

**AT THE REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON MARCH 19, 2013, AT 6:00 P.M.,
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

Present: Chair Doug Croley-District 2, Chairman
Eric Hinson-District 1, Vice-Chairman
Gene Morgan-District 3 (arrived late)
Brenda Holt, District 4
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

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.

AMENDMENTS AND APPROVAL OF AGENDA

Chair Croley asked if there were any amendments to the agenda and there were none.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD
VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGENDA.**

AWARDS, PRESENTATIONS AND APPEARANCES

1. Discussion of Redistricting Issues

Ms. Minnis introduced the above item concerning the redistricting issues.

Mark Logan, Esquire, Sniffen and Spellman, P.A., appeared before the Board and spoke on behalf of the redistricting issues and gave a brief overview of the law and how it applied to some of the options to be considered. He went on to add that the Constitution “requires the Counties to redraw district boundaries so as to evenly divide the population contained within each district as closely as reasonably practicable and preserve the doctrine of ‘one person, one vote’ and to avoid claims of violation of equal protection provisions of the 14th amendment of the Federal Constitution by any arguably disenfranchised voters”. He further explained that under state law, there were provisions that the Board of County Commissioners “shall, from time to time, fix the boundaries of districts so as to keep them as nearly as in proportion as possible, provided that changes made to the boundaries shall be only in odd numbered years.” He explained that districts did not have to be identical in population.

Commissioner Morgan arrived at this juncture of the meeting.

Mr. Logan specified a number of factors that could be considered along with the factors that could not be considered, such as race, sex and economic status. He added that he believed the law and the Constitution suggested that the Board put forth "a good faith, due diligence effort to look at the districts and the population numbers and determine whether it makes sense to adjust the districts in a manner that makes them as close as possible". He added if there was a rational, defensible reason not to change district lines, it was fine because they had met their obligation to the citizens on reviewing same. He then explained if they did nothing, they could be subjected to a Writ of Mandamus from any voter.

He suggested the Board take time, talk with experts, look at the boundaries, consider them, act accordingly and then move forward. If they then chose to not move the district lines, they will have fulfilled their obligation by reviewing it.

The Commissioners asked questions concerning the redistricting.

Mr. Logan explained the need to look at the data but explained it did not mean that the Board "had" to make any changes.

Commissioner Taylor reiterated to the Board that this did not mean that they must move district lines, but only that they address the issue, that they must do due diligence in looking at the districts and this needed to be placed on the agenda for a later date.

Commissioner Morgan stepped out at this juncture of the meeting.

Chair Croley asked that this be properly agendaed and brought back to the Board at a later date with all supporting documentation for discussion and decision.

Commissioner Taylor asked if the Board was under any time constraints.

Mr. Logan stated there were no expressed time limits but he encouraged them to act so that it would be completed by the end of the calendar year.

Commissioner Morgan returned at this juncture.

CLERK OF COURTS

2. County Finance and County Clerk Issues

Clerk Thomas stated there were no reports to present.

CONSENT

Chair Croley asked if there were any items to pull and then stated he wished to pull Item 5 for discussion.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD

VOTED 5-0 BY VOICE VOTE TO APPROVE ITEMS 3, 4, 6 & 7.

- 3. Approval of Minutes-**
 - February 19, 2013-Workshop/Special Meeting
 - February 19, 2013-Regular Meeting
- 4. Ratification of Approval to Pay County Bills**
- 5. ~~Request Approval of Collective Bargaining Agreement between IBEW Local 2152 and Gadsden County Board of County Commissioners~~**
Item pulled for discussion by Chair Croley.
- 6. Surplus Ambulances**
The surplus vehicles:
 - County Property #A-1058 ambulance #2, 2008 Chevy to Robertsville VFD
 - County Property #A-1088 ambulance #6, 2009 Chevy to Robertsville VFD
 - County Property #A-1065 ambulance #9, 2008 Chevy to Wetumpka VFD
 - County Property #A-1057 ambulance #10, 2008 Chevy to Greensboro Fire Dept.
 - County Property #A-0453 ambulance #4, 2007 Chevy to Havana Fire Dept.
 - County Property #A-1020 Ambulance #8, 2006 Chevy to Concord VFD
 - County Property #A-639 brush truck, declare surplus, sell at auction
- 7. Approval to Award Bid Number 12-14 Part-time TDC Coordinator to Legacy Marketing, Inc., (Mary Kelly) and Authorize the Chairman to Execute the Agreement**
The contingency of this agreement is solely based upon a 6 month performance review.

ITEMS PULLED FOR DISCUSSION

- 5. Request Approval of Collective Bargaining Agreement between IBEW Local 2152 and Gadsden County Board of County Commissioners**
Chair Croley stated he did not have a problem with Union representation and asked how many members IBEW represented.

