

AT A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD IN AND FOR GADSDEN COUNTY, FLORIDA ON JUNE 1, 2010 AT 6:00 P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ.

PRESENT: Eugene Lamb, Chair, District 1
Doug Croley, Vice-Chair, District 2
Gene Morgan, District 3
District 4 – Vacant since resignation of Brenda A. Holt
Sherrie Taylor, District 5
Nicholas Thomas, Clerk
Deborah Minnis, County Attorney
Johnny Williams, County Administrator

CALL TO ORDER

Chair Lamb called the meeting to order, called for a moment of silent prayer, then led in pledging allegiance to the U.S. flag.

AMENDMENTS TO THE AGENDA

The following changes were made to the agenda:

- Delete Item 2 – Mr. Doolin cannot be present.
- Item 13 was pulled at the request of Captain Crum.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE AGENDA AS AMENDED.

AWARDS, PRESENTATIONS AND APPEARANCES

1. Parking Challenge to Business in Downtown Quincy

Ms. Grace Malloy, Chair of the Quincy Mainstreet, addressed the board on behalf of the Quincy Main Street Program.

Malloy:

The Quincy Main Street Program, the mission of the program is to together public and private stakeholders to revitalize and promote Quincy's commercial district. That involves resource building through private citizens, companies and public entities, infrastructure improvements, economic development, publicity and special events that bring people down town. Of course, Quincy has a wonderful downtown courthouse square. It is the last complete square in the State of Florida, from what I am told, in terms of the existence of the original historic buildings. Our vision is to develop a thriving commercial district anchored by that rich history as well as our leading cultural organizations, create a destination for visitors and a social gathering place that continues to strengthen our community.

With that, we set priorities for this year. They were twofold. One is to support our existing businesses who are in a recession and we didn't see the sense in trying to attract new business before we helped to insure that the ones that are here, stay here and grow. The other is to continue to build upon our monthly Mainstreet Events that help to bring the community together and draw people downtown.

In supporting existing businesses, we thought it best to start with a survey last December and this January. We asked the area business why they do business here. What strengths are in Quincy that attract them? What challenges do they face? The number one challenge they face, especially if they are near or in downtown – is the lack of parking for customers.

If you look at your first page, it says that parking is the #1 barrier to achieving the Main Street Mission. If you are a retail business and you have no customers, you have no business.

In terms of the Gadsden Arts Center, I hadn't fully appreciated the challenges of the parking issues until about two years ago when I returned to my position at the Art Center. We have been doing well. We attract between 10 – 20 people a day and up to 30 on Saturdays. Between 200 and 550 at our exhibition openings. Those are in the evenings. But, what I have learned is that during business hours, parking is a real challenge. The people that it most impacts are our older residents. If they drive a few blocks to visit the art center or have lunch at Miss Helen's or at Divine Grace and they have to lap the block twice and don't find a space near by, (and they are older and you won't walk several blocks) they will drive home or they will go elsewhere. Those folks who have driven from out of the county will usually park a couple of blocks away and make the walk. But, for the local folks, they are really able to participate less downtown because of the parking issue.

We have had several new businesses attempt to move into downtown spaces and rent. They are facing the same issues. Again, if the customers can't reach them during business hours, they can't do business. We have two buildings for sale on the square right now. A savvy business owner or developer won't buy those until we can offer some solutions to the parking issue.

What we have identified are both short term and long term solutions. Short term, the City of Quincy does have on its books for two hour parking. That is for around the square and also the streets feeding the square. You can see on the square some signs that are nearly faded white. If you look closely at the lettering, they say "Two hour Parking", but that has not been enforced in a while. The Main Street businesses (and the members are listed on page 3, so you can see who our paid members are this year) have asked the City staff to enforce that ordinance again. But, before we move forward with that formally, we would like to talk to everybody who is involved or may be adversely impacted by that.

Enforcing that ordinance, of course, will create more parking for business customers, but it will create challenges. The primary challenge will be faced by folks who do business at the courthouse. The courthouse staff, the jurors and judges. There is a direct correlation between the business happening at the courthouse and whether or not there is available parking on the square. If it is a court holiday, there is plenty of parking on the square and you can really read it according to what is happening at the court.

In the long term, purchasing an alternative site and creating parking either for visitors or for courthouse participants or both, will be a great solution. Of course, that requires funding. So, back to the short term. We will be going to the city commission soon asking them to enforce this two hours parking ordinance again. They are able to do so now because the Police Chief has developed a volunteer crew that is helping with a number of things that have not been staffed. So, they would be able to do that should the city commissioners vote to enforce that ordinance.

I have identified on Page two, prospective parking areas that in adversely business or the court might lease or purchase for alternative parking. I have noticed several lots that are not utilized during main business hours between Monday and Friday from 9 – 5. That may be an inexpensive short term solution. If these entities could resolve any potential liability issues and lease those lots, more money in their pocket that they don't have and possibly a cheap solution for those looking for more parking.

Off site parking, unfortunately, for the business customers may not be a good solution because, again, these are largely older people from our local area who can't walk very far. A final parking issue that we have is very, very limited handicapped parking of the square. We will ask the City that that also be addressed.

I have provided highlights from that Main Street survey. I am happy to provide anyone a full copy to anyone who would like it. I can email it to you. But, tonight, I would simply ask for your feedback and any ideas that you may be able to share on this issue. I realize that the courts and staff are outside of your jurisdiction, but occupy a lot of space here on the square and you may have some insights for us.

Lamb:

Ms. Malloy, so, they have not been enforcing their law?

Malloy:

No. My understanding is that this type of survey was done about 15 years ago and the 2-hour parking was enforced for a number of years. Then that went away and full time employees began parking on the square again.

Lamb:

When you approach the city officials, will you ask them also to consider a grace period before they go into enforcing it directly. If you don't, you are going to get a lot of kick back saying that we were not warned and we have been doing this for years.

Malloy:

Sure. Sure. Do you have other groups in addition to the courts that you recommend that we speak with prior to going to the City to discuss the issue?

Lamb:

Some of the other commissioners might have somebody. Since Ms. Taylor has been on the city commission, she may be able to give us some insight on who we might contact.

Malloy:

You might know more of the history than we do.

