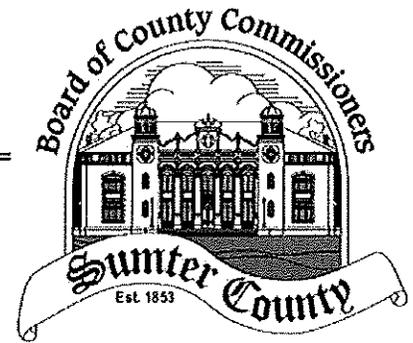


Board of County Commissioners

Sumter County, Florida

7375 Powell Road • Wildwood, FL 34785 • Phone (352) 689-4400 • FAX: (352) 689-4401
Website: <http://sumtercountyfl.gov>



February 22, 2011

Ms. Pam Dahl, President
Tri County Tea Party - Florida
13710 US Highway 441, Suite 100
Lady Lake, Florida 32159

RE: Electronic Mail Letter of Mr. Bill Garner, Tri County Tea Party Member Dated
February 3, 2011

Dear Ms. Dahl,

Since Mr. Bill Garner in his meeting with me represented himself speaking as a Tri County Tea Party Member on the topic of illegal immigration, I am responding to you as President of the Tri County Tea Party in the interest of open communication between your organization and the Sumter County Board of County Commissioners.

In order to provide clarity of my response to Mr. Garner's assertions and directives, an understanding must be achieved that we live in a country that firmly believes in the United States Constitution which establishes separation of governmental powers. There is not only separation of powers between the executive, legislative, and judicial branches of our federal government but also a separation of power between the federal government, state government, and local government. In fact, there is a separation of power among the local governments in Sumter County which include the School Board, the Cities of Bushnell, Center Hill, Coleman, Webster, and Wildwood, and multiple Community Development Districts. There is a separation of powers within the government of Sumter County between the elected officials that includes Board of County Commissioners, Sheriff, Supervisor of Elections, Tax Collector, Clerk of Circuit Court, and Property Appraiser; each has their own powers of hiring employees and contracting with vendors as set forth in the Florida Constitution and Florida Statutes.

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The Sumter County Board of Commissioners (BOCC) can only act within the confines of the statutory power granted it by the State of Florida. Statutes are established from bills developed by the state legislature and signed into law by the Governor. The Governor, in his Executive Order No. 11-02, only has authority to establish certain policies within the executive branch of the State's government; however, this power shall not be construed as a mandate to local governments or private companies to employ these policies. Specifically, the Governor through the executive branch agencies and departments requires recipients of contracts and funds associated with those contracts to comply with Executive Order No. 11-02. This policy and process is the same as those employed by the federal government in encouraging states to comply with federal rules and regulations. Thus on February 8, 2011, when the BOCC approved transportation funding agreements with the State of Florida it accepted the requirement to utilize E-Verify for all new BOCC employees hired after February 8, 2011, to maintain compliance with continuing these state funding agreements. In addition, contractors that respond to bids/requests for proposals that would directly benefit from these state funding agreements are also required to comply with the E-Verify process. We took an additional step through with an audit by the Florida Association of Counties Trust on February 17, 2011 to address our I-9 Forms and compliance that our existing employees have legal residency in the United States.

The directive of Mr. Garner to require Sumter County BOCC to mandate all private companies doing business in Sumter County including hospitals, schools, and medical treatment to utilize E-Verify and his directive that Sumter County should incur the cost to return illegal immigrants and their families to their native country should be addressed directly from Mr. Garner and/or the Tri County Tea Party to the respective federal elected officials. It is your federal taxes, not your local taxes, which are the funding mechanism for the federal government to carry out its responsibilities to combat illegal immigration according to federal law. If it is your desire for the State of Florida to assume this role of the federal government, then that should be addressed directly with your state elected legislative body to formulate a bill for the Governor to consider signing into law. I want to re-emphasize the BOCC does not control the local municipalities, schools, or other elected officials in Sumter County as suggested in Mr. Garner's directives.