Mr. Presnell asked Mr. Lawson to come forward since he had negotiated the contract.

Mr. Lawson stated the union represented all of the non-supervisory employees in the bargaining unit and there were 14 dues paying members out of the 64 employees and that only the supervisors were not eligible to be members.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE THE ITEM. CHAIR CROLEY AND COMMISSIONER MORGAN OPPOSED.

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

Mr. Ed Allen, Lake Talquin, appeared before the Board and stated that the questions he had had been answered earlier by Mr. Logan and he just wanted to make sure the redistricting issue would be addressed by the Board. Mr. Presnell stated the item would be on the agenda for the second

meeting in April.

PUBLIC HEARINGS

8. Public Hearing-Amendment of Section 2-45 of the Gadsden County Code of Ordinances

Chair Croley asked Ms. Minnis to introduce the item.

Ms. Minnis explained this was an amendment to Section 2-45 of the Gadsden County Code of Ordinances and she that had provided a red-line copy and a clean copy of the suggested changes to the language and commented that basically the changes were that support documents to back up the agenda had to be submitted 7 days prior to the regular meeting and it would allow for additions to the agenda at a board meeting with majority vote of the Board.

Chair Croley called for comments from the citizens.

Ed Allen appeared before the Board and asked why the change in the deadline from 10 to 7 days.

Mr. Presnell explained it was 7 business days, nothing would change regarding procedures, but this would put them in compliance with their ordinance.

Chair Croley mentioned there were two parts to the amendment; one was the deadline issue and the other was the proposal that the agenda be amended by simple majority vote. He expressed his feelings on the matter and stated he was not in favor of “simple majority vote” to amend the agenda. He asked that they consider splitting the decision in favor of changing the number of days regarding the deadline but to not change the simple majority vote because he had a problem with the agenda being amended without prior notice to the public.

Commissioner Morgan made a motion to split the items. Before votes were called, Commissioner Holt asked for more discussion.

Commissioner Holt stated unanimous didn’t matter; it was her opinion that 3 votes were all that was necessary to put an item on the agenda.

Commissioner Taylor stated for the record, in all fairness the Chair was correct but there would be occasions that the Board would need to be able to consider items that would need to be added to the agenda at the last minute. She further commented that she would like to “leave some kind of latitude in there for the Administrator because you, myself and no-one around this Board are Houdini, we don’t know what may come up, but we do need to have the latitude...I don’t ever want to see this or send the message to Tallahassee that we took an item where they were trying to give us money and held it up. That did not send a good message out; especially given the fact now we need to get all the help we can out of Tallahassee. That did not send them a good message. A simple majority on situations where the Administrator uses his discretion, we should do, but when it comes to impacting the budget, we should not do it.”

Chair Croley commented that they were in agreement with half of the amendment.

Commissioner Hinson stated the 10 day rule threw him off and he had been fighting this the past

month and stated he would like to amend the motion.

Commissioner Holt stated Commissioner Hinson had a park in his district that was taken out of her district because proper procedure had not been followed. She stated it should be majority not unanimous.

Chair Croley stated they were not discussing the voting of items on the agenda but adding items to the agenda at the beginning of the meetings that had not been properly advertised and the public had not been previously notified with the exception of emergency items. Chair Croley asked Ms. Minnis to clarify the procedure of placing items on the agenda after publication of the agenda.

Ms. Minnis stated the current policy requires the vote of the whole of the Board.

Commissioner Taylor said, "You must move forward with caution because 9 times out of 10, these very same rules that we stand up against are the same rules that come back to haunt us" and she added that what had happened in the past had nothing to do with the Board now.

Mr. Allen appeared before the Board again and stated under Section 2-45(a) "There shall be an official agenda for every meeting of the Commission and it shall determine the order of business at that meeting."

Commissioner Holt stated her problem was subsections (h) and (j).

Chair Croley stated that currently it read "All support information for agenda items shall be available no later than ~~ten business~~ seven (7) days before the regular meeting."

Commissioner Holt stated the ten days was one she wrote to give the commissioners time to look over the items on the agenda.

Commissioner Hinson stated the commissioners had all made valid points. He then made a motion to amend the deadline to 7 business days provided it didn't affect general revenue and to be able to add to the agenda by simple majority vote and Commissioner Taylor seconded.

Ms. Minnis stated that the prior motion needed to be addressed before entertaining this motion and that it would die for lack of a second.

Chair Croley stated he would second Commissioner Morgan's motion because there had to be a motion on the floor to be able to amend it.

