

PENSACOLA BEACH
SANTA ROSA ISLAND AUTHORITY

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PENSACOLA BEACH, FLORIDA
SPECIAL BOARD MEETING MINUTES
AUGUST 6, 2008

Board Members:

Thomas A. Campanella
Chairman

John L. Peacock, Jr.
Vice-Chairman

Tammy Bohannon
Secretary/Treasurer

Fred Gant
Vernon L. Prather
Elwyn D. Guernsey

W. A. "Buck" Lee
Executive Director

1. A special Board meeting of the Authority was requested by Mr. John Peacock and Mr. Fred Gant and they asked to be named as Acting-Chairman and Vice-Chairman respectively for the purposes of this meeting. The meeting was held on Wednesday, August 6, 2008, beginning at 5:00 p.m. Members in attendance were: Dr. Thomas Campanella, Mr. John Peacock, Mr. Vernon Prather, Mr. Elwyn Guernsey and Mr. Fred Gant. Dr. Campanella, Chairman, sounded the gavel.

Dr. Campanella: I would like to ask Mr. Stebbins, since this is not an emergency meeting was this meeting properly noticed?

Mr. Stebbins: Um, I do not have all the facts on the notice, if I may inquire? I believe the notice was placed on the front door. And, when did that occur?

Katie Denny: Yesterday.

Mr. Stebbins: About what time?

Melody Bolster: About one.

Mr. Stebbins: One P.M.?

Mr. Stebbins: And when was the notice posted on the website?

Ms. Bolster: At the same time.

Mr. Stebbins: About 1 P.M. yesterday? I would note for the record that I had been asked by the Chairman to check the website for the posting and I found that it was there, however I found that it wasn't readily available. I'm a fairly tech savvy person, but it took me about twenty minutes to find it. Was there publication in the newspaper?

Jayne Bell: No.

Mr. Stebbins: No publication?

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Ms. Bell: There was a press release.

Mr. Stebbins: There was a press release?

Ms. Bell: (indicated in the affirmative)

Mr. Stebbins: The press release was given to who?

Mr. Peacock: I can answer that, Mr. Stebbins. This is what was conducted about 12:45 yesterday. A press release was issued at approximately 12:45. There is a distribution list here about 180, 200 people long that was received from the Escambia County Information Officer, Public Information Officer.

Ms. Bolster: Sonya Daniel.

Mr. Peacock: The agenda and backup was e-mailed to Board members. The agenda and backup notice or meeting notice was posted in SRIA lobby, main office and maintenance department, and of course, it was posted on the website. Those are the things that occurred to publicly and properly notice this meeting.

Mr. Stebbins: I'd note for the record also, that I don't see the normal contingent of media here who would normally attend a meeting. Given these circumstances and our advice in the past having to notice such meetings at least forty-eight hours in advance I have concerns about this. And, let me explain why. Normally when you have a meeting on such short notice the duty to provide more notice than what you would normally provide in a regular meeting, I think, becomes greater. And, that very much concerns me here. Plus the fact that in the past we have advised that any type of meeting like this has to be at least forty-eight hours in advance of a meeting. Now, I haven't been asked the opinion prior to today about this, but given these circumstances if I tell the Board that this was a properly noticed meeting and I am wrong, then you have all committed Sunshine Law violations and could face criminal charges. And, knowing that heavy burden that I carry on that and the fact that I have the concerns of these, I do not believe that adequate notice was given of this meeting.

Mr. Peacock: If I could add something to that out of the *Government-In-The-Sunshine Manual*, which we all follow dearly. It says, "While the Attorney General's Office cannot specify the type of notice which must be given in all cases it has suggested the following notice guidelines: The notice should contain the time and place of the meeting and, if available, an agenda; the notice should be prominently displayed in the area in the agency's offices set aside for that

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purpose, e.g., for cities, in city hall;" or obviously for here, in our building. "Emergency sessions should be afforded the most appropriate and effective notice under the circumstances and special meetings should have at least 24 hours reasonable notice to the public; and the use of press releases and/or phone calls to the wire services and other media is highly effective." So given that...

Mr. Stebbins: I've read that opinion and we do not agree with that. Our consistent advice to the Island Authority has always been a minimum of forty-eight hours notice. Given that circumstance I don't think adequate notice was given.

Mr. Peacock: I kind of tend to default more to the Attorney General, Mr. Stebbins. Since Mr. Gant is here, I'm going to call this special meeting to order. I'm going to call this special meeting to order. We'll talk about...

Dr. Campanella: No, sir. I have some other questions. No, sir, I have a question for Mr. Lee. Was the opening sentence of this prepared by you, or did you direct the staff to prepare it?

Mr. Peacock: Opening sentence of what?

Mr. Gant: Of what?

Dr. Campanella: For the purpose of this particular meeting. This sentence, for the purpose of this meeting John Peacock will be acting as Chairman and Fred Gant will be acting as Vice-Chairman. *

Mr. Peacock: Mr. Lee, I'll handle that, because that was directed specifically by me.

