

AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON MARCH 5, 2013, AT 6:00
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:

Present: Doug Croley-District 2, Chairman
Eric Hinson-District 1, Vice-Chairman
Brenda Holt-District 4 (arrived late)
Sherrie Taylor-District 5
Nicholas Thomas, Clerk of Court
Deborah Minnis, County Attorney
Robert Presnell, County Administrator
Marcella Blocker, Deputy Clerk

INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

*****NOTE**There were technical difficulties in the recording of this portion of the meeting on the Clerk's Recording.***

Chair Croley called the meeting to order at 6:00 p.m.

He then asked everyone to stand for prayer and the pledge of allegiance to the U.S. Flag.

Commissioner Holt arrived at this juncture of the meeting.

AMENDMENTS AND APPROVAL OF AGENDA

A MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED. ITEM 1 WAS REMOVED.

AWARDS, PRESENTATIONS AND APPEARANCES

1. Discussion of a Possible Economic Opportunity for Gadsden County

Item removed.

CLERK OF COURTS

2. County Finance and County Clerk Issues

CONSENT

A MOTION WAS MADE BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED. ITEMS 8 AND 9 WERE PULLED FOR DISCUSSION.

3. Approval of Minutes

-February 5, 2013 – Regular Meeting

4. Ratification of Approval to Pay County Bills

- Accounts Payable Dated: February 22, 2013
February 28, 2013
- Payroll Dated: February 21, 2013

5. Approval and Signature on the 2013 E911 Spring Rural County Grant Application

6. Resolution Declaring the Week of May 19-25, 2013 as Public Works Week in Gadsden County, Florida

7. Approval to Sell Surplus Equipment/Vehicles at Auction

8. ~~Seeking the BOCC Support to Apply for Funding Through the USDA Rural Development to Purchase New Fire Trucks~~

Pulled for Discussion

9. ~~Approval to Sell an Anesthesia Machine to Tallahassee Memorial Healthcare (TMH)~~

Pulled for Discussion

10. Approval to Accept the FY 2013/14 Proposed Budget Calendar

11. Approval to Accept the FY 2013 First Quarter Report

ITEMS PULLED FOR DISCUSSION

8. Seeking the BOCC Support to Apply for Funding Through the USDA Rural Development to Purchase New Fire Trucks

Commissioner Taylor pulled this item for discussion and after a brief discussion the Board was ready to vote.

A MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.

9. Approval to Sell an Anesthesia Machine to Tallahassee Memorial Healthcare (TMH)

Commissioner Morgan pulled this item for discussion and asked if the money would be earmarked to be used for the benefit of the hospital.

Commissioner Hinson had questions concerning the machine and the amount of money that Tallahassee Memorial Hospital was willing to pay for it.

Mr. Presnell explained that TMH had given the County notice that they would not be renewing the lease and Mr. Glazer had asked them if they would be interested in purchasing the equipment.

Commissioner Hinson stated he would like to look into other options before making a decision regarding the machine.

Commissioner Morgan added that the machine was antiquated and could no longer be used for what it was used for years ago. He added that Mr. Glazer had recommended it was a good move for the County.

Commissioner Hinson asked what Mr. Glazer's role was.

Commissioner Morgan explained that he was the County's attorney and his specialty was the hospital.

Commissioner Hinson stated he thought maybe the County "could earn their money a little bit, the County Administrator, and let him do some research".

Commissioner Holt stated that Mr. Glazer had worked for the Board on several different occasions and Commissioner Hinson had some concerns with this sale and there was no rush on this matter.

A MOTION WAS MADE BY COMMISSIONER MORGAN AND SECOND BY CHAIR CROLEY, THE BOARD VOTED 3-2 TO APPROVE THE SALE OF THE MACHINE. COMMISSIONERS HOLT, HINSON AND TAYLOR OPPOSED. MOTION FAILED.

A MOTION WAS MADE BY COMMISSIONER HINSON AND SECOND BY CHAIR CROLEY, THE BOARD VOTED 5-0 BY VOICE VOTE TO TABLE THIS ITEM UNTIL THE NEXT MEETING TO ALLOW THE COUNTY ADMINISTRATOR TO BRING BACK A MORE ACCURATE APPRAISAL OF THE MACHINE.

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

There were no citizens requesting to speak.