A MOTION WAS MADE BY COMMISSIONER HINSON AND SECONDED BY COMMISSIONER TAYLOR, TO AMEND THE MOTION TO ACCEPT THE CHANGE TO 7 DAYS OF PLACING ITEMS ON THE AGENDA THAT DID NOT AFFECT GENERAL REVENUE, BUT BEFORE THE BOARD VOTED THERE WAS MORE DISCUSSION.

Commissioner Morgan stated things were getting too complicated and he was trying to keep it simple.

Commissioner Hinson withdrew his amendment and Commissioner Taylor withdrew her second.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY CHAIR CROLEY TO SPLIT THE QUESTION OF KEEPING THE 7 DAY DEADLINE SEPARATE, THE BOARD VOTED 3-2 BY VOICE VOTE TO OPPOSE THE ITEM. COMMISSIONERS HOLT, HINSON AND TAYLOR OPPOSED. MOTION FAILED.

UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER TAYLOR TO CHANGE THE DEADLINE TO 7 DAYS FOR SUPPORTING INFORMATION AND ALLOW THE BOARD TO BE ABLE TO VOTE, AS A WHOLE, ON NON-AGENDAED GRANTS AND EMERGENCY ITEMS THAT DID NOT IMPACT GENERAL REVENUE, THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE THE ITEM. CHAIR CROLEY AND COMMISSIONER MORGAN OPPOSED.

9. Public Hearing-Approval of Budget Amendments and Resolution and Approval of Joint Participation Agreement (JPA) Between the City of Tallahassee(via StarMetro) and Gadsden County for 2012 Federal Transit Administration (FTA) Funding Under Section 5316 of the Job Access Reverse Commute Program (JARC) and fort the Chairman to Execute Agreement

Mr. Presnell stated this item was a Joint Participation Agreement between the City of Tallahassee/StarMetro and Gadsden County for the benefit of Gadsden Express and stated the County was receiving \$100,000 grant and that was a matching grant and it would fund the program for twenty-six (26) months. He went on to add that the Gadsden Express provided service between Quincy, Midway and Tallahassee.

Commissioner Croley stated this was a public hearing and called for comments from the public and there were none.

Commissioner Hinson noted he had issues with this item, that while it did provide a great service, Havana still had no transportation and he would like to meet with someone to answer questions.

Shawn Mitchell, Big Bend Transit, appeared before the Board and stated this was a Federal Transit Administration (FTA) grant, was a joint participation agreement with the City of Tallahassee and this was the route that had been agreed upon to receive the 50% match funding. He added that this could be reexamined with StarMetro to readdress the service lines.

Commissioner Holt explained to Commissioner Hinson that when the agreement originally had been made with the City of Tallahassee, they were going to send out buses from StarMetro and later the Commission changed the agreement and then Tallahassee had decided to pull out. She stated if they wanted to expand the service; they would need to negotiate with StarMetro to readdress the service routes and other funding avenues.

Commissioner Morgan stated this was a very effective program for those that it did serve and commented that when this was originally presented to the Board, a gentleman appeared before the Board and made statements to the effect that they would be looking at providing service to other areas and to his knowledge there had been no further discussion regarding the expansion of the bus routes. He added that it all boiled down to funding and there appeared to be no more funding available. He added that District 3 was not on the service route at all, but he supported this in the past and continued to support it because he did not want to limit what some were able to benefit from just because there were no funds and routes to serve everyone.

Chair Croley reminded them that Big Bend Transit was a subcontractor under StarMetro and if they wished to expand the service to the outlying areas, they would need to allocate more money and they would need to have matching monies.

UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION 1.

GENERAL BUSINESS

10. Approval of Amendment Number 3 to the Contract between Gadsden County and Big Bend Transit for the Continuation of Gadsden Express Services for Twenty-Six (26) Months and Authorize the Chairman to Execute

Mr. Presnell introduced the next item and informed the Board that it was a related item to the above public hearing.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, BEFORE THE VOTE WAS TAKEN COMMISSIONER MORGAN ASKED THAT THE AMOUNT OF MONEY AND WHERE IT CAME FROM BE EXPLAINED.

Mr. Presnell explained this would approve the existing contract for twenty-six months, that the Board had previously approved \$100,000 for bus services and \$18,000 had already been used and that amount had been used as leverage on the matching grant so they would be short a few dollars and might not be able to complete the full 26 months, it might be only for 24 months.

THE BOARD THEN VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.

Chair Croley stated before leaving this item, it was the consensus of the Board that Mr. Presnell get with StarMetro and their subcontractor, Big Bend Transit and come back to the Board on how much it would cost to expand the service to other communities throughout the county.

