

**AT THE REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON MAY 21, 2013, AT 6:00 P.M.,
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

Present: Doug Croley, Croley-District 2, Chairman
Eric Hinson-District 2, Vice Chairman (arrived late)
Gene Morgan-District 3
Brenda Holt-District 4
Sherrie Taylor-District 5
Nicholas Thomas, Clerk of Court
David Weiss, Assistant 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. and asked everyone to stand for the prayer and the Pledge of Allegiance to the U.S. Flag. He asked everyone to please silence all cell phones.

Commissioner Hinson arrived at this juncture of the meeting.

AMENDMENTS AND APPROVAL OF AGENDA

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

AWARDS, PRESENTATIONS AND APPEARANCES

1. Discussion of Proposed Comprehensive Plan and Land Development Code Text Changes to Increase Density in Agricultural Land Use Districts As Part of a Long-Term County-Wide Economic Development Strategy

Mr. Presnell introduced the above-referenced matter and explained Mr. Sewell had recommendations for the Board regarding the changes after workshops were held.

John Sewell, Project Manager, Kimley-Horn and Associates, gave the Board an update on the proposed changes and explained their direction was to update the future land use map and create a new existing land use map and to develop some economic development strategies specifically around the interchanges. He stated part of the proposed changes would allow a greater number of units on certain AG parcels. He suggested that the Board delay any map changes until they had a chance to look into some concerns from citizens that were expressed at the meetings that were held and take another approach. He explained that one of the approaches would be instead of doing map changes, do just changes to the AG uses and said the benefit in it being done this way would be that it would exclude rural residential. He gave some ideas in possibly doing text changes and not by map change. He suggested the Board look at the new proposal that just looked at the agricultural future land use classifications, doing text changes versus map changes and that would allow better flexibility in the agricultural parcels. He added that another

suggestion they made was any parcel that was greater than 100 acres, leave it as it is today.

Marion Laslie, 5 Dante Court, Quincy, FL appeared before the Board and stated she was pleased with what she had just heard as opposed to what had been presented at the Planning and Zoning meeting and looked forward to reading the new plan and had been looking for the maps on the website and asked that they be posted for all to see.

Clay Vanlandingham, Gadsden County Property Appraiser, appeared before the Board and said he was glad to see that the current map had been corrected and he had maps to show everyone the different classifications of AG 1, 2 & 3. He added that he understood the need by many citizens to do something to allow a density higher than what it might currently be for family reasons.

Chair Croley stated this was a very complicated subject and thought it would be beneficial in having a workshop to correct the map and address the details that had been mentioned.

Commissioner Holt stated it was time for a vote and at the proper time she would make the motion to add this to the agenda.

Commissioner Morgan asked Mr. Sewell how many citizens attended the workshop and provided input.

Mr. Sewell responded there were approximately 15-20 citizens and the meeting lasted from Noon to around 7:00 p.m.

2. Presentation on YMCA

Ray Purvis, CEO/President, YMCA, appeared before the Board regarding YMCA coming into the county with some of their programs and having a presence here. He stated at this point there was no firm plan but was eager to pursue the possibilities in Quincy and the surrounding communities and they represented Jefferson, Wakulla, Leon, Taylor, and Gadsden counties.

CLERK OF COURTS

3. County Finance and County Clerk Issues

Clerk Thomas was present and had nothing to report.

CONSENT

Commissioner Morgan asked to pull Item # 6.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA AS AMENDED. (ITEMS 4-5 and 7)

4. Approval of Minutes

-April 16, 2013-Regular Meeting

5. Ratification of Approval to Pay County Bills

6. ~~Approval of Commissioner Croley, Commissioner Hinson, Commissioner Morgan, Commissioner~~

~~Holt and Commissioner Taylor's Travel to the Florida Association of Counties' 2013 Annual Conference~~

Pulled for Discussion

7. Signature of Chairman on Equitable Sharing Agreement and Certification

ITEMS PULLED FOR DISCUSSION

6. Approval of Commissioner Croley, Commissioner Hinson, Commissioner Morgan, Commissioner Holt and Commissioner Taylor's Travel to the Florida Association of Counties' 2013 Annual Conference

Commissioner Morgan pulled this item and stated he would not be able to attend the Annual Conference.