PUBLIC HEARINGS

12. First Public Hearing-Ordinance to Amend Section 6600 Immediate Family Exceptions (IFE), of the Gadsden County Land Development Code (LDC) to Allow the Sale of IFE Residences (Legislative Action)

On January 24, 2013, a public hearing was held by the Planning Commission and they voted 10-1 to approve this matter.

Chair Croley asked Mr. Presnell to introduce the item and Mr. Presnell stated this item pertained to immediate family exception and added that up until 2008 the County, through the Land Development Code, had a process where they granted immediate family exceptions with deed restrictions that restricted the sale ever to anyone else in the family and that matter had sunsetted. He added this would grant relief to allow sales of property outside of the family.

Chair Croley called for any comments from the public and there were none.

A MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.

13. Public Hearing – Request for Authority to Amend the TDC By-Laws (Voting Process) Allowing electronic or web attendance and voting of physically absent members.

Mr. Presnell introduced the item and stated this was a request for authority to amend the TDC by-laws to allow for electronic voting at their board meetings.

Chair Croley called for any comments from the public and there were none.

Commissioner Taylor stated she had no problems with this matter, but was concerned with the legitimacy.

Matt Thro, TDC Vice-Chair, appeared before the board and stated he had spoken with Mr. Lawson and without amending the by-laws the members would not be able to call in for the meetings or place their vote electronically.

Commissioner Hinson stated he had a problem with people calling in and asked the attorney if e-mails would be allowed.

Mr. Weiss stated it meant that telephone or web appearance would be accepted.

Commissioner Morgan stated for clarification, this was not amending the by-laws, but would allow for the members to electronically attend the meeting.

Commissioner Croley stated for “housekeeping” purposes, there was a scrivener’s error in regard to the Ordinance number and the corrected number was 2013-003.

Commissioner Holt asked for clarification and stated that under **Article 4**, it could be misconstrued or misleading to the general public by what was meant by “call in or web attendance” and thought the language needed to be made clearer by adding “audio and/or visual attendance”.

A MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, BEFORE THE BOARD VOTED THE MOTION WAS RESCINDED.

A MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM WITH AMENDED LANGUAGE TO INCLUDE TELEPHONE OR WEBINAR WITH AUDIO AND/OR VISUAL ATTENDANCE.

GENERAL BUSINESS

14. Approval of the Comprehensive Emergency Management Plan

Mr. Presnell introduced the above-described item and stated the County had an Emergency Management Plan, a very extensive document that outlined procedures for county departments to follow during an emergency. He said the State required the Plan to be approved every five years and this was an update of the 2008 plan.

CHARLES BRINKLEY, GADSDEN EMERGENCY MANAGEMENT, appeared before the Board and stated it was mandated by the State that the Plan be updated every five years and they had

received a “report card” back and was happy to report that they had received an “A+”.

Commissioner Taylor stated she was in favor of approving the plan, but asked for a workshop with Emergency Management because ultimately the County was responsible.

Mr. Presnell stated each commissioner was furnished with a cd and a printed version of the plan and the printed version was extremely thick. He added he thought it would be beneficial to everyone to have a workshop and the Emergency Management staff could do a condensed version and answer any questions the commissioners might have.

Commissioner Morgan thanked Mr. Brinkley for sharing the Plan and for all the work that had been done. He asked if there was any telephone notification county-wide for any potential emergencies such as hurricanes, etc.

Mr. Brinkley said at the present time there was not a mass call-out system and stated there had been five or six contractors that had given presentations and the range of their fees varied enormously.

Commissioner Morgan said he had issues approving an Emergency Comprehensive Plan that did not include a mass call-out system.

Chair Croley shared that it had been discovered that when there was a call-out, many people now used their cell phones, a lot of people did not answer their phone on the first call and when they called back, it was overwhelming to the 911 Emergency Center in receiving all the call-backs. He added what sounded like a good idea in theory on a practical standpoint, caused a lot of problems in reality.

A MOTION WAS MADE BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THE ITEM. COMMISSIONER MORGAN OPPOSED.

15. Quincy Shuttle Status Report and Request for Second Round of Funding

Mr. Presnell introduced the above item and stated the City of Quincy had historically, along with the Board, funded the Shuttle and the funding had expired. He added the City had tabled this item at their last meeting.

Commissioner Hinson indicated he thought this was something great and was hopeful that the County and other cities could jump on board. He added when he was campaigning, one of the biggest concerns from the seniors was transportation and he was hoping to now not “open up a can of worms but a can of opportunities”.