11. Approval to Sell a 1996 Ohmeda Excel 210 SE Anesthesia Machine to Tallahassee Memorial Healthcare (TMH) for \$2,400

Mr. Presnell stated this was a motion to approve the sale of an old anesthesia machine to Tallahassee Memorial Healthcare and added this was a machine that Gadsden County had rented from them for several years. He further explained that his staff had researched the machine and due to its age there was no book value, but they had found similar machines on sale with Ebay and the price that had been recommended was in line with what they were asking.

Commissioner Hinson asked if this was the only company that used this equipment.

Mr. Presnell explained they had checked with TMH and Capital Regional.

UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE SALE OF THE MACHINE to TMH.

12. Discussion of Soliciting Request for Proposals for Legal, Engineering and Auditing Services

Chair Croley read this item and pointed out it was a discussion only item.

Mr. Presnell said that was correct, it had been directed that staff bring this item back to the Board for direction.

Mr. Lawson appeared before the Board and stated that Board Staff had been directed to bring this back before the Board as to whether or not the Board wanted to solicit RFPs for the major services and asked the Commissioners if they wanted to move forward with the major RFP's or wait until the contracts expired. He explained there were additional times on all of the contracts and that the contract for the auditing services had just been renewed and he suggested that the audit contract be left in place because per the Board's instruction, they were going out for an RFP on that contract after the audit was completed, however, the legal and engineering contracts were through 2014 and asked if it were the Board's desire to go ahead and advertise those prior to the expiration of the terms of their contracts and asked the Board for specific direction on how to move forward.

Commissioner Taylor stated she was not interested in interrupting services of the auditor for this fiscal year, but she was looking at all three contracts and opined that the Board issue RFPs for the 2013-14 fiscal year. She added that she understood there were extended contracts with the engineering firm and the county attorney, nonetheless, there was a new make-up around the Board and believed that input should be from the new Board for those major RFPs. She opined that by placing the RFPs back out for bid, it might be cost-effective for the County.

Commissioner Morgan stated that any time there was an opportunity to increase efficiency or lower the cost without any interruption of service or any unnecessary delays; it was a good thing to do. He added that one reason there were contracts for a certain length of time, was so there was continuity and it was the best price for services rendered and that there was value in that. He added that one thing they had done very well in recent years was to put out RFPs in a manner that they received responses from companies that were able to provide a wide array of services. He used the county attorney as an example, that they had not one individual but several attorneys with a vast array of expertise that were offered to the Board and it had been done in a very reasonable fashion as related to dollars. He added that they were not looking for the "cheapest" that was out there but for who would be able to provide the best service for the best price.

Commissioner Holt had questions regarding the county attorney and engineer's bills and asked what their retainer covered. She added it was her opinion that they review the bills from both businesses for their services.

Commissioner Hinson asked how business had been conducted in the past and how long the contracts had been for.

Mr. Lawson responded when the contract was signed, it's for either one, two, or three years with an option to renew for an additional year and once that option came up, he would return to the Board and to ask their direction and if they wished to renew the contract or if they wished to go back out for an RFP.

Commissioner Hinson asked if the contracts were based on a yearly basis.

Mr. Lawson explained it could be a yearly contract or a contract for a longer period of time, but whatever the length of the contract, it was brought before the Board and the Board had agreed on the terms of the contract at that time.

Commissioner Taylor added that with every contract, whether it were a 1 year or 3 year contract, if the new Board decided they wanted to re-bid, they could do so; it did not need to wait until expiration of the contract. She further explained that within the body of the contract, either side had the choice to “option out” of the contract. She stated at the proper time she would like to make a motion to put all three contracts out for RFP and allow staff to do their due diligence with regard to notifying the three that the Board had agreed to issue an RFP and to give them proper notice per their contractual agreement.

Commissioner Hinson stated during his time as Commissioner for the Gadsden County School Board, he had the opportunity to work with the Ausley Law Firm and they had served them well, but he had no experience with the other two firms.

Chair Croley added that all three vendors had done a very good job for the County and Commissioner Taylor was correct that there was nothing wrong in taking new RFPs for those services. He did caution however, that regarding the professional services, there was a lot to be said for the institutional knowledge that the firms had of the county and of its operations and that it would take a while to build that up. He added he would have a difficult time supporting any motion that would terminate the agreements “mid-term” or before their term expired.

Commissioner Holt asked Mr. Lawson the ramifications of ending the contracts before the expiration.

Mr. Lawson explained if there were ongoing projects, there would have to be time given for transition, especially if there were outstanding legal issues.

Commissioner Holt stated she did not see any major projects in the works at this time and would like to see in writing what they might be.