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

CITIZENS REQUESTING TO BE HEARD

There were no citizens requesting to speak.

PUBLIC HEARINGS

8. Public Hearing-Approval of Budget Amendment and Resolution for Hospital Office Space Construction

Mr. Presnell introduced the above item and asked Jeff Price to explain it.

Jeff Price stated this was basically housekeeping and they were doing a budget amendment and Resolution to move the money from General Funds to a Capital Account to be used for the hospital.

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

Commissioner Holt stated her concern was the loss of revenue each year in the amount of \$125,000 because Medicare would not pay for the ambulance transporting from the facility here to CRMC in Tallahassee because they considered it an in-house transfer. She added that any medicines or supplies used in the ambulance were paid for by the County. She further added that the money paid to CRMC each year they are sending to the federal government for a dollar for dollar match, which they could refund to the County the \$125,000 that was paid to them, but they are not willing to do so.

Commissioner Hinson stated there needed to be more information provided and that the County Administrator needed to do more research.

Chair Croley stated this was a housekeeping item from a budget standpoint and the Board had been asked to deal only with that.

Mr. Presnell commented that this item was for approval of the budget amendment only.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER TAYLOR, BEFORE THE VOTE, COMMISSIONER HOLT CALLED FOR DISCUSSION.

The Commissioners had discussion.

THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE OPTION ONE. COMMISSIONER HOLT OPPOSED.

GENERAL BUSINESS

9. Development of Physicians Office Space in the Hospital

Mr. Presnell introduced the above item and stated it was related to the previous item and was for build-out of the physician space located at the hospital. Mr. Presnell asked that CRMC be allowed to be construction manager of the build-out and the not-to-exceed amount would be \$155,000.

Commissioner Hinson stated he did not want to make them construction manager of the project only because he would like to see this job bid out locally.

Clyde Collins appeared before the Board to address questions posed by the Board and explained to them the build-out would be under ACHA review and CRMC would be responsible for anything over the \$155,000 budget.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER TAYLOR FOR OPTION ONE, BEFORE THE VOTE WAS TAKEN, COMMISSIONER HOLT CALLED FOR DISCUSSION.

Commissioner Holt asked to bid the job out locally.

Commissioner Taylor had comments.

Commissioner Morgan asked the Board to keep in mind that the County currently has an opened facility and added this was a good decision and they were continuing to build a partnership with an HCA organization that had experience in helping this type of facility to grow.

Commissioner Holt had comments.

Chair Croley stated this motion and item was to finish out 1200 square feet by CRMC under the oversight of CRMC and was not about the history of the hospital or the financial status of the county.

Commissioner Hinson said he was not voting for this because he couldn't tell citizens in his district they were not qualified to do the job on the build-out.

Chair Croley asked Mr. Collins to clear things up for the record that the construction would be bid out and CRMC would only be overseeing the job.

THE BOARD VOTED 2-3 BY VOICE VOTE. MOTION FAILED. COMMISSIONER HOLT, COMMISSIONER HINSON AND COMMISSIONER TAYLOR OPPOSED.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-1 BY VOICE VOTE TO ALLOW CRMC TO BE CONSTRUCTION MANAGER, REQUIRE THEM TO BID LOCALLY AND IF THAT IS AN ISSUE, TO ALLOW STAFF TO GO FORWARD WITH CONSTRUCTION TO BE TIMELY COMPLETED AND NOT TO EXCEED \$155,000.

10. Request Approval to Fund an Additional 25 Slots for the 2013 Summer Youth Employment Program

Mr. Presnell introduced the above item and said as directed Staff had identified money and this item had been brought back for Board approval of an additional 25 slots for the Summer Youth Program.

Chair Croley said there was a citizen request to speak on this item and asked them to come forward.

Emily Rowan, 1200 Little Sycamore Road, Quincy, FL, appeared before the Board and stated she was upset with the opinions around the Board concerning the hospital and asked the Board to not "screw it up". She added this County needed the hospital and the Emergency Room. She then spoke concerning the summer jobs and said she thought the County was spending too much money on this. She added, "Until this County gets up off its royal rear-end and goes to work, this County is not going to amount to anything and we're starting with the young people. Please don't approve any more jobs for young people, make them get them themselves".