Taylor:

Well, what I do know is that I think that even through the county, that they were planning to use the building adjacent to the Capital City Bank - that lot behind the therapy center, Charles? That was going to be parking space and they were going to have two or three levels there. That was supposed to be something that they were looking at in the short future. That is the only thing that I heard that they were going to do. They, being the county, and not the city. They were looking at that aspect. There is ample room back there to supply parking for the court. The biggest problem is the courts. That is where most of the parking comes from during the day. As far as remedies and solutions. Obviously, space is limited downtown. You are going to have this problem unless you find additional parking space. I think, as the chairman has said, grace is one thing you can offer the citizens when you get ready to enforce this 2-hour minimum. But, you are also going to have a double sword effect. Some are not going to come because of it. You have an hour and a half for lunch, then if they want to tour the art center, then that is two and a half hours. Some people are going to want more time. I don't know how wise it is to enforce that until you do a survey. That is it, Mr. Chair.

Lamb:

Commissioner Croley?

Croley:

Yes, Ms. Malloy, it is always good to see you. Good report.

You know, something was brought to my attention today that when you do have these parking violations in the two-hour, even if it was enforced, if they were there for court, if I am not mistaken, and Clerk Thomas might be able to confirm this, but I don't believe that the traffic citations necessarily hold up when the charges are filed. Is that correct, sir?

Clerk Thomas:

The city used to grant a waiver for people that were here for jury duty. If I may, I would like to add something. A lot of this affects my office and the courts.

Let me start by saying that we are all in this together. We are not at odds. There is problem. I acknowledge that there is a problem. I had 105 jurors in the courthouse today. There wasn't adequate parking for them. Certainly, if someone came up to the courthouse square today, they had a problem finding parking. But, I think that government should provide parking, certainly for jurors and people coming downtown to use the courts. The courthouse has been there 100 years. It is not going anywhere. What we do has only grown over the years. So, that is just one of the realities that we deal with. we have 150 people on a docket sometimes when we have Traffic Court or Misdemeanor Court and on and on.

One of the things that I had thought of was the CRA money. You were talking about funding and I didn't see on here on your proposed funding sources any CRA money. The county has contributed \$2, 015,000 since 2001 to the CRA which is controlled by the City of Quincy. Certainly, that money

could be used for acquisition of parking. If the businesses downtown are complaining about parking, it seems to me that is a very reasonable use of that money. The county has made its contribution from my point of view through the CRA. We have been contributing up to almost \$360,000 a year. That money comes off the top when the tax collector starts collecting money in November. He usually sends the check to the City in the month of November off the top. The CRA gets its money before we get our money. So, I think that really needs to be looked at as a reasonable way to acquire property and provide reasonable parking for downtown. We had a problem years ago when the city suggested that my staff use the city lot down by the Garden Center. That was a problem. We had a purse snatching incident many years ago. That type of situation is not acceptable. But, we are in it together. We want to be part of the solution. We don't think Clerk staff is the problem. I think we have to do what we do downtown. But, we want to be a part of the solution. I think we need to look at the CRA as a potential financing solution.

Croley:

To follow up, then, Mr. Clerk and Ms. Malloy. I just remind you that this board has approved the courthouse square to be the Veterans Memorial Park. We just need to take that further. You've gotten support through the Capital Regional Transportation Planning Agency to support the truck by-pass to take steps to have that shovel ready. As the Clerk said, I think that we are all in this together.

Commissioner Taylor has pointed out that this is part of the court process to try and deal with the parking. I think what we really need to do is maybe, Mr. Chair, if you will entertain this is give you some sort of resolution of support that Clerk Thomas can work with us on to present to the City of Quincy and encourage them to look objectively at a parking facility close by within site of the Courthouse so that we not only help you with your immediate parking situation, but to come up with a long term solution that is safe for the employees, your visitors and all who may wish to visit downtown. I have heard from quite a few businesses that they have the same thought. I think you have been very progressive in bringing it to the board's attention.

Lamb:

O.K. Do you have something to add?

Morgan:

None other than, Mr. Chairman, than what Clerk Thomas has said. I agree with that whole heartedly. The CRA funds should be used for that.

Lamb:

In your research, keep us informed on what you are doing. If you need our help, let us know, please.

Croley:

I just wanted to ask if I may offer a motion of resolution of support and that it be prepared in conjunction with Clerk Thomas and sent to the City of Quincy.

Lamb:

I think that is a good idea.

Croley:
I would so move.

Lamb:
Could I get a second?

Taylor:
I have a second with a question.

Lamb:
It has been moved and properly seconded that we give a resolution to Ms. Malloy and her organization on this particular item. Do we have questions? Commissioner Taylor?

Taylor:
Thank you. This question is for Mr. Hayes. Realizing the constraints of the dollars for CRA, understanding the rationale that Commissioner Croley has used to allow those dollars to apply, but, you being, I guess, having a closer look at what the criteria is for using these dollars and the area that it can be used in, are we in accordance? Would we be able to use those dollars for what we are putting forth before you now?

Charles Hayes:
Yes. What we are proposing

Taylor:
Short version, please.

Hayes:
What we are proposing, and you are doing exactly what we would like for you to do – having the county to support this process – the next step is when it comes before the city commission – because I serve as the Main Street director as well as CRA director – we are trying to acquire a lot with CRA dollars as we speak in our upcoming budget. But, we need to make sure that everybody is in support of the incorporation of this process. The answer, in short, is yes. It is in accordance with CRA.

Taylor:
That is it. Thank you.

Lamb:
Any other questions. If not, we are ready to vote. All in favor, let it be known by saying, “Aye.”

All:
Aye.

Lamb:
The “Ayes” have it.

Thank you, Ms. Malloy.

2. Legislative Report by Chris Doolin, Lobbyist

This item was deleted from the agenda.

3. Hospital Update

Attorney Mike Glazer:

Good evening, commissioners. Just a brief update tonight.