Dr. Campanella: No, I asked Mr. Lee.

Mr. Lee: I've been off for three days except for about an hour each day to come in and do some paperwork. I did not know about this meeting until it was called.

Dr. Campanella: So, did you receive any instructions from Mr. Peacock?

Mr. Lee: No, in fact, this is the first time I've seen this.

Dr. Campanella: Did you read any instructions from Mr. Gant?

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Mr. Lee: He didn't send me anything.

Dr. Campanella: Then, maybe I should ask Mr. Peacock at this point. By what authority can you change and name the Chairman as you Mr. Peacock and Vice-Chair as Mr. Gant? Since, by the Board direction I am the Chair and Mr. Peacock is the Vice-Chair.

Mr. Peacock: I called the special meeting. I took it upon myself to... Mr. Campanella, let me finish.

Dr. Campanella: Alright.

Mr. Peacock: I called the special meeting. Everybody will have an opportunity to speak. The intent here is to follow the Board policies. Everybody will have an opportunity to speak. In my opinion it doesn't matter who's Chairman, but since I called the meeting and my understanding from staff is that Mr. Gant also requested to be a party of the calling of the special meeting that I put him down as the Vice-Chair. And, staff was directed to do that by me. The intent of this is not to run any meeting. This intent is just to get it kicked off and let everybody discuss this issue. So, call it whatever you want. I certainly have an agenda here to start following. Everybody will have plenty of time...

Mr. Gant: Let me just, I'm sorry...

Dr. Campanella: No, not yet. Thank you. In reviewing this in light of knowing what's happened that I feel that there may be Sunshine Law violation and because of that I do not want to be a part of the meeting. And therefore, I will adjourn the meeting.

Mr. Peacock: You adjourn your meeting?

Dr. Campanella: I will adjourn the meeting.

Mr. Gant: The meeting has not begun, right? Has it begun yet, Mr. Stebbins?

Mr. Stebbins: He already started the meeting.

Mr. Gant: The Chairman did?

Mr. Stebbins: He gaveled it, yes.

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Mr. Gant: Okay. Well, then

(Dr. Campanella sounds the gavel)

Dr. Campanella: Adjourned.

Mr. Gant: Are we allowed to make comments after the adjournment, Mr. Attorney?

Mr. Stebbins: If he adjourns it, he's adjourned it.

Mr. Peacock: So, Mr. Stebbins, what's the procedure for if the Chairman's not here?

Mr. Stebbins: If the Chairman's not here, then at that point the Vice-Chair would assume it, assuming that we have a quorum and maintain a quorum.

Mr. Peacock: Well we still do, right?

Mr. Gant: What is the significance of adjourning the meeting? What does that do?

Mr. Stebbins: My opinion would be once the Chairman adjourns it, the meeting is over and any further business discussed by the Island Authority could be considered a Sunshine Law violation.

Mr. Prather: Gentlemen, I believe I will excuse myself there. Questions with the Executive Director not seeing this in a timely manner so, our staff is off guard. The Chairman has his concerns. I certainly do believe that each Island Authority member has the right to ask for a special meeting. I think the proper procedure for that would be to go through our Director to say I would like to have a meeting to talk about whatever. He sets that up appropriately. I do not believe that was done. So, I'm extremely concerned about Sunshine Law. I'm going to listen to what Mr. Gant has to say.

Mr. Gant: Are we violating it by talking now? Are we again violating the Sunshine Law even by commenting?

Mr. Stebbins: I think, yes. That's my concern. If I'm going to be ultimately conservative about this, yes.

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Mr. Prather: I will excuse myself. Thank you, Gentlemen. I'm sure we'll revisit this topic another day.

Mr. Gant: Needs four for a quorum, right?

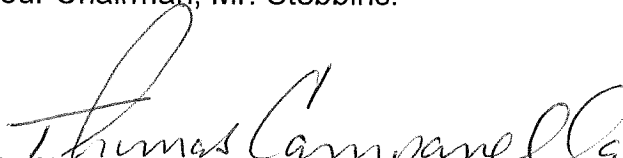
Mr. Stebbins: Needs four for a quorum. Any further business discussed in my opinion would be a violation of Sunshine Law.

Mr. Guernsey: This is a circus.

Mr. Peacock: It's absolutely ridiculous and you want to know why the Santa Rosa Island Authority probably won't be here? Because of actions like that, Mike. Absolutely ridiculous. Great advice to our Chairman, Mr. Stebbins.

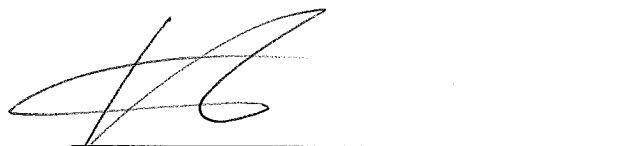


SECRETARY



CHAIRMAN

I believe this to be correct to the best of my ability.



Katie Denny

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