Mrs. Mary Smith, 3739 Atwater Road, Chattahoochee, FL, appeared before the Board and stated no-one could get a job in Gadsden County if there were no jobs, young or old, there was nothing here to have as a job.

Tracy Stallworth, 770 Selman Road, Quincy, FL, appeared before the Board and stated the youth needed a job in this county. He apologized for being so emotional but said the kids needed this chance and opportunity to make it.

Commissioner Hinson stated the youth program was needed and moved to approve the item.

Commissioner Morgan stated he appreciated Mr. Stallworth's comments and how he faced the adversity of losing his job he found another one to provide for his family.

Commissioner Taylor had comments and stated when the youth apply for the program jobs, they have to fill out an application, meet the criteria, be interviewed and go through the same steps as if they went to a retail store.

Commissioner Holt named several businesses that had closed their doors and stated that the summer job might be the only money that would go into the household.

Commissioner Hinson had comments.

Chair Croley said he had no problem in supporting the youth, but he had a problem when Commissioners would get involved with who got the jobs and added if he saw that one person's child got an advantage over another and the Commissioner had a hand in it, it bothered him and if

he heard of anyone bringing names to the Administrator's office, there would be trouble.

UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE. COMMISSIONER MORGAN OPPOSED.

Commissioner Taylor asked that the program be opened back up for applications to give the youth a chance to apply.

11. Approval to Refinance 2003B Revenue Bonds (Infrastructure) and Impose the One Cent Local Option Fuel Tax and Ninth Cent Motor Fuel Tax

Mr. Presnell introduced the above item and stated this item had several parts to it and it was dealing with revenue sources for Public Works. He asked for direction from the Board concerning the bond, said there were several options and one option was the ninth cent tax which would go to the County only and would generate approximately \$240,000 but had to be used for Public Works. He further explained that the 1 cent Local Option Fuel Tax would be shared with the cities and would generate approximately \$180,000 for the County. He alerted the Board to the fact that without additional revenue, whether it be general revenue or another source identified, the expectations of capital projects coming out of that department should be lowered.

Chair Croley asked the Assistant County Attorney about refinancing the bond and tax increases and asked if this was an item that needed a public hearing.

Mr. Presnell explained there was a process under Department of Revenue Codes and the Board was only authorizing Staff to proceed with the outlying process that was in statutes.

Chair Croley asked, with the exception of refinancing the bond, would any other action require 4 votes.

Mr. Presnell responded it would.

Antonio Jefferson, City of Gretna Manager, appeared before the Board and stated he was not opposed to what the County was attempting but wanted to share some concerns regarding the ninth cent tax. He explained that if they were ultimately to impose the tax on the residents and visitors of this county, it should be on a comprehensive basis where everybody received an advantage of what would take place. He asked that they were going to leverage the tax for them to figure out a way that they could continue to do what they want to do to take advantage of the interest savings, but also to take time to help the little guys out.

Clerk Thomas went on record to state the fuel taxes were down because gas prices had been so high and when the gas prices go down, the fuel consumption and revenue would be up. He added that increasing the taxes would only compound the problem.

Commissioner Holt said, "...So far you can't do any projects because you have no money, and you don't have any money, you can't do any projects. So it's a no-win situation."

Commissioner Hinson had comments concerning the re-paving or resurfacing of the Lake Yvette roads.

Chair Croley asked the County Administrator if the one cent option fuel tax was shared and the ninth cent fuel tax goes to the County.

Mr. Presnell stated that was correct.

Chair Croley then stated he was in favor of refinancing the bond. He added that some of the truck stops that were the primary resource of tax revenue were having some financial problems as a result of an investigation by the Federal government and that is the major source of revenue and the County might be in a little bit of a problem if they decide to not stick around or don't stick around. He added as far as the one cent tax, the County had the majority of the roads; the County should receive the majority of the revenue.

COMMISSIONER HINSON MADE A MOTION TO HOLD OFF UNTIL THE COUNTY MANAGER GOT FIGURES TOGETHER TO BRING BACK BEFORE THE BOARD AND THEN ENTERTAIN THE PROCESS.

Chair Croley asked if Commissioner Hinson was moving for Option 4 (refinancing the bond) and he said someone else could move that motion, he was suggesting to hold off until they received the data.

Chair Croley explained if they moved for Option 4, they could refinance the bond and they would hold off on the other issues.