Commissioner Morgan said to Commissioner Hinson that people seemed to direct him in the way he considered his decisions and he wanted to express his opinion. He said when making decisions concerning what vendor they select to do business with or what services they were to provide, that cost was at the forefront of that and he added that he thought the Board would agree that during the last 5 years, the cost of services had been drastically reduced. He added that both the County Attorney and the engineering firm had gone above and beyond what their contract called for and some things had been provided to the County at no charge. He added “The reason that is, is because we have established a time certain in our relationship where we can work together and when you have discussions such as we’re having tonight, it can potentially undermine that relationship. What you find is, all of a sudden, your services might not be as, they may not be as committed to that relationship. I don’t think they would in any way diminish the services that they are providing, but the reason you have a time certain of three years is because you want to maximize the efficiency and you want to reduce the cost to the public. Whenever you’re talking about doing what we’re doing mid-stream, changing horses or considering changing horses, that

puts an undue burden on staff. They have to do all this research and send out the RFPs and there is so many other things that have to be done, that it slows down efficiency in county government and we can't respond to the public like we need to do or as quickly as we need to do in a lot of cases. Granted, it's very important to send out RFPs when the time comes to do that, or if we have a vendor who has had blatant issues and we have a reason, that's why you have that 30-day out-clause. If they are doing something that is blatantly wrong in our opinion as a whole, we should have the option to getting out because that's not a wise investment of taxpayer dollars. To this point, I'm unaware of any of these vendors doing that. It has not been brought to my attention and I haven't heard it around this Board. I think we have gotten excellent service and have really good partners. What you do when you consider actions like this is in the future when we issue RFPs, a lot of quality companies refuse to bid because of the fact that the way we handle ourselves as a County, they do not want to do business with us. So those are things to consider as you move forward on issue like this. I understand the importance of the value for every dollar, look at those services on a three year basis, or two year or whatever it is, that's very important. But to do what we are considering here tonight is not the right thing for the public. It is not the right thing to do. So I want to make sure you are well-versed on that. I've held my tongue ever since you've been up here as far as you making your decision. I think you should, but since you're being guided here, I wanted to make sure you heard that end of the story and I will leave with that, Mr. Chair. Thank you."

Commissioner Hinson stated if his voting record were looked at, he's never been guided, but he believes in listening to all of his colleagues on the Board. He added that he had no problem with the county attorney or the engineering firm that was in place now and in having this discussion, "if you were on the outside looking in", there's a reason why they were debating so hard on this topic. He went on to add that he did not feel that they needed to deal with the audit firm at all for the time being because they were looking out for the County's best interest, but if everyone else felt as if all three services needed to have an RFP put out, then that was a vote they would have to take when they were ready to vote on it.

Commissioner Taylor stated it was not her intention to interrupt anyone mid-stream, that they needed to complete the process, but the RFP needed to be started now so when the end of the year came, they would be ready to move forward.

Chair Croley indicated he did not have a problem in periodically reviewing the contracts for any of the professional services, but said the question was "when you do it." He added if he understood her correctly, what Commissioner Taylor was proposing was interrupting the agreements mid-term. He further explained that Mr. Lawson would need to pace himself, that this was a very complicated process of the rebidding of the professional services.

Commissioner Taylor replied, "Could I say this to you, Commissioner Croley? This is not the first time auditing services, engineering services and legal services have been bidden out from the Procurement Office. They do not have to start from scratch over there. There are bid packets and bid specs already established over there. It's a matter of listening to what the Commissioners are asking for now. So the work isn't tedious. It might take us a couple of meetings to get him what he wants. So I want to get that out there as far as what needs to be in the content, or how much work is involved. It's not that much work as it is gathering the information. There's already a template in place for all three of these firms. Now, as far as when to stop it, now, I am wanting to see it stopped and we look at a new firm. We can start our fiscal year anytime we want with these

firms. We have a contract with them that ends in 2014 and we're saying at this point and time, let's go out for RFP hoping that these people who have these services with us will re-apply. I'm simply saying let's get into a competitive mode. We can set our fiscal year whenever we get ready. It's just that fiscal year now in the contract because that's when we went into the agreement. There is no great time to re-negotiate because you are right. Anytime you do this, you are still going to have services that they need to do, even in 2014, they are going to be in the mist of something. So there's no real good time for it. But you have to take a stand and say 'Listen, you've got a new Board, let's get together, let's look at all three of them together'. Re-establish the date; give notice that we are doing this. I want to put all three out for RFP and that's where I'm at. Now, I can go forward and that's just what I think we need to do right now. I have been defeated by a vote before and that's fine. I'm going to stand on those principles. We can start a new end date per what this Board wants by a simple majority vote. It doesn't have to be in March of next year. I'll be quiet."

