



Hernando County Sheriff's Office

October 10, 2016

Cynthia Kelly, Director
Office of Policy and Budget
Executive Office of the Governor
The Capitol, Suite 1702
Tallahassee, Florida 32399-0001

Dear Ms. Kelly:

Pursuant to Section 30.49, F.S., attached hereto and submitted herewith is an appeal of the Hernando County Sheriff's Budget for Fiscal Year 2016-2017, as approved by the Hernando County Board of County Commissioners ("BOCC"). The information contained herein is true and accurate.

The attached petition clearly demonstrates that the actions of the BOCC were arbitrary and capricious, if not malicious, during the FY2017 budget process. Their unwillingness to fund even one dollar of my reasonable and necessary increases will significantly impact my ability, as the chief law enforcement officer in Hernando County, to effectively carry out my necessary and mandated duties.

Although there is a significant amount of information contained in this petition, the most outrageous actions occurred this budget season. Revenues in the General Fund, prior to any increase in millage, are projected to increase *at least* 2.2 million dollars.ⁱ Despite this fact, the BOCC continually bemoaned that the only way they could increase the Sheriff's budget would be via a millage rate (tax) increase. Since two of the commissioners are up for re-election, I, out of professional courtesy, remained silent on this issue and did not publically correct this obvious propaganda campaign.ⁱⁱ

Nothing is more telling than the fact that the BOCC, despite their cries of a fiscal shortfall, happened on a means to fund themselves, the Clerk of Court, the Tax Collector, and the Property Appraiser at increased levels over the year prior. They found the resources to increase the funding under their own departments and span of control by over \$2.2 million; they increased the Clerk of Court by nearly 20%, the Tax Collector by 14%, and the Property Appraiser by 3.38%. As you will see within my Petition, since 2013, the increases to the above elected officials are represented by *even more staggering figures*.

Turning to the first public hearing, on September 6, 2016, Commissioner Nick Nicholson made two motions. The first was to fund several discretionary projects, to the tune of a quarter million dollars.ⁱⁱⁱ The motion passed. Later in that same meeting, Commissioner Nicholson made a motion to reduce the millage and defund any increases to the Sheriff's FY2017 budget.^{iv} That motion passed as well.

Although this action was both arbitrary and capricious, my office stayed the course of previously promised collaboration. We, in response to this action, talked to the County Administrator the very next day and submitted a proposal two days later, on the morning of September 8, 2016. Under the proposal, the Sheriff's Office budget would require little, if any, of the new revenue entering the County's General Fund. We proposed to use all of our returned money and all of our revenues to offset our proposed increases. Since we have not had budgeted reserves for some time, we, therefore, also requested, pursuant to 30.49(6) & (7) and as part of the proposal, to have reserves partially restored to our budget in the amount of five hundred thousand dollars. This equates to a little over 1% of our budget. It is important to note that the BOCC typically holds reserves in the amount of about 18.5% for all budgets.

Each commissioner, when questioned at the final budget hearing on September 20, 2016, publicly acknowledged that they had seen the proposal. My proposal would have cost them little or nothing from these \$2.2 million in new revenue. None of the commissioners even wanted to discuss the proposal, much less negotiate a resolution.^v

My staff and I stand ready to answer any questions that may arise. We are also ready and willing to travel to Tallahassee for any expedited mediation(s).

Sincerely,



Al Nienhuis
Sheriff

Attachment

ⁱ Including ad valorem increases from escalating property values and new construction, increases in Sales Tax revenue, State Revenue Sharing and Balance Forward Cash from a recent mid-year adjustment.

ⁱⁱ See petition and attachments for more information and background.

ⁱⁱⁱ See video of September 6th budget meeting at approximately 0:36:00

<http://hernandocountyfl.ig2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=1579&Format=Minutes>

^{iv} See video of September 6th budget meeting at approximately 1:08:15

<http://hernandocountyfl.ig2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=1579&Format=Minutes>

^v See video of September 20th budget meeting at approximately 0:05:30

<http://hernandocountyfl.ig2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=1580&Format=Minutes>