Commissioner Holt suggested they vote separately on the issues.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 TO SPLIT THE ITEMS AND VOTE SEPARATELY ON THEM.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 TO APPROVE OPTION 4 AND REFINANCE THE BOND.

Commissioner Holt asked Mr. Presnell what his projected figures were.

Mr. Presnell responded the ninth cent was \$240,000 and the local option would be \$180,000.

Chair Croley stated he understood the desire to see capital improvement projects in Public Works, but he asked everyone to remember there were other funds, i.e., SCRAP, SCOP and CRTPA monies.

Chair Croley declared the item dead and asked to move to the next item.

12. Approval and Execution of the Environmental Assessment for HUD Funded Proposals. Disaster Recovery Grant #12DB-P5-02-30-01-K65

Mr. Presnell introduced the above item and stated it was a HUD project for the City of Gretna and the Board had previously approved this in 2011 and this was paperwork required to complete the project.

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

13. Approval of “Offer to Contract”-Economic Development Florida Small Cities Community Development Block Grant, Contract #:13DB-OI-02-30-01-E 10 and for the Chair to Sign and Execute All Contract Documents Prior to June 11, 2013 Submittal to Department of Economic Opportunity

Mr. Presnell introduced the item and said they were at the point of approving the contract for the block grant.

Commissioner Holt stepped out at this juncture of the meeting.

AUBURN FORD, 905 ROZENA LOOP, Havana, FL and CHARLIE HARRIS, 2255 Luten Road, Quincy, FL appeared before the Board.

Anthony Matheny appeared before the Board and explained the State had made an “offer of contract” for \$385,000 grant to install sewer improvements for the proposed assisted living facility.

Commissioner Holt returned at this juncture of the meeting.

Chair Croley asked if conditions were not met, would the County be liable for repayment of the \$385,000 grant.

Mr. Matheny stated the County would not be liable; the participating party would be responsible for the entire amount after posting the appropriate surety bond for the entire amount.

Mr. Ford addressed the Board regarding comments made by Mr. Matheny and it was his opinion the surety bond was unnecessary and asked the Board to strike item 26 of the Participating Party Agreement.

Chair Croley asked to let the record show that he and Mr. Harris had a conversation days earlier at the Stones store in Havana regarding this project.

Commissioner Holt asked Chair Croley if getting a surety bond was that difficult.

Chair Croley responded, “It’s not really insurance, Commissioner, it’s ah, a surety bond guarantees performance and the ability to repay. It’s based on three things, it’s based on capital, character and capability, called a three-legged stool because the bible says there’s the phrase, ‘don’t give anybody surety unless you know them well’. You require a surety bond whenever you do a construction job out here to make sure that the public is indemnified if something doesn’t go right. I think there are probably avenues with Small Business Administration and others that would support Mr. Harris in this endeavor because all a surety bond, if I understood what you said, Mr. Matheny, is guaranteeing that should he default for some reason that the money being taken from the State would be indemnified back so that the County could reimburse that money. I, you know, that’s a judgment call on behalf of the commission as to whether or not they feel that that protection is warranted for the taxpayers of the County.”

Commissioner Holt asked if this has been required in the past on USDA.

Both Mr. Matheny and Mr. Presnell stated not as far as they knew.

Commissioner Holt stated once Mr. Harris showed he had cash on hand, was that his part?

Mr. Ford stated the cash on hand was his part, the \$385,000 is the County's part and they would get RFP's to dig the hole to put the pipe in the ground.

Commissioner Holt said the pipe was needed whether he was there or not to be able to bring in other businesses.

Chair Croley asked Mr. Presnell for the record, the sewer line pipe on Pat Thomas Parkway is undersized for additional businesses and not large enough and wants to make sure the pipe is of adequate size.

Commissioner Holt said the engineers told them if an 8" pipe was put in, you couldn't run a dry pipe, in order for the pumps to pump; you have to have a certain amount of volume.

Chair Croley stated if they were going to allow for additional growth in the area, he wanted to make sure that the same mistakes were not made again.

Commissioner Morgan asked how the surety bond originated.

Mr. Matheny commented that the DEO stated the surety bond would be one of the County's options to explore to better cover them.

