

Date: 5/21/2009

To: Dale Williams – County Manager – Columbia County – Florida  
others

Subject: Florida Crown Work Force Board • Response to your 5/19 e mail  
Columbia County's continued squandering of public funds to justify  
Commissioner Jody DuPree's 12th hour illegal motion to withdraw  
from FCWB

From: Stew Lilker, resident of Columbia County and Publisher of the [Columbia County Observer](#)

The Good News: [Florida Crown Workforce Board Receives Florida Literacy Award](#)

Summary: **Columbia County is a legend in Florida, and not a good one.**

**The way to fix the wrong you all have wrought is to stop all this nonsense, make the best of your time until June 30th, when you are officially gone, and work toward finding a solution to reenter the FCWB, so that you may work for the benefit of the working families of Region-7 and the families of Florida.**

Dale,

I hope the following responses to your 5/19 remarks will be helpful.

**Columbia County is now playing musical chairs on the deck of the Titanic with the money of the working families of Columbia County.** Money, which in these trying times, could very well be spent on something else. It is impossible for any rational human being to discern your continued purpose in this incredible financial irresponsibility.

It appears that Columbia County is the first county in the history of America to withdraw from a work force region. Florida Crown is a top performing region and winner of many awards. Instead of carrying on with this nonsense and illegally hiring attorneys, you should be inquiring about the procedure to get yourself back into the Region -7 Consortium, so that Columbia County has a voice.

**Dale Williams wrote:** County Attorney Marlin Feagle is working on the FCWB issue. The firm of Nabors, Giblin and Nickerson is also working on the FCWB issue. NGN

was selected due to their expertise and their Tallahassee office. I believe it was also a good idea to have legal opinions rendered by parties other than those in direct conflict. The decision to hire NGN was made by me in consultation with the County Attorney. NGN is allowed to bill at their standard hourly rates.

**Stew Lilker answers:** I don't think this was a good idea. This is not rocket science. Marlin Feagle has represented the county since 1989 and has been dealing with FCWB issues since 1998. It is unthinkable to believe that he does not comprehend the issues. I remind you that it is Marlin Feagle who wrote the resolution withdrawing the county from FCWB and it is Marlin Feagle who went over the interlocal agreement in December of 2007.

Your claim that "it was a good idea ..." is ridiculous, but you are entitled to your own opinion. *Hiring another attorney without board approval, as is required by the county charter, is illegal.* I hope you are planning to repay these expenditures out of your \$160,000 per year compensation.

**Dale Williams wrote:** Everyone understands the Resolution. Chairman Bailey is scheduled to give an update on the meeting held Wednesday, May 13, 2009. Chairman Thompson asked for the Resolution to be rescinded as a "good faith effort". I am certain that Chairman Bailey will relay the request.

**Stew Lilker answers:** **I have bad news. I just looked at my calendar, it is May 21st.**

It would appear that "everyone" does not understand the resolution. The resolution states the following:

**This Resolution shall be effective May 15, 2009, unless rescinded by action of the Board of County Commissioners prior to that date.**

This has latched my friend. And to think anything else would be to make a mockery of the law. Of course, that would be nothing new in Columbia County.

Regarding Mr. Thompson's remarks. I think any rational person of average intelligence could conclude that Mr. Thompson was referring to a time that referred to the May 15th deadline, which was written into the resolution, not just any old time.

**To now conclude that it is meaningless makes a mockery of everything you do and the rule of law.**

Disregarding Marlin Feagle's public interpretation of statutory construction, which was not only embarrassing, but wrong and wrong-headed, I remind you of the applicable law:

The cardinal rule of statutory construction is that a statute should be construed so as to ascertain and give effect to the intention of the Legislature as expressed in the statute. *City of Tampa v. Thatcher Glass Corp.*, 445 So.2d 578 (Fla.1984); *Parker v. State*, 406 So.2d 1089 (Fla.1981). *That legislative intent when expressed with words of common usage must be determined by construing those words in their plain and ordinary sense.* *Citizens of State v. Public Service Commission*, 425 So.2d 534 (Fla.1982); *Milazzo v. State*, 377 So.2d 1161 (Fla.1979); *Thayer v. State*, 335 So.2d 815 (Fla.1976). Finally, a statute, as amended, *is to be construed as a consistent whole, in harmony with common sense and reason, and every part should be given effect if possible.* *Villery v. Florida Parole and Probation Commission*, 396 So.2d 1107 (Fla.1980); *Tower Credit Corporation v. State*, 187 So.2d 923 (4 D.C.A.Fla, 1966); 82 C.J.S. Statutes s. 384.

Throughout the AG opinions to all the municipalities in Florida, one can also read:

It is a general rule of statutory construction that when a statute specifically sets forth those things upon which it is to operate, it is to be construed as excluding from its operation all things not expressly mentioned.

**Dale Williams wrote:** The difference is that a dialogue now exists and according to those present at the May 13, 2009 meeting, a willingness to resolve the issues. Your e-mail would lead one to believe that maybe willingness on the part of Florida Crown does not exist. If this is true then the appropriate representatives from Florida Crown need to publicly state so.

**Stew Lilker answers:** Once again sir, you are being disingenuous and your characterization of the events is not accurate. **There was always, at least on the part of FCWB, a desire to resolve the issues.** I heard the Executive Director say that and I heard Chairman Thompson say it when you were sitting only a few feet from him on April 9th. I remind you sir, that it was the county that cancelled the last two meetings with Florida Crown.

It was Commissioners Bailey and DuPree who hijacked it out of town before the April 9th meeting, leaving the folks who cared about FCWB hanging out in the breeze and

standing out in the heat in front of the school board administration building where the meeting was scheduled. **You and the Board didn't even have the courtesy to hang a notice on the door to let folks know you had cancelled the meeting.**

It was the county that clearly did not have that desire to resolve the issues. That you do now is a good thing.

To even think that the folks who have been involved in the Florida Crown affair aren't fed up with the actions of Columbia County shows a disconnect from reality which defies explanation.

I suggest you look at the photographs of Chairman Thompson, who has bent over backwards to accommodate the incessant demands and meeting cancellations of the County. I suggest you look at the face of Board member Downs at the April 9th meeting. You were at that meeting. Do you really think there was one person in that room, who if they had a choice, would ever want to see you and the county again?

Do you really think the folks in Tallahassee at WFI, after all you put them through, answers of which were available in an eight page interlocal that the County had signed, aren't a little tired of Columbia County?

This County is legendary in encouraging anarchy with your irresponsible actions and disregard of the law.

**This County is a legend in Florida, and not a good one.**

**The way to fix the wrong you all have wrought is to stop all this nonsense, make the best of your time until June 30th, when you are gone, and work toward finding a solution to reenter the FCWB, so that you may work for the benefit of the working families of Region-7 and the families of Florida.**

Regards, Stew

StewLilker

Pub/ed

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