We are still on track with the hospital. There is more equipment coming in. There is more people coming in. I stopped by there on my way over here this evening because I hadn't been through the hospital in about 10 days or so. It looks so much better than even 10 days ago. If you walked in and saw the treatment rooms in the emergency room, for example, they rival treatment rooms that you would find in any hospital anywhere in this state. Ms. Minnis stopped by and we gave her a little bit of a tour, too. She had not seen it. We were introduced to the woman who is going to be the director over there. She came out and introduced herself. She is a resident of Gadsden County and she will be splitting her time between Tallahassee and this hospital. The day to day administrator was over there and there is just a lot of stuff going on.

The final inspection – the hospital operation survey – is scheduled for later this week. We are all keeping our fingers crossed that it will all go well. We are still on track. Again, the bottom line is that we have to have a license by June 21. If they pass this survey this week, then they can get the license and we will be ready to go.

The actual date that the hospital will open its doors still remains to be determined. They've got to get through the survey process before they actually choose that date. You should all have received an invitation. The opening ceremony is going to be June 8. Oh, one other thing before I get to that.

Early on in this process, I told you that one of things that we wanted to try and get from the Agency for Health Care Administration was some assurance from them that the structure that we had set up – that is this partnership with Capital Regional – if for some reason, it had to be unwound down the road, that we would be able to get the hospital back. Just last week, [I received a letter from AHCA in response to a letter that I had written to them](#), assuring us that if it has to be unwound, of course we would have to go through all the normal licensure stuff, but, assuming that we do that, that this could be divided up again and that the hospital can be returned to Gadsden County as a separate free standing independent hospital – if the need arises. We hope it never does. But, I feel better having gotten that.

Then, we do have the ceremony set for June 8th. There will be all sorts of folks on the program. Each of you will be offered a couple of minutes to say a few words. I will tell you that it is already a long agenda, so think about what you want to say and keep it short. But, we are looking forward to

that date.

I am sorry to tell you that over six months ago, my family and I planned our vacation and I will be gone next week. I am very disappointed that I am going to miss the event, but I am looking forward to seeing all the pictures and I know that it is going to be a good time. I will certainly be there in the weeks to come to help out and do whatever we need to do. We will then be turning our attention, of course, to things like using the rest of the building. There are lots of other projects that we can talk about once we get the doors open and ready to go.

That is my report for this evening. I will be happy to answer any questions, but other than that, we are on task and on track.

Lamb:

Are there any questions from the commissioners concerning the update of the update of the hospital.

Commissioner Taylor?

Taylor:

No questions, just a comment.

The letter that you mentioned that you secured from the AHCA indicating that in the event things unwind, that we won't have the difficulties that we have faced before in securing the hospital back under the auspices of the county. I just want to make sure that the letter is in someone else's hand as well – the county administrator, the procurement department. In the event that something happens, I would like to have more than one copy.

Glazer:

I will be happy to provide a copy. There are actually several safeguards that we have in place. We have a much better contract with Capital Regional than the County had with Ashford. Now, we also have this assurance. So, I feel much better about that.

Taylor:

I am aware of the assurances because we were making sure as we go forward. Obviously, no one around this board wants to see an expensive legal bill again trying to secure that license back. I am sure that the contract is better in tact. But, that letter also is a surplus.

Thank you, Mr. Chair.

Lamb:

Mr. Croley?

Croley:

One follow up comment. I think Commissioner Taylor made a good point. Mr. Glazer, are you providing copies of all these letters and all for the Clerk's office to put on the public record?

Glazer:

There is so much stuff, to be honest with you, Commissioner, I have not. We've got license applications, we've got tons of correspondence.

Croley:

My question was specific to the letter that you have mentioned.

Glazer:

That letter is no problem. I would be happy to provide a copy to the Clerk.

Croley:

What I am referring to is more letters from governmental entities that are regulatory. If the Clerk had a copy of that down the road, some years from now, it may be beneficial to the county's interest to have those in the public record.

Glazer:

I think that is a great idea. I will take care of that. I will tell you one of the things that we routinely do when we are helping hospitals with going through a processes like this. Once the dust all settles, we go back through our files and we put together a package of the important items. Rather than trying to produce them all in a piece meal fashion, we will put a package together and share that with the county and with the Clerk's office.

Croley:

Having had the experience of the former occupant not sharing with the County the information, it would be prudent to do that. So, I think that is a good idea, Mr. Thomas.

Lamb:

Thank you, Mr. Glazer for that update. I am sorry that you won't see you next Tuesday, but you will be in our prayers. Have a good vacation.

CONSENT AGENDA

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE CONSENT AGENDA TO WIT:

4. Approval of Minutes – April 6, 2010
5. Ratification of Approval to Pay County Bills
 - Accounts Payables Dated: May 21, 2010
 - May 28, 2010
 - Payroll Dated: May 20, 2010
6. Approval of Resolution 2010-030 Dedicating June 8, 2010 as Capital Regional Medical –Gadsden

Memorial Campus Day

7. Policies of the State Housing Initiative Program (SHIP)
8. Approval of New Road Name – Andrew Lee Lane – South of Joe Adams Road , East of Reed St.

CONSENT ITEMS PULLED FOR DISCUSSION

No consent items were pulled for discussion.

CITIZENS REQUESTING TO BE HEARD

There was no response.

PUBLIC HEARINGS

There were no public hearings.

GENERAL BUSINESS

9. Approval to Confirm Appointment of Planning and Community Development Director Anthony R. Matheny

County Administrator Williams introduced Mr. Anthony R. Matheny as the new Director of Planning and Community Development. He stated that Mr. Matheny received his Masters Degree in Urban and Regional Planning from Florida State University as well as a Master's Degree in Economic Development from Southern Mississippi University.

Assistant County Administrator Arthur Lawson addressed the board for questions, then yielded the floor to Mr. Matheny.

Mr. Matheny addressed the board explaining that he was born and raised in Jackson, MS. He gave a brief overview of his experience.

Questions and comments from the board followed. A digital recording of this confirmation can be heard on the Clerk's Internet Website at www.clerk.co.gadsden.fl.us under the link titled "Meetings" on the lower right of the homepage.

Specifically, Commissioner Croley asked, "Do you have an insight as to how you see our future here in North Florida evolving with the talk of Amtrack Train trying to come back?"

