

Clearwater, Florida, December 18, 2012

The Pinellas County Business Technology Services Board met in special session at 8:30 A.M. on this date in the County Commission Assembly Room, Pinellas County Courthouse, Clearwater, Florida, with the following members present:

Susan Latvala, County Commissioner, Chairman  
Pam Dubov, Property Appraiser, Vice-Chairman  
Ken Burke, Clerk of the Circuit Court and Comptroller  
Deborah B. Clark, Supervisor of Elections  
Bob Dillinger, Public Defender  
Captain Jim Main for Robert Gualtieri, Sheriff  
Mark Woodard for Robert S. LaSala, County Administrator  
Bernie McCabe, State Attorney  
Chief Judge J. Thomas McGrady, Sixth Judicial Circuit  
Carlos Thomas for Diane Nelson, Tax Collector  
Kenneth T. Welch, County Commissioner

Also Present

Paul F. Alexander, III, Director of Business Technology Services (BTS)  
Dennis R. Long, Chief Assistant County Attorney  
Arlene Smitke, Board Reporter, Deputy Clerk  
(Minutes prepared by Trudy Futch and Helen Groves, Board Reporters)

CALL TO ORDER

Chairman Latvala called the meeting to order at 8:30 A.M.

JIM RUSSELL APPOINTED INTERIM DIRECTOR OF BUSINESS TECHNOLOGY SERVICES

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Chairman Latvala announced that Mr. Alexander had submitted his resignation as Director of BTS and thanked him for his leadership throughout the last ten years; whereupon, Mr. Alexander indicated that he is planning a series of one-on-one meetings with the members at the beginning of the new year to share some ideas, challenges, and opportunities for the future of the department, noting that he plans to attend the Board meeting in January.

Chairman Latvala stated that the purpose of the meeting today is to appoint an interim BTS director in order to assure a smooth transition; and that Mr. Alexander has recommended that Jim Russell serve in that position; whereupon, in response to Mr. Dillinger's

query about the rationale behind the recommendation, Mr. Alexander stated that the stability of the organization is paramount, and Mr. Russell could carry the organization forward with the least disruption. He indicated that Mr. Russell has credibility within the department and a good working relationship with the staff of the BTS board members, and possesses in-depth knowledge about strategic planning, the budget process, the capital improvement plan, and the operations of the department.

Thereupon, following discussion, Commissioner Welch moved, seconded by Ms. Clark and carried unanimously, that Jim Russell be appointed as the Interim Director of the BTS Department.

Mr. Burke requested a copy of Mr. Russell's resume and, at his suggestion, Chairman Latvala agreed that an item would be added to the January agenda, with recommendations for additional compensation for Mr. Russell; and following discussion, Attorney Long advised that the authority for the compensation decision rests with the Board.

#### NEW DIRECTOR SEARCH

Chairman Latvala indicated that in discussions with Mr. LaSala regarding the process for hiring a new director, he had indicated that the Board could either conduct a national search or advertise the position locally; and during discussion, with input by Commissioner Welch, Attorney Long related that a national search had been performed for the present director; and that an in-house process was followed whereby appointed representatives of the BTS Board screened the applicants and the entire BTS Board interviewed the final candidates, selecting Mr. Alexander for the position.

In response to query by Mr. Burke regarding the legal authority of the BTS Board in the hiring decision, Attorney Long indicated that the Interlocal Agreement designates that the BTS Board hires, fires, and disciplines the BTS director; that the BTS employees report to and are supervised by the director; that the BTS Board's hiring authority and oversight of the BTS director is similar to that exercised by the Board of County Commissioners (BCC) over the County Attorney and the County Administrator; and that it would be the decision of the BTS Board whether a national or a local search is made for a new director; whereupon, in response to requests by Commissioner Welch and Mr. Burke, Attorney Long agreed to provide an electronic copy of the Interlocal Agreement to the members.

In response to the concerns of Mr. Burke regarding her discussions with Mr. LaSala in light of the Government in the Sunshine Law restrictions, Chairman Latvala acknowledged that she should have consulted the Personnel Department instead; and related that

her discussion with Mr. LaSala was in his role as the County Administrator, not as a member of the BTS Board.

Mr. Dillinger requested that the members be provided information prior to the January Board meeting comparing the costs of a national search as opposed to local advertising for the position; whereupon, Mr. McCabe recommended that the Board use caution in deciding whether to conduct a nationwide search, pointing out that the County is in the middle of several large projects and a national search might produce someone who would want to reinvent the wheel; and that while the Department was dysfunctional and in disarray ten years ago when Mr. Alexander was hired and major changes were necessary, any significant change could prove detrimental at this time, and Ms. Dubov and Commissioner Welch provided input.

#### BTS GOVERNANCE MODEL

Chairman Latvala indicated that with a new director coming in, the Board might wish to take the opportunity to decide whether it wishes to continue with the current governance model, suggesting that the members talk over the issue in their one-on-one meetings with Mr. Alexander, and have a general discussion at the January meeting; whereupon, Mr. McCabe queried as to whether any serious problems have arisen with the current model, and upon assurance by the Chairman that no such problems exist, he stated that, generally, his business method is “if it isn’t broke, don’t fix it.” Chairman Latvala agreed, but suggested that perhaps the Board members need to agree among themselves that it is not broke and that they want to maintain the governance the way it is, and discussion ensued.

Mr. Burke suggested that as a minor tweak to the current governance model, the County Administrator be taken off the Board, pointing out that it is awkward not to be able to discuss BTS budgeting matters and other technology issues with him due to Sunshine Law restrictions. He indicated that he is not in any way trying to diminish the BCC role on the BTS Board, suggesting that another Commissioner might be added if the Administrator is removed, and Ms. Dubov and the Chairman concurred that it has been and remains a problem and provided input. Commissioner Welch provided historical information about the long-running debate as to whether the County Administrator should be a member of the ruling board, and suggested that Mr. LaSala might agree to the change. Mr. McCabe stated that he has found the Administrator’s input extremely valuable, and suggested that an Assistant County Administrator might be designated or the Administrator’s status be changed or he be deemed ex officio.

Thereupon, Attorney Long stated that he has consistently advised against Administrators sitting on boards or committees governed by the Sunshine Law; that there has been no definitive appellate ruling; that there are some Attorney General opinions that say that

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an ex officio status does not impact the requirements of the Sunshine Law with regard to discussion among members; and that he will do further research so the Board can have the discussion at the January meeting.

ADJOURNMENT

At the direction of the Chairman, the meeting was adjourned at 8:55 A.M.