Commissioner Taylor shared that just this morning there was a senior citizen that used the services to get to the Senior Center and she commented that the ridership was low. But she added that when they talked about the riders, there were two categories: the ones who used it for school every day and the ones who used it for work.

Commissioner Hinson said he thought the County needed to make a statement regarding the

transit system and advertise it in the local newspapers.

Chair Croley stated the City of Quincy had not committed as of yet for their share of the funding and without the City of Quincy's partnership, it became a moot point. He added the Chair would be willing, if the Commissioners were in agreement, to entertain tabling the matter until the City had decided what they were doing.

A MOTION WAS MADE BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN TO TABLE THIS ITEM. BEFORE THE VOTE WAS TAKEN, COMMISSIONER HINSON HAD QUESTIONS.

There was further discussion among the Board.

Commissioner Holt stated she only suggested tabling this to give Quincy an opportunity to step up.

Commissioner Taylor stated that the County needed to send Quincy a message, that "this Board was willing to see and accept and appreciate transportation and know the value of it because we HAVE to look at the bigger picture; we are over the County." She added that we need to send them a message that we were ready and willing to hold up to our end of the funding contingent upon Quincy holding up their end.

Commissioner Holt withdrew her motion and added that since this issue was brought up, if the County funded this, would that make the County responsible for the other half if Quincy did not come up with their half of the funding.

Mr. Presnell stated their choices were to pass it contingent on Quincy passing it or...

Commissioner Holt stated she had no problem in voting for this but wanted to make sure that the County was not held responsible for the other half.

A MOTION WAS MADE BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE THE ITEM CONTINGENT ON THE CITY OF QUINCY APPROVING THEIR FUNDING. CHAIR CROLEY AND COMMISSIONER MORGAN OPPOSED.

Commissioner Taylor asked that the media alert the public that the Commissioners were doing their to keep the transportation going.

16. Approval of Joint Participation Agreement for Gateway Signage and Landscaping Project

This item was removed.

17. Approval to Award Bid Number 13-01 and Contract for Emergency Striping Service to Emerald Coast Striping, LLC

Mr. Presnell introduced the item and stated that the bid was awarded to Emerald Coast Striping.

A MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

18. Replacement of a Member to the County Tourist Development Council

Mr. Presnell introduced the item and stated there had been a resignation of staff on the Tourist Development Council and they were seeking a recommendation to fill the vacancy.

Chair Croley stated it was the recommendation of the TDC to place Mr. Hemant Patel on the Board.

A MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, BEFORE THE VOTE WAS TAKEN, COMMISSIONER HOLT HAD QUESTIONS.

Commissioner Holt asked if there were any requirements for the nominees to come from a specific district to be able to have equal representation within the districts.

Mr. Weiss said there was nothing in the By-Laws that stated the members had to be from specific districts.

THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE HEMANT PATEL TO THE COUNCIL.

COUNTY ADMINISTRATOR

19. Update on Board Requests

Mr. Presnell stated that starting on March 12th, the County would have the ability to accept debit/credit cards to enabling the public to purchase permits and be able to take care of their business.

Mr. Presnell stated they had found a trainer for the Planning and Zoning board and the training would be held on either April 19th or the 26th and the commissioners were welcome to attend as well.

He also mentioned the United States Small Business Administration will be holding a workshop at the McGill Library on Thursday, March 14th, from 6-8 p.m. to give a presentation and to assist with any questions from the public in starting or growing a small business within the county.

He further added that the Bond Community Health Center will start in the next few weeks with the mobile unit in the county providing primary care services and will offer dental as well.

Commissioner Morgan asked if a date had been decided for the retreat and Mr. Presnell stated he was in the process of acquiring dates and asked if it was still the preference of the board members to hold the retreat on a Saturday and everyone agreed it was.

COUNTY ATTORNEY

20. Update on Various Legal Issues

The attorney had nothing to report.

DISCUSSION ITEMS BY COMMISSIONERS

21.

Commissioner Morgan, District 3 – District 3 Concerns

Commissioner Morgan stated he had been told by several citizens of Chattahoochee that they had seen the county commission meetings on the City of Chattahoochee television and asked if anyone knew anything about it and no-one did.

Commissioner Holt, District 4 – County Concerns

Commissioner Holt stated regarding the TDC by-laws concerning Article 8, she asked that it be brought back to the Board for clarification.

A MOTION WAS MADE BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO HAVE BY-LAWS REVIEWED BY THE COMMISSION.