Mr. Matheny replied, " I have and I am looking forward to that happening. I think that is crucial. I hope it happens. I think that is an economic development tool. All the stops along the way, those old depots, you are talking about main street revitalization and economic revitalization if we can

get that route back open. I am interested in that. I haven't done a lot of research on that, but when I jump in feet first, hopefully tomorrow if you all approve me, then I will be participating with the area planning agencies to make sure that we have a strong voice in that. I will obviously work hand in hand with our county administrator."

In response to questions, Mr. Matheny made the following points:

- Coming from an economic development background, he believes that funding of economic development is very important to a community, but he had not formed any personal opinions about Gadsden County as of yet. However, typically, when he is doing planning, he always considers the impact any planning will have on the economic development in a community.
- When he presents Comprehensive Plan recommendations to the board, he will attempt to present it in such a way that the average person on the street would be able to understand it. The aim would be to make the document user friendly.
- Prior to items being presented on an agenda, he would meet with staff and key people on the various projects to make certain they are all on the same page so as to avoid confusion and streamline matters so as to present a project in an easy to understand fashion.
- It is his intention to locate in Gadsden County.

Mr. Lawson noted that once the board confirms his appointment, Mr. Matheny's employment would be contingent upon a positive outcome of normal process involving a background check, drug screening, credit check, etc.

Chair Lamb called for comments from the public.

Former Commissioner Brenda Holt asked if there would be any liabilities for the county, in terms of his job performance, between the hiring date and the date that the background check comes back.

Ms. Minnis responded, "If work is performed, then the person may be entitled to compensation for the work that is performed, but they would not be entitled to remain in the job unless all the items mentioned comes back positively. One option is to have the person wait until that clearance is done before they start actually performing services, but, you would have to check with Mr. Lawson on how the normal procedure is."

Ms. Holt clarified, "I was interested in the work performance. In that situation, how are we liable if there are some things done that do not necessarily follow DCA or State Law? How is the county liable in those items? Not his pay or his position."

Ms. Minnis answered, "Well, it would be whatever liability you have with any director who is in that position."

Ms. Holt then stated, "Hiring outside of the county was an issue with Commissioner Croley and Commissioner Lamb before when I was on the Commission. Now, you are hiring outside of the State. Is there a change in policy there, or how are we doing that. As I said before, if you hire

someone, I don't care if they come from Canada, they were going to do a good job – but, that was not your opinion at that time.”

Chair Lamb responded, “ I don't remember that I had a problem with hiring inside, outside or wherever. I don't have a problem with it at all. So, I guess it is up to the administrator as to who he wants to hire.”

Mr. Williams interjected, “I am not sure that we even had a qualified individual from Gadsden County to apply.”

She attempted to ask questions of Mr. Matheny, but she was instructed to direct any questions to the chair. She then raised the issue of making the Land Development Code match the Comprehensive Plan. She cited it as a big problem in the planning department that needs to be addressed.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE APPOINTMENT OF ANTHONY MATHENY AND THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT.

10. Public Officials Bond Reviews

Ordinance 2009-005 requires the Board of County Commissioners to review the public officials bonds each year for sufficiency. (The first meeting in January and June of each year.) Currently the ordinance requires the Clerk of Circuit Court and the Tax Collector to post a \$100,000 bond; Sheriff - \$10,000 plus \$1,000 per deputy; Supervisor of Elections and Property Appraiser - \$5,000 each; and the County Commissioner to post \$2,000 each. The bonds were not examined in January. Since there has been no change to the duties and responsibilities of the various offices, it was the staff's recommendation to find the current bonds to be sufficient.

Mr. Williams stated that as a general rule, the bond should be 1.5 times the amount of money for which they are custodian.

Discussion followed.

There was a consensus to appoint Clerk Thomas, Mr. Arthur Lawson and Mr. Johnny Williams to meet and subjectively discuss the bonds as to them being sufficient, then come back with their recommendations for what the bond amounts should be.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO TABLE THIS DISCUSSION AND APPOINT CLERK THOMAS, MR. LAWSON AND MR. WILLIAMS TO BRING BACK A RECOMMENDATION FOR THE BOND AMOUNTS AFTER THEIR SUBJECTIVE REVIEW AS TO THE BOND SUFFICIENCIES.

11. Approval of Gadsden County Tourist Development Council Grant/Marketing Request – 2010 Funding Cycle (First and Final Funding Cycle for 2010)

TDC Recommendation for Funding:

Gadsden Art Center		\$ 8,340.00
○ Mark Linquist Exhibitiion	\$5,000	
○ 22 nd Art in Gadsden	3,340	
Havana Merchants Association		6,500.00
○ Pumpkin Fest -\$	2,500	
○ Holiday Open House -	2,000	
○ Lawnmower Parade	2,500	
○ Old Time Havana Days	2,500	
City of Quincy		1,500.00
○ Quincyfest Blues & Barbeque	1,500	
Quincy Music Theater		10,000.00
○ Grease	2,425	
○ Scrooge	2,425	
○ Music Man	2,425	
○ Meet Me in St. Louis	2,425	
○ Chicago	2,425	
West Gadsden Historical Society		1,500.00
○ Annual 4 th of July Celebration	1,500	
Habitat For Humanity		1,500.00
○ Fishing Tournament	1,500	
TOTAL		\$ 29,340.00

Ms. Jill Jeglie presented the fund allocation as stated above. She called attention to the minutes of TDC which shows that the bulk of the money is to be spent for “marketing”. The TDC has shifted their emphasis from just allowing for grant funding to actually marketing of their events after they have been able to demonstrate they can actually bring in revenue through the bed tax.

Board discussion followed.

Commissioner Morgan stated, “It is important for us to understand that the funds that have been approved here totaling the \$29,340 are contingent upon valid receipts being turned in and being verified. That is the maximum amount that they can be awarded if they have proper receipts and they have spent that money properly. If they haven’t and they don’t produce the receipt that is sufficient, then those funds will not be spent.”

For further details of this discussion, please refer to the digital recording for June 1, 2010 –(play position 17) at the Clerk’s Internet Website link titled “Meetings” at www.clerk.co.gadsden.fl.us

UPON MOTION CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE FUNDING AS PRESENTED ABOVE.

