

Cone Ranch

Message: I spoke at the 11/4/09 BOCC meeting.

The following is my statement:

Per Florida statutes, government property may be sold to a for-profit corporation if the sale is opened to the public for bidding. Government property may be sold without public bidding to either another government entity or a non-profit corporation.

A for profit corporation, FCGE, has approached the county government with a proposal to purchase the Cone Ranch. FCGE is a for profit corporation. Therefore, for FC to purchase the Cone Ranch, it must be opened to the public for bidding. Instead of following the law, FC is proposing that the county sell Cone Ranch, to a not yet created non-profit land trust, which FC will create in their best interest with no input from the county or any regulatory body.

During the Cone Ranch Advisory Board meeting, a county employee was asked about the bidding process. The only thing that she did was repeat what I first stated. For profit companies, open bidding/non-profit no bidding. Isn't it illegal to create a not for profit organization solely for the benefit of a for profit organization to circumvent the Florida Statutes to purchase public lands? Shouldn't the employee have a responsibility to comment on the obvious question of whether what FCGE has proposed is legal? Apparently not. So I am here today to ask the BOCC to ask the county attorney's office for legal advice on whether it is legal for FC to create a non-profit organization to evade open public bidding. Is this a criminal act or civil violation? Whether this is a criminal or civil violation, if the BOCC knowingly, and now you know the issue, goes ahead and allows FC to purchase the land via a non-profit, is the BOCC members putting themselves in a situation whereby they are accessories and can face criminal and/or civil penalties.

Heaven knows that the county and its citizens cannot afford another civil suit judgment. I believe that the members of the advisory committee should also consider their legal status in this situation.

I also request that this statement be posted on the Cone Ranch website.