Commissioner Morgan believed the reason for terms in the contract was so people who did respond could make reasonable, sound business decisions when they reply to the RFP. He added that businesses might be willing to offer their services at a lower rate in order to have the business for a certain length of time with the county. He added "What I'm trying to highlight here is, when you go in mid-term, like is being proposed here to look at these services again, you are degrading the value of that agreement. That's what's going on there. What happens, what I'm trying to say, in the future, when you go out and respond in the future, very qualified companies, word gets out very quickly and you may not have the best companies willing to respond. In that being said, we aren't doing the right thing for the public, because we don't have the best companies potentially that are willing to respond. Because they are saying, 'OK, we're giving you three year quotes on this businesses and a year from now for no reason, y'all may kick us out."

Commissioner Hinson had comments.

Commissioner Taylor made a motion to place the three services out for RFPs to begin immediately.

Mr. Presnell asked that they consider giving staff time to stagger the RFPs.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT TO ISSUE RFP'S FOR AUDITING, ENGINEERING AND ATTORNEY SERVICES ON A STAGGERED BASIS AND IN A MANNER TO NOT ALLOW NEGATIVE FINANCIAL REPERCUSSIONS THAT WOULD HURT THE COUNTY, THE BOARD VOTED 3-2 BY VOICE VOTE. CHAIR CROLEY, COMMISSIONERS MORGAN AND HINSON OPPOSED. MOTION FAILED.

Commissioner Morgan stepped out at this juncture of the meeting.

Chair Croley stated it was his opinion that the Commission would like to entertain RFPs on each of the professional services at the end of the individual contract periods.

Commissioner Holt said that was not the intent of the Board and added that the Motion had failed, but other related motions had not been made yet.

Commissioner Morgan returned at this juncture of the meeting.

13. Approval of Joint Participation Agreement for Gateway Signage and Landscaping Project (CFSA 55.023)

This will fund projects on U.S. 27, SR 267, US 90, CR 270A and SR 65 and funding for the construction is \$142,866.00 and is to be completed by June 30, 2014.

Mr. Presnell introduced this item and stated it was for a Joint Participation Agreement for Gateway Signage and landscaping project and this would allow signs to be constructed at each of the major roads coming into the County with beautification.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.

14. Approval of Matching Grant Application for Ambulance Stretchers and Comprehensive Back Injury Prevention Program

Mr. Presnell introduced the item and stated it was for approval of a matching grant and they would be applying on two fronts, the first round would require a \$17,000 match and the other grants program would be for \$43,000 match and the funds were available.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.

COUNTY ADMINISTRATOR

15. Update on Board Requests

Mr. Presnell stated the contract for the Magistrate would be signed the next day and it would be on the agenda for the next meeting.

COUNTY ATTORNEY

16. Update on Various Legal Issues

Ms. Minnis stated she had no updates at this time.

National Solar

Commissioner Taylor asked about the National Solar contract and Ms. Minnis stated she had not heard from them and she would contact them.

County Attorney Bills

Commissioner Holt asked for clarification of the bills submitted to the County by the attorney.

Ms. Minnis said, "Basically, what we do is what we do with a lot of our clients. We give you an itemized bill of all of the services we provide. There are instances where services are, the cost of the services are deducted or an item that may have been worked on is not billed to the County because we are very mindful of all of the fiscal issues and want to be a bit steward of the county's

money. Basically, a lot of the information that you see itemized is a part of the retainer; there are certain items that go over the retainer. One example is the 'sumo uno' case, which is a specific piece of litigation and that's why the bill is a little high this month, because we're having to deal with that particular litigation instead of creating a separate number for you, we've just kind of rolled it into the one bill. Each month we do discount the bill, in addition to discounting the number of hours actually worked, we also discount among the attorneys so you are not charged the highest fee for any of the work over the \$7500. So we do quite a bit of discounting before the bill goes out."

Commissioner Holt:

"OK, Mr. Chairman, for the attorney also. So when Commissioner Croley and Commissioner Lamb called you about that "horse case", you charged us?"

Ms. Minnis:

"I put down, if I have a phone call with a Commissioner, I put it on there. It doesn't matter who the Commissioner is..."

Commissioner Holt:

"OK, I'd like to see those records please."

Ms. Minnis:

"It's just itemized and listed if I had a conference with someone on the phone, if someone sent me an email, if it's something that just a couple of seconds, you're not going to see it on there, but if it's something I had to read it, consider it, maybe make a response or get back with the individual..."