12. Approval of the Brownfields Award Application and Community-Wide Assessment Grant Work Plan and Authorization for the Chairman to Execute

The county applied for the EPA Brownfields Assessment Grant in October, 2009. The county was notified on April 19, 2010 that it had received funding of two grants for assessments, totaling \$400,000. (\$200,000 for hazardous substances and \$200,000 for petroleum) This funding will allow the county to pay qualifying property owners to conduct an assessment of their property toward the revitalization and redevelopment process.

The EPA requires that the grant recipients prepare and submit a Brownfields assessment work plan no later than June 1, 2010. The work plan outlines the required tasks and anticipated dates of completion for the Brownfields grant over the three year duration of the project. Once the work plan has been accepted by the EPA, the county will issue a "Request for Qualifications" to select a qualified contractor/consultant to perform the required tasks required by the EPA.

Ms. Jeglie explained that the staff held an online meeting with the other recipients regarding how to prepare the application. Because the application had to be shipped by this date (June 1, 2010) in order to remain eligible for the funds, the staff asked the chairman to sign the application pending approval of the board. If for some reason, the board should decide not to proceed with the application, it can easily be withdrawn. There was no commitment at this stage.

Roger Register addressed the board. He congratulated the county for winning the award saying that it is a great accomplishment for Gadsden County to receive the \$400,000. He stated that they are very limited in dollar amounts that the federal EPA provides. He said that he had assisted the staff in completing the application and looks forward to assisting the county when the RFQ comes out for qualified professional environmental firms. He clarified the dollars cannot go toward administrative cost per se, but it can be used for travel, but it cannot be used to pay for the overhead administrative cost. He also pointed out that there is no cost share requirement for the county. If the staff spends time actually working on a project, their time can be charged to the grant, but it will not pay any indirect administrative cost. The qualified consultant can be paid for doing the assessment work during Phase I and Phase II (the environmental work, itself – lab costs, drilling costs, etc.) There will be no fiscal impact to the county. It is a federal pass through grant for eligible activities that are funded through the EPA.

The purpose of the grant is to redevelop properties. The type of sites that would qualify for cleanup using this grant would be under utilized industrial, commercial or other properties that have the hindrance for redevelopment due to contamination or the perception of contamination. (dry cleaning solvent site, petroleum site that has been abandoned, service stations, etc.)

Requested Action: Approval of the Brownfields Assessment Grant Application and Work Plan; Acceptance of the Award; and authorization for the Chairman to execute documents for transmittal.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4 – 0, BY VOICE VOTE, TO APPROVE THE BROWNFIELDS AWARD APPLICATION AND COMMUNITY-WIDE ASSESSMENT GRANT WORK PLAN, ACCEPTANCE OF THE AWARD, AND AUTHORIZATION FOR THE CHAIRMAN TO EXECUTE THE APPLICATION.

13. ~~Approval of Contract with MAF Collection Service for Bad Debt Collections at Gadsden County Emergency Services (EMS) – Write Off of Bad Debts~~

This item was removed from the agenda at the request of Captain Crum.

14. Approval to Sell Ambulance At Auction 2001 Ford F-350 SN 1FDWF36F21ED01035

Gadsden County EMS Department requested board approval to declare an ambulance that is no longer in service as surplus and sell it at auction. They further requested that the funds received from the sale be allocated to the FY 2009-2010 budget 0144-54600 line item. (Maintenance and repair) These funds would give some financial relief to EMS as they encountered some unexpected repairs to the ambulance fleet during the year.

Gadsden County EMS Department requested board approval to declare an ambulance that is no longer in service as surplus and sell it at auction. They further requested that the funds received from the sale be allocated to the FY 2009-2010 budget 0144-54600 line item. (Maintenance and repair) These funds would give some financial relief to EMS as they encountered some unexpected repairs to the ambulance fleet during the year.

Michelle Ostenberg, as resident of Gadsden County, spoke to this issue.

Ostenberg:

I am speaking as a resident of Gadsden County, not as a employee.

Lamb:

Go ahead and speak, please.

Ostenberg:

I am Michelle Ostenberg, 79 Butterfly Lane.

There is an organization that is called Ambulances for Afghanistan. Remember back in World War II, our parents, they had to sacrifice. If they wanted sugar, they had to have a coupon. If they wanted tires, they had to have a coupon. Luckily, with the last two wars that you and I can remember, Desert Storm and Operation Enduring Freedom, which is the Afgani War, we haven't had to have those kinds of sacrifices. But, think about it. How would you feel if, in order to get an immunization, in order to get a bone set or even looked at, if you had to go to your town center and participate in a lottery because the medical care is not limited.

Now, during the Operation Enduring Freedom, that is what the Afganis do. During Operation Enduring Freedom, as many of you know, I was there. In order for them to get in the City of Kabul, which is a huge city, any kind of medical care, they had to go and participate in a lottery once a month. 100 tickets were given out. So, that means that 100 people were going to be able to receive some sort of medical care.

When I arrived at Kabul at Camp Phoenix, one of the greatest things in the world that just set my

heart to pitter patter was an ambulance that was fully stocked. On the side, it said, "International Rotary Club." The International Rotary Club donated this ambulance fully stocked. We took it out once a week to give out some kind of medical care, usually to children, but also to the elderly.

These people desperately need medical care. They have no ambulance services. They have no medical care that is available to them. So, in honor of a paramedic who was killed in Afghanistan in 2009, the town of Ashburnham, Mass got together and the fire chiefs of Massachusetts got together and said, "Let's see what we can do because we don't have to suffer like they do overseas." And, they found in the Massachusetts area there are a lot of drug companies. They talked to the drug companies and they talked to some of the hospital, Massachusetts General, Boston's Brigham and Women Children's Hospital, and they were willing to donate supplies, medications, equipment and they said, "All we need you to do is find us an ambulance, as we will have it refurbished and we will have it shipped." It cost Ashburnham nothing to do that. So, they sent their first ambulance over.

Now, one of the philanthropic organizations that I am involved in saw that, indeed, that we had an ambulance that we wanted to surplus. How much is that going to bring us? Three, four hundred dollars? A thousand if we are lucky as opposed to spending \$110,000 to send an ambulance to Afghanistan. So, what we would like to do is to have this "Ambulance for Surplus Sale " tabled until we can get more information and find out if, in deed, Gadsden County can rise to the level of our parents and make a sacrifice and say to the people of Afghanistan, "We understand. We are not your enemies. We love you and we want to look after you the best way we can."

