B. Board direction

18. Adjourn

EMMANUEL, SHEPPARD & CONDON

ATTORNEYS AT LAW

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December 10, 2007

VIA EMAIL: mike.whitehead@co.escambia.fl.usMr. Mike Whitehead
Escambia County
Board of County Commissioners
P.O. Box 1591
Pensacola, FL 32591Re: Touart, George
Our File #: 00758-100643

Dear Mr. Whitehead:

It is undisputed that Mr. Touart remains an employee of Escambia County through today.

The Escambia County Commission ("Commission") has taken no official action to terminate Mr. Touart's employment contract. While the Commission certainly has the right to terminate Mr. Touart's employment, to date the Commission has not done so.

On or about September 5, 2007, Mr. Touart was presented with a written offer by the Escambia County Attorney, acting on behalf of the Commission. The written offer, which was provided by the County Attorney on behalf of the Commission, would have permitted Mr. Touart to remain on leave until he retired in April 2008. Based on that written offer, Mr. Touart announced at the September 6, 2007 County Commission meeting that he would retire in April 2008. His exact language according to the transcript of the Commission meeting was "I am therefore announcing that I will retire as County Administrator effective April 22, 2008."

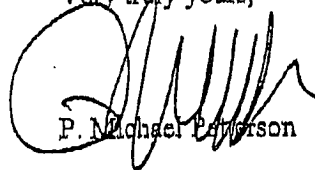
Apparently County staff has taken the view that by Mr. Touart announcing he will retire in April is some how equivalent to an immediate resignation. Such a position is not supported by the facts.

Mr. Touart is currently employed under an employment agreement which has not been terminated by the County or by Mr. Touart. Mr. Touart is, and always has been, willing and able to

Mr. Mike Whitehead
December 10, 2007
Page 2

perform his duties as an employee. The County should permit him to utilize his skill and experience on behalf of the County or the County must take the appropriate action to lawfully terminate his employment.

Very truly yours,



P. Michael Peterson

PMP/rsh