Commissioner Holt:

"Well, good. I'm saying I'd like to see those records also. One other question I'd like, also, when I'm looking at this, I don't remember getting conference call charges. I know with the previous attorney, law firm, we sent them to Washington, DC three times, to Atlanta once, Federal Court in Tallahassee twice, County Court and there was a lot of things that had to be done there, built all those roads and fire stations. He negotiated all that but what I wanted to know is I've never seen a bill for just a phone call to ask a question, in all that time. That's why I was so shocked. I was, OK, so it's 20 minutes or 10 minutes. I understand what you are saying with what your policy normally is, but I'd just never seen it."

Ms. Minnis:

"We want the client to know what we are doing, we itemize everything. Not all attorneys do that."

Commissioner Holt:

"I'm not saying that you bill or don't bill for it, I'm just saying I've just never been...I don't think we've ever been billed for it that I can find."

Ms. Minnis:

"Just for clarification of the fact it might not be itemized doesn't mean that it's not part of your bill. We just have a practice..."

Commissioner Holt:

“I’ve gone through the previous attorney’s bills too.”

Ms. Minnis:

“We have a practice of being transparent with the clients so they know what activities we are engaged in on their behalf.”

DISCUSSION ITEMS BY COMMISSIONERS

17.

Commissioner Morgan, District 3

Commissioner Morgan stated he had several very serious items to address concerning the overall direction of the county government, how things were done, how decisions were made and he stated it was so troubling for him personally. He stated, “I will tell you guys, I have never been part of an organization or a team or a Board, or whatever you want to refer to us as, that functions or doesn’t function like this one. I’ve been on here five years and we have our highlights of good things, we’ve done many good things, but how business is done, it’s just amazing. The longer I’m on here and how I understand and see how things work, I’m just flabbergasted. I tell you, Gadsden County is so unique, number one in a lot of good ways, we have so many strengths, good people, great place to live and at the same time we hold ourselves back like no place I’ve ever seen because of the way things are done and because of how everything is related to race, or how long somebody has lived in the county, or what their net worth is. It’s just amazing to me at how things are done, the politics that are involved. You know, and hopefully, when we have our retreat, we can try to improve on some of that. But I’ll tell you, when you lose hope, you really lose everything and I’m not sure that I have a whole lot of hope left on how we go about doing things and getting things done and that’s a shame. Don’t get me wrong, I’m not going to give up, I enjoy serving the public. I’m going to keep on doing it the best I know how to do it and agree and disagree when we need to, but always trying to hold up doing things right, not just claiming to want to do them right, but actually doing them right and being honest and forthright. I think it’s important. Everybody wins when we do that. But as long as people think that they can’t be better than they are, they never will be. I just want us to keep that in mind as we go about our business. By the way, I’ve been to several different county commission meetings throughout the State of Florida, I don’t know whether you guys have or not, and local meetings, even within Gadsden County and outside of Gadsden County. I will tell you, if you have never done it, you really ought to because you would be amazed at how those business meetings, and they are **business** meetings, how they proceed and how they go and the result of them as it compares to how we function. I really appreciate those that have sat in that chair right there (pointing to the Chairman) and I think it’s everybody up here, I know Commissioner Holt has done it, maybe even more than once. I know Commissioner Taylor has done it for two years at least, I know now obviously with Commissioner Croley. I applaud all of you for being able to do that because I can tell you right now, I couldn’t do it. So, but, that’s a genuine concern and I hope that at the right time I will be able to address that in detail and specifically.

But, on a better note, I will say that in the economy that jobs are limited, resources are limited, money is limited, revenues are down, I am happy to tell you, the public here, that the largest employer in the County currently is hiring. So don’t let it be said that we’re not. There are 80+ positions that are currently open at Florida State Hospital and have been for quite a while. They

are doing some great and wonderful things over there and they are responding to the current environment that they have been put in and doing it very well. So, I think we ought to learn from that in some ways.

There are also some local municipal bodies that we have here in Gadsden County that do an extremely good job of managing the money, managing the meetings and I think that we can learn from them if we will take a minute to do it and it doesn't take a genius to figure out which ones I'm talking about if you look throughout the county. That being said, Mr. Chair, I appreciate it. Thank you"

Commissioner Holt, District 4

Tourist Development Council

Commissioner Holt stated she had spoken to the Administrator concerning the TDC kiosk that was to be placed in the towns and was told that the RFP was issued but the bid was costly and she added that it was not as she had envisioned.

Commissioner Morgan responded that he thought she would be happily surprised at the progress the TDC was making in regards to that. He added that what they were hoping to spend on the kiosks for each municipality, the one response they had was for one kiosk for that entire amount. He further added they were going to tighten up and re-issue the RFP and it will include some of the things that she had envisioned. He added that Arthur Lawson, Shelia Faircloth and Sonya Burns should be applauded for their quick turn-around on getting the bid out.

She also stated she had spoken to other city managers to see what they were or were not doing with the TDC.