Now, if it cost the county nothing, what would we profit? Tons. Millions. If it costs the county money, we all say, "O.K. Let's look at our financial situation and pull it back." But, if it costs the county nothing, what we would be reaping in return. And, that is all I would like to say.

Lamb:

Commissioners, we have Item No. 14 before us. What can I – What is your pleasure?

Morgan:

Mr. Chair?

Lamb:

Commissioner Morgan.

Morgan:

Chief Crum might have covered this, but, what do we expect to get from the auctioning off of this particular piece of equipment? Does history tell us a "ball park?"

Crum:

We have never done this with an ambulance. Road and Bridge, I believe, has done it in the past with their vehicles and tractors and things like that, but we have never done it. I am thinking \$1500, \$3,000. Basically, they are going to be buying it just for the chassis. Nobody really cares about the box. They will be wanting to make some type of flatbed truck with the chassis – whoever would purchase it.

Morgan:

Not that that would be chump change, but no major money. And, I did hear what you said about your line item budget.

Mr. Chair, I would think, we've got someone who has brought up something that we might want to consider and we don't have all the information – knowing what it might generate to the county, it may be worth tabling it and gather some more information and look at it later.

Lamb:

Any other comments from any other commissioners?

Taylor:

I so move.

Lamb:

Is that in the form of a motion?

Morgan:

Yes, unless there is further discussion on this.

Lamb:

O.K. It has been properly moved and seconded that we table this item and gather more information concerning the sale of it or what?

Morgan:

I would think more information on both what Ms. Ostenberg is bringing to our attention as well as what we can look to gain from the sale of the ambulance as well. Then we can make our decision based on that. That is my motion, I guess.

Lamb:

Any other questions? You have heard the motion, we are ready for questions. Let me say something before you say something. My only problem with this, Commissioner Morgan, is that although she is coming as a private citizen, she is a daily employee of Mr. Crum. There is nothing wrong with her suggesting that. I think it is a good suggestion as far as she is concerned. But, now, I personally feel like she should have said something to her supervisor and try to get him on board if she could. I don't think you can just overlook your supervisor and just come to us and ask us to do something that your supervisor has recommended to us. It's protocol.

Morgan:

I was not aware that had happened.

Lamb:

Well, you were not in here.

Crum:

I did not know about this until I got here to this meeting.

Lamb:

Have a seat and let me say this. That is just respect for your supervisor and your administrator and I don't like that. It is just that simple. I don't like that. That is why the county is the way it is now – because we are losing respect for the people we need to be answering to. All you have to do is go and find out how they feel about it.

Morgan:

Mr. Chair, are you talking to me or are you talking to this lady? I mean, I understand what you are saying, but, I just simply made a motion.

Lamb:

And, I understand. But, what I am saying is that I really feel that the supervisor should have known that she had this in mind.

Williams:

It certainly is a breach in the chain of command. It probably could be a disciplinary action.

Lamb:

It is just common sense that you would talk to the supervisor. I wouldn't dare do anything behind my supervisor unless they knew I was doing it. I would get their feeling on it first. It might be a positive feeling. Who knows unless you try. You've got to first try. That is my concern about this.

Are there any other comments?

Commissioner Croley?

Croley:

Well, Mr. Chair and Commissioner Morgan, I appreciate the different points of view. I certainly think that it is unfortunate here that there would be any disagreement about this. I am sure that Captain Ostenberg never escaped the responsibility as a county employee while you are an employee. While your motives may be noble, I appreciate the county administrator's point, but I do hope that no county employee ever feels that they can't come before the commission, especially those that are citizens and residents here. So, I would not want to have an repercussions from that, Mr. Chair.

Lamb:

I agree.

Croley:

However, we don't have the money to be just giving away equipment. If organizations wish to bid or buy equipment, I think that is fine. Do not let there be any doubt - we just had Memorial Day. Americans' blood, many of us have had family there, America's treasure has been spent for many of these foreign countries and for these wars. And, they attacked us. We did not attack them. So, I don't necessarily feel all emotional about just giving away equipment for that purpose. I will

tell you that I certainly agree that I support the motion to table it and allow for more input and review by the board. So, on that, it has been seconded, I think, I will call the question, move the question.

Lamb:

Alright. Ready to vote. All in favor, let it be known by saying, "Aye."

All:

Aye.

Lamb:

Opposed?

Lamb:

No.

Lamb:

Make that 3 – 1.

Thank you and next item, Mr. Administrator.

15. COUNTY ADMINISTRATOR'S AGENDA

Mr. Williams had nothing to discuss.

16. COUNTY ATTORNEY'S AGENDA

Update on Pending Legal Issues

Ms. Minnis requested an executive session by the authority set forth in FS 286.011 (8). She noted on the record that the meeting was duly noticed. She asked that the board recess the regular meeting and go into executive session.

Chair Lamb declared the regular meeting recessed and noted for the record the people who were to attend the executive session. County attorney, commissioners, administrator, court reporter. He then asked all others to leave the room. (7:24 P.M.)

MEETING RECONVENED

Chair Lamb reconvened the regular meeting at 7:37 p.m.

17. DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Morgan, District 3 –

Commissioner Morgan had nothing to discuss.

Commissioner Taylor, District 5

Commissioner Taylor apologized for not attending the commissioners retreat on May 18.

Taylor:

Sometime back, previous to me, DCA and Gadsden County went into an agreement. What was one of the issues for the folk down by the lake and Wetumpka is that they were supposed to come up with an agreement of what it was supposed to look like with regards to AG 3, drilling sand pits and the whole nine yards. Based on my understand, there was a report written up as to what the residents down there want to see in their neighborhood. Obviously, from discussions around this board, sand pits and all those were some of the items that they didn't want to see down there. From that, they did have discussion with – I think the lady's name was Kim. I can't remember her last name. But, she was someone doing this report previous to Preble Rish. Alright, she had gone down there, gotten input from the constituents, gotten input from the owners of the pits. The idea going forward was between DCA and Gadsden County – that the area down there would mirror itself. In other words, you wouldn't have AG 3 on one side of the highway and sandpits on the other. This was an agreement that was put together and it was supposedly going forward to DCA. But, when Preble Rish met with the residents down there within the last couple of weeks, all that they had wanted to see in this agreement had somehow vanished.