Commissioner Holt stated she was still requesting an enterprise zone workshop and Mr. Presnell stated it was in the works.

She added she thought a workshop regarding emergency management was a good idea because the hurricane season was coming up.

Commissioner Holt also added that she attended, along with Chair Croley and Commissioner Morgan, the workshop on the minority chamber and thought it was something that needed to be looked at closely because the County needed all the economic development they could get.

She further added she had spoken with a grant writer and the commissioner asked her if she could partner with the County in helping to obtain grants. She added comments in the past was the Clerk was the administrator of the grants but that was not true, the Clerk's job was to pay bills, collect money and make sure the Commissioners followed the law.

Commissioner Taylor, District 5 – No Items

Commissioner Taylor stated the website for Gadsden County needed to be updated.

Mr. Presnell stated that would be addressed during the budget process because the entire set-up needed to be revamped and it had to be updated by a firm in California and he agreed it needed to be "flashy but fluid as well."

The commissioner added that "I'm hoping at some point in the near future we brand this county, one that says 'Our doors are open, We want you'. We are trim-lining our Planning and Zoning Department. We can get your doors open quicker than anybody in the Big Bend area. That's the idea if we're going to get them in here".

She asked that the Board entertain the immediate family exemptions and asked that they revisit that.

A MOTION WAS MADE BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON

BEFORE THE BOARD VOTED, THERE WAS DISCUSSION.

Chair Croley:

“Only exercising the privilege of the chair, Commissioner Taylor, nothing that I had ever seen up here caused as much harm to the public as that action did and that is why, if the Commissioner will recall and go back and look at the number of people up here crying over that and why we had to do, take that action tonight. I’m just reminding you of the fact that that was a terrible situation for the citizens. Just bear that in mind for what you asked for. We can talk more about it at a later time. But do we have a motion to approve that item being added for discussion? It’s been motioned and seconded. Do we have, I’m calling for a vote. All in favor of putting the item on the agenda for discussion please signify by saying Aye. All opposed?”

THE BOARD VOTED 5-0 BY VOICE VOTE TO REVISIT THE IMMEDIATE FAMILY EXEMPTION AND BRING THE MATTER BACK FOR DISCUSSION.

Commissioner Taylor commented to Mr. Presnell that the annual report was put out in a timely manner; it was thorough, had a lot of information and needed to be made available for the public so they would know what was going on in the County.

Commissioner Taylor commented that she knew bringing a magistrate on board was in the works and asked how soon the Board thought that would be because she had received a call from citizens on the lake and the “junkyard right on the lake” that was next to them .

Chair Croley stated he had spoken with the Administrator concerning that matter today and it was his understanding that Judge Parsons had entered into a verbal agreement.

Mr. Presnell added that the agreement had been entered into, Mr. Lawson had prepared the contract and Legal had the contract to review.

Commissioner Taylor then commented that she knew how important it was to move the meetings along, but sometimes it was the dialogue they had to help them “make the case for what we’re trying to do and each of us do it a little different” and asked that they be respectful to each other and give everyone a fair amount of time for the discussions. She added that she meant no disrespect to the Chair and she thought he was doing a fine job as Chairman.

Commissioner Hinson, Vice Chairman, District 1 – County Concerns

Commissioner Hinson thanked Mr. Presnell and his staff for their response to the citizens regarding the recent flooding problems.

He stated regarding the TDC, he thought they were on the right track but thought District 1 needed some representation. He mentioned that other than David Knight, District 1 was excluded from representation on the Council.

He also mentioned the transportation issue and wanted to work on expanding coverage to the outlying areas.

Commissioner Croley, Chairman, District 2 – Report and Discussion on Public Issues and Concerns

Pertaining to Commission District 2 and Gadsden County

Chair Croley stated he wanted to make sure they all could say that he made sure that they were treated fair, that he was trying to run the meetings in an effective and efficient manner with showing respect to everyone and was not trying to deprive them from expressing themselves.

He thanked the County staff for all they do for the County, especially with regard to the recent weather.

RECEIPT AND FILE

22. -For the Record: Crawfish Island Disaster Recovery – Gadsden County, FL

March Meeting(s)

-March 19, 2013, Regular Meeting, 6:00 p.m.

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 7:24 P.M.

GADSDEN COUNTY, FLORIDA

DOUGLAS M. CROLEY, Chair

ATTEST:

Marcella Blocker, Deputy Clerk