Friendship Park

She said Friendship was upset with not receiving the park and she added they were planning a community meeting to form a steering committee to look into applying for grants for improvements and a park in that area.

Mr. Presnell added they will be seeing some of the improvements they were able to do in-house, such as landscape timbers, bark, new swings and chains and they had someone looking into applying for a block grant.

Grant Writing

She added that they needed to look at adding someone who could do grant writing. She stated if the Board had someone that was going after money and that was their only contact with the Board, they would not have to pay them any healthcare, retirement, etc.

Mr. Presnell replied if she met someone or had someone in mind to have them contact him.

Commissioner Taylor, District 5

Fiscal Constrained Dollars

Commissioner Taylor stated around this time of year the County would receive rural development dollars, money received through the legislature that dealt with small county rural development dollars.

Commissioner Morgan stated it was “fiscally constrained dollars”.

Commissioner Taylor asked when the money would be received.

Jeff Price came forward and stated that it should be within the next month or so and usually it was around 1.2 million.

Commissioner Taylor asked if there were surplus dollars left after the budgeted items and asked what that total amount was.

Mr. Price answered approximately \$150,000-\$200,000.

She wanted to make a motion to use those funds to sponsor students with summer employment and would like to have that item added to the agenda on the 3rd Tuesday in April or the 1st Tuesday in May.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE AGENDA, THE BOARD VOTED 4-1 BY VOICE VOTE TO ADD THIS ITEM TO THE AGENDA. COMMISSIONER MORGAN OPPOSED.

Private Road Adoption Program

She added she had had a conversation with Public Works concerning private roads and with the rainy weather that had been experienced recently; it had been very costly to the County with the upkeep as well as the residents in getting in and out. She made a motion that they revisit issues of adopting private roads. Motion died for lack of second.

Quincy Shuttle

She added the City of Quincy did approve the Shuttle for the entire year. She asked that they consider allowing her to work with the City in looking into getting the routes extended.

Chair Croley commented that there had been discussion previously regarding this and that he appreciated her interest in the Shuttle. He added they were trying to get service to the outlying areas and there was a grant that paid for that. He stated if they were putting the money and effort out, why they would not want to match the grant to take the services all over the county for the benefit of all the citizens.

Commissioner Taylor added this was the County seat and people came from all over to do business here and when they come, they get on the shuttle, but the program in place was not perfect and there needed to be a body at the table to discuss it so the services could be improved, but the body did not have to be her.

Commissioner Holt stated she had no problems with proposals, but she wanted to hear the best ones.

Commissioner Taylor stated this would come back for discussion at a later time and she would like to be the liaison.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT FOR COMMISSIONER TAYLOR TO BE PRESENT AT NEGOTIATIONS REGARDING THE CONTRACT AND BE LIAISON, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE. CHAIR CROLEY OPPOSED.

She added she was sad the RFP issue failed because it would cost the county later.

Commissioner Hinson, Vice-Chairman, District 1

Commissioner Hinson commented that regarding the transportation issue, they should cut out the middleman. He mentioned that he had spoken with someone that worked with StarMetro and they told him the County could purchase a used bus from StarMetro and StarMetro would do the maintenance on it, they would hire the driver and it could save the County roughly \$50,000.

Chair Croley stated the executive director of StarMetro sat on the CRTPA board and stated it was through StarMetro that the County had been able to obtain the grant through the federal government.

Commissioner Croley, Chairman, District 2

Chair Croley asked to clear up that he had no personal animosity with anyone on the Board, but there were times that everyone got passionate about certain items. He asked that they be mindful that they did not live in a vacuum and that people were watching what the Commission did and what was going on within the County. He added with the Board getting into 3-2 votes, it reminded him of when he first joined the commission. He added that while he may not be in the prevailing majority regarding some of the changes, the meeting would be run in accordance with the rules that the Board had passed and they would be followed accordingly.

RECEIPT AND FILE

18.

- a. For the Record: Gadsden County/2012 Annual Report
- b. For the Record: Letter from Florida Division of Emergency Management Regarding Local Mitigation Strategy Annual Request for Update

March Meeting(s)

- April 2, 2013, Regular Meeting, 6:00 p.m.
- April 16, 2013, Regular Meeting, 6:00 p.m.

Gadsden County Board of County Commissioners
March 19, 2013 – Regular Meeting

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 9:11 P.M.

GADSDEN COUNTY, FLORIDA

**DOUGLAS M. CROLEY, CHAIR
BOARD OF COUNTY COMMISSIONERS**

ATTEST:

**MARCELLA BLOCKER, Deputy Clerk for
NICOLAS THOMAS, CLERK OF COURT
GADSDEN COUNTY, FLORIDA**