So, Mr. Administrator, what I am saying is my Planning and Zoning appointee can give you a little bit more input. He has a copy of the agreement.

Williams:
Ed Allen?

Taylor:

Yes, Ed Allen. He has a copy of the agreement that was derived from the input from the citizens down there. That should have gone on to DCA at sometime in 2009. He has a copy of that. But the agreement that was struck by the constituents and residents down there and I don't know who else has changed. They are concerned about what is going forward down there.

So, I am asking the county administrator to set up some kind of meeting with Mr. Ed Allen to see what was originally put together by the citizens and now what is being offered by Preble Rish. From my understanding, it is contradictory to what the citizens originally asked for.

Is that kind of clear to you?

Williams:
Yes, Ma'am.

Taylor:

Again, he has the original of what was supposed to go forward.

Notice of Appeal

Someone called me about the Notice of Appeal process that they read in the paper. Based on what I was told, if this board voted on an item that the citizens did not agree on, based on what this particular person read in the paper, the appeal process seems not to be customer friendly to the constituents. The appeals process seems to be very cumbersome if someone wanted to come back before us and appeal an item that we voted on and approved.

I spoke with the county administrator and I wanted to make sure of this. I spoke with the county administrator about this notice that was in the paper. He explained that this is something that has traditionally been done whenever you notice a meeting. I don't know if it is being done every time we put something in the paper. For example, we have notices of our regular meeting. After it, there is an appeal process that should have gone with that regular meeting notice. Is that how it is supposed to appear in the paper?

Williams:

The appeals procedure that goes with it is actually an appeal to the court in the event somebody disagrees with an action that the board took. It specifies what they have to do. They have to have a verbatim transcript, which is available as you know.

Taylor:

Yeah, I do know that. But, I don't know why that all of a sudden, it is a big issue. Is that something that we always did?

Williams:

It is always done. It is required by state law as I understand it.

Taylor:

So, Muriel, you are shaking your head. Is this something that we put in the paper each and every time we advertise?

Straughn:

It may not appear along with the agenda, itself, but, those items that require advertised public notices, that language is always included in those advertisements.

Williams:

The appeal procedures is required to be stated.

Taylor:

Well, I am at a little odd because it is like this is the first time I have ever seen it. I got two calls about it. But, I just wanted to make sure that we are putting it out there each and every time so that the people can understand it better. You know, it is frustrating. For some reason, folks think that this board is trying to trick them, fool them, you know. So, just wanted to make sure that

notice is being put out there as a part of the regular process and not something that has come up out of the blue.

Williams:

No, as far as I know, we have it on all our notices.

Straughn:

I think it is also included in the agenda request form. It is included in the information you are given to fill out to request to appear on the agenda.

Taylor:

In this package?

Straughn:

When a person approaches the commission to have an item put on the agenda, it is usually included in the information that they are given along with the agenda request form that they fill out.

Taylor:

In that packet. Alright.

I am still not quite clear on that, but I will have more discussion about it later. I wanted to bring that forward for you to let you know there is some question in the community about the appeal process.

County Administrators Contract

Taylor:

The other thing is about the county administrator's contract. As Commissioner Croley has so duly noted, we overlapped or did not see this bond sufficiency issue. I think that we are at a time when we need to review or entertain the county administrator's contract. I have done the evaluation. I don't know what the direction of the board is, but that should be a process that should be done yearly. I don't think we gave him a multiyear contract. It is fair to him that we go back and review and renew if that is the way we are going to go or whatever the case may be. So, I want someone to answer my question now about the county administrator's contract. I guess that will be a question to the chair.

Lamb:

Concerning the county administrator's contract. What do you want to know.

Taylor:

We need, just like you entertained at the last meeting, to renew the county attorney's contract, we need to entertain whether we want to renew the contract with the county administrator's contract as well.

Lamb:

But, it is not on the agenda, here.

Taylor:

I know it is not, but I need to know if and when because I am sure that a year has lapsed.

Lamb:

Oh yeah.

Williams:

May I make a comment about this? My contract was not a one year contract. It was an open ended contract that is in effect unless and until terminated by this board.

Lamb:

What she is talking about is that it comes up every year for us to renew it or not renew it every year. But, it is on the next agenda.

Taylor:

It is on the next agenda?

Lamb:

I think that is when Mr. Lawson said it would be – the next agenda.

Taylor:

That is what I wanted to make sure of. That is it for me.

Williams:

Arthur, I have discussed this with you. Have you put it on the agenda for some reason.

Lawson:

It is the evaluation, not the contract.

Lamb:

O.K. It is the evaluation.

Croley:

Mr. Chair?

Lamb:

Mr. Croley.

Croley:

A point of clarification.

Ms. Minnis, correct me if I am wrong, but the administrator is correct. I think a copy of the contract should be provided to Commissioner Taylor for her records and review, of course. But it is a continuous contract on the county administrator with an annual review as you have indicated.

That is what Mr. Lawson has had us doing. Each year, it is reviewed. If you so chose to not continue that contract, you have that option practically at any meeting if that so be chosen. In the case of legal services contract, that is a contract for services and it does renew periodically. It is the same thing, but it is just a different approach.

Williams:

But, there is no provision in my contract for an annual review.

Taylor:

But, you should have an evaluation.

Williams:

It does. There is a provision in the law that says that I am to be evaluated annually during the budgeting process. That is the way it is stated.

Croley:

I agree with Commissioner Taylor's point, though, that when you do the evaluation report, that a copy of the contract should be included so that everybody would have a copy of it if they should wish to make some changes.

Lamb:

There ain't nothing wrong with that. Mr. Lawson, can you get Commissioner Taylor a copy of that contract? But, the evaluation will be coming back to us. He asked us to have them in by this past Friday, I believe. It will be on the agenda for the next agenda.

Williams:

So, we are going to have the evaluation on the next agenda, we are going to provide Commissioner Taylor with a copy of my contract,

Croley:

Everybody.

Williams:

Everybody a contract to go along with the evaluation. I got you.