Finally, I would caution any organization on demanding more regulation from any level of the government since more often than not it stifles free enterprise and leads to governments that promise protection at a cost of our freedom.

Sincerely,



Bradley Arnold
County Administrator

XC: Honorable Sumter County Board of County Commissioners
Mr. Bill Garner, Tri County Tea Party Member

Arnold, Bradley

From: Arnold, Bradley
Sent: Friday, February 04, 2011 10:38 AM
To: 'garneru@aol.com'
Cc: @County Commissioners
Subject: RE: Illegal Immigration - E-verify

Mr. Garner,

I acknowledge receipt of this communication and will seek BOCC direction at their 2/22/11 meeting for a full response. As we discussed yesterday, Sumter County will use E-Verify for its new employee hiring screening following Governor Scott's lead and consistent with the state funding contract requirements effective 2/8/11. Also consistent with the state funding contract requirements, the contractor approved for work associated with the state funding contract will share the same E-Verify requirement.

Bradley

From: garneru@aol.com [mailto:garneru@aol.com]
Sent: Thursday, February 03, 2011 3:34 PM
To: Arnold, Bradley
Subject: Illegal Immigration - E-verify

To: Sumter County Administrator
Mr. Bradley Arnold
7735 Powell Road
The Villages, Florida 34785

Subject: Illegal Immigration

Rick Scott was sworn in as Florida's 45th Governor on January 4, 2011. A press release was issued about 19 minutes later announcing that state agencies would be required to use E-Verify to confirm the legal status of state employees, contractors and subcontractors to the state. Click to review [Executive Order No. 11-02](#). It is evident our new governor believes it is necessary to use E-verify to verify the legality of employees in Florida.

The county is using the Department of Homeland Security Form I-9 to gather information concerning employment with the county. Form I-9 is used to gather employment identification such as Driver's License and Social Security Card. E-verify is a federal government system used to make certain the person is a US Citizen or has a valid work visas. The identification information on the Form I-9 is used as input to E-verify. Since the county is not using the E-verify there is no proof of the employee being a US Citizen or having a legal work visas.

For the contractors and sub-contractors the county requires them to sign a contract which requires them to verify that they hire only citizens or green card holders. Most people know that illegal immigrants can obtain false identification relative easy both in Mexico and the USA. E-verify can identify most of the illegal documents. Request the following actions be taken

2/4/2011

immediately.

- a. Ensure all current and future employees of the county, their contractors, and sub-contractors uses E-Verify to ensure citizenship. If found to be a non-citizen and has used a false ID give them a choice of prosecution or transportation for them and their family back to their home country. Contractor and sub-contractor must be made liable for expenses if they are currently hired.
- b. Ensure that all local governments within the county take the same action as the county.
- c. Ensure that all large and small business take the same action as the county.
- d. Follow-up and verify no business, government, contractors, or sub-contractors or allowing illegal immigrants to work within the county.
- e. Use E-verify to ensure no illegal immigrants are receiving Food Stamps, Government Housing, school system, School Lunches or any other form of government aid. If found to be a non-citizen and has used a false ID give them a choice of prosecution or transportation for them and their family back to their country of residence.
- f. Use E-verify for any form of medical treatment, treat them and if found to be a non-citizen and has used a false ID give them a choice of prosecution or transportation for them and their family back to their home country.
- g. For Illegal Immigrants being held in our prisons or jails, immediately transport them back to their home country. It makes no sense to hold them at a cost of over \$20,000 per year to the tax payers.

The County appears to be doing an excellent job in gathering the data using the Form I-9. Currently it is estimated that we have over 20 million Illegal Immigrants with some estimating as many as 40 million. Each one of them has at least one or more false identification they are using to obtain employment or benefits. The county does not control or insure employees of the county, contractors, or sub-contractors are legal residents or have a valid work visas. This situation must be controlled by E-verify, the only system we have to check identification.

It is your job to ensure no illegal immigrants are working within Sumter County.

Thank You,

Bill Garner