Lamb:

Commissioner Morgan.

Morgan:

I think that answers it. What we look at is the performance and not the contract.

Taylor:

That is perfectly clear. If my request was confusing, I am sorry. I sit around this board and I understand how the process goes. To me, once you go through the evaluation, then you look at the terms of the contract. Previously, we have renewed the contract if we are in agreement with the performance. All of that comes from the evaluation. You are right. We had until Friday to do

it.

Lamb:

It is the same thing that Commissioner Croley said. It really adds up to the same thing.

Taylor:

I am satisfied.

Lamb:

Commissioner Croley.

Commissioner Croley, District 2

Croley:

First, this is a question that came up to me from some volunteer firemen and I guess it should be directed to the administrator and maybe end up with Chief Crum.

Fire engines are owned by the county, or a certain number of them are. The regular maintenance of those fire engines, the oil changes, the filters, the greasing, the maintenance – who pays for that?

Williams:

The city pays for that. We pay for major repairs.

Croley:

The cities pay for those stationed within the incorporated areas. What about the units in the unincorporated areas?

Williams:

Chief, are you here?

Crum:

They are under contract. They receive funds to run their fire departments. Anything over \$1,000 – repair and maintenance - any one line item that is more than \$1,000, the county pays for. Anything under that price, the individual fire department would take care of.

Croley:

So, the volunteer fire departments are responsible for maintaining the oil changes in their trucks and the filters and the oil that goes in them? Where do they get that money?

Crum:

They get money yearly to operate their fire departments under a contract.

Croley:

Well, one of the fire departments in the unincorporated areas said that before, those

reimbursements were coming through your office, but they were not getting that reimbursement. I am just trying to understand it. I think that it is very important that we know. A fire engine cost a lot of money. I want to make sure that they are being properly maintained. I think that is reasonable and prudent. How do you know when the oil is being changed and the service is being done?

Crum:

That is dependent upon the fire departments to do.

Croley:

Well, - we don't have any kind of a log system? We don't have any kind of way of knowing how and when those units are being maintained?

Crum:

They are serviced once a year. There is a log of that. As far as oil changes, that is kept at the department level because that is departments' responsibility to do so.

Williams:

They keep records of it.

Crum:

Correct.

Croley:

Mr. Administrator and Mr. Chair, I can't direct you to do anything without a majority vote, but I sure would think that it would be prudent for the county to work with these volunteer fire departments and make sure you have maintenance logs. The last thing in the world that we want is another situation where equipment is not being maintained and there be some controversy arise about it or some life be threatened. I want to make sure that when that fire engine gets to my house as it does to anybody else's house that everything is working. And, I want it to be verified that it is working. On behalf of District 2, I am sure expecting that to be done.

Lamb:

Can I add something to that?

Croley:

Sure.

Lamb:

You've got a good point, but I fear that someone is telling you this, if a fire department is telling you that or if a citizen is telling you that our fire trucks are not being serviced or whatever, I think what you should have done was to get hold to the county administrator and Mr. Crum and let them know this. I don't think you have to bring it to the county commission meeting to explain to those two men that you heard there is something that is not being done. Then, they can look into it for you.

Croley:

No, Mr. Chair, they didn't say that it wasn't being done. They said the question was being paid for. Who was paying for it? Now, when Chief Crum made the reference there about it being their responsibility and they were keeping the records, I am asking, "How do we know that?" That just led to a second question. Otherwise I would have directed it to you, Mr. Administrator.

Williams:

I think that is a job for our fire coordinator. We will discuss it and make sure that he gets on top of that.

Croley:

I didn't mean to belabor that. Last thing. I want to say to Commissioner Morgan that I apologize to you in any way shape, form or fashion if my comments regarding your motion about the tabling was said in any offensive way or to anyone else that was involved in that. My point is, certainly, there were valid issues, but your point was about the tabling and I just wanted you to know that I did not in any shape, form or fashion mean to be offensive.

Morgan:

I know you didn't, but I appreciate the apology.

Croley:

Yes, sir and we appreciate you.

Thank you, Mr. Chair.

Lamb:

O.K.

Commissioner Lamb, District 1

Lamb:

To Commissioner Taylor – we accepted your excuse. We knew you probably had something else on your plate when we had our retreat. It was very nice, like you said, and the information that we received, I believe the administrator has copies of it.

Williams:

It is available, if you want to see the same thing that we saw, it will be available to us.

Lamb:

I think she should be given the opportunity.

Williams:

If we were to get a new commissioner, we might have both of them there, if you would like.

Taylor:

Thank you.

Lamb:
Good.

Commissioner Morgan, I was looking your way, but I was not talking to you. I am sorry that I looked at you.

Morgan:
I have a tendency to jump back. I apologize.

Lamb:
You got on your defense and I knew that. But, anyway, I don't have any other comments.

This meeting is adjourned.

18. RECEIPT AND FILE AGENDA

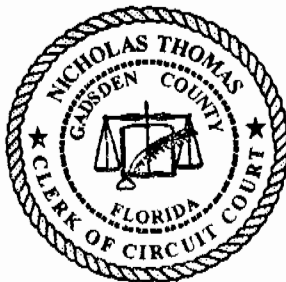
- a. Letter from the Department of Community Affairs extending grant period for 08DB-3R-02-30-01-E01 through January 8, 2011 (Monty Bradwell Restaurant Project)
- b. Fund Summary Report as of May 10, 2010 – Filed by the Clerk
- c. Cash Report as of May 14, 2010 – Filed by the Clerk
- d. Non-Profit Funding Agreements: Legal Services of North Florida, A Better Body, DISC Village, Tony Parker Ministries; The Early Learning Coalition; New Image Wellness Center; Redeemed, Inc.; Midway Community Improvement Organization Org, Inc. Gadsden Arts Center

JUNE MEETING DATES

- o June 15, 2010 – 9:00 a.m.

ADJOURNMENT

**THERE BEING NO OTHER BUSINESS BEFORE THE BOARD, THE CHAIRMAN DECLARED THE MEETING
ADJOURNED AT 8:00 P.M.**



Eugene Lamb

Eugene Lamb, Chair

ATTEST:

Muriel Straughn

Muriel Straughn, Deputy Clerk