Commissioner Morgan suggested Mr. Harris could get the other items met, come back to the Board and give them more assurances and maybe things could move forward without requiring the surety bond.

Commissioner Morgan stepped out at this juncture.

Chair Croley asked the Clerk if he had any input concerning this item.

Mr. Thomas said he did not recall any surety requirements in the past, nor were there any problems with Mr. Ford or Mr. Harris.

Commissioner Morgan returned at this juncture of the meeting.

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

COUNTY ADMINISTRATOR

14. Update on Board Requests

Mr. Presnell reminded the Board of the Budget workshop scheduled for Thursday, May 23rd at 4:00 p.m.

Chair Croley asked if the Emergency Management Interlocal Agreement had been received back from the Sheriff's Department and Mr. Presnell and it should be forthcoming.

Commissioner Hinson had comments regarding the emergency Management workshop that he attended last week.

COUNTY ATTORNEY

15. Update on Various Legal Issues

Nothing to report.

DISCUSSION ITEMS BY COMMISSIONERS

16.

Commissioner Taylor, District 5

Interlocal Agreement between Counties

Commissioner Taylor mentioned the interlocal agreement between the municipalities and the monetary attachment and needed to be part of budgeting process.

Stephen Dam

She asked questions concerning the emergency meeting regarding Stephen Dam on Luten Road and Chair Croley explained no decision had been made.

She cautioned the Chair of the proper process on handling emergency items.

Chair Croley explained that "formality is, if there is an emergency declared by another agency, which is what they did, we have to respond and it is an emergency and under the authority under the emergency management program, the Chair, whether it had been you here or anybody else, we had to meet with them to listen to what they had to say and determine the scope of the emergency. That was all that was done and it was made very clear. We are not here to administer district 4 or district 5 or any other district. That was the information provided. Mr. Presnell drafted the response up on behalf of the County. We had them sign in, complete minutes were kept for everybody's information and that was put in the boxes I believe. I don't really know what else you're looking for."

Commissioner Taylor stated anytime the Chairman signs off on a document, it needed to be at direction given by the Board for him to sign.

Gas Tax

She asked to agenda the gas tax issue at the Manager's discretion to bring back before the Board to discuss the paving and road projects.

Commissioner Holt asked questions.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT TO PLACE THE ITEM ON THE AGENDA, BEFORE THE VOTE WAS TAKEN, COMMISSIONER HINSON HAD QUESTIONS.

THE BOARD VOTED 3-2 BY VOICE VOTE. MOTION DENIED. CHAIR CROLEY, COMMISSIONER MORGAN AND COMMISSIONER HINSON OPPOSED.

Commissioner Holt, District 4

Stephen Dam

Commissioner Holt spoke on the dam issue and stated it should not be decided or anyone meet regarding any issues without the commissioner from that district being involved.

Tax Amendment

She stated this needed to be brought back so it could be further discussed.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR TO HAVE A WORKSHOP/SPECIAL MEETING, BEFORE THE VOTE WAS TAKEN THERE WAS DISCUSSION.

THE BOARD VOTED 4-1 BY VOICE VOTE. MOTION PASSED. CHAIR CROLEY OPPOSED.

Commissioner Morgan, District 3

Commissioner Morgan had nothing to report.

Commissioner Hinson, Vice-Chairman, District 1

Commissioner Hinson spoke of the Emergency Management Workshop he attended and the need to bring someone here for informational purposes on emergency management. He said he would get information to Mr. Presnell so this could be agendaed.

He thanked public works and all employees for their quick response when needed.

He informed everyone of Havana Northside's reunion coming up the weekend and stated he would be the grand marshal.

Commissioner Croley, Chairman, District 2

Chair Croley publicly apologized to Commissioner Morgan for earlier attempting to interfere with remarks from Commissioner Morgan regarding the Summer Youth Program.

Budget Workshop

He stated he would be out of town for the budget workshop to be held Thursday at 4:00 p.m., it required no quorum and Commissioner Hinson would be handling it.

Politics

Chair Croley stated there were a lot of motions starting to be made about going into the cash balance and cautioned the entire Board to be mindful if they kept pulling down reserves, money would not be there when needed. He advised them to be slow and cautious.

RECEIPT AND FILE

17.

- a. For the Record: April 26, 2013, Gadsden County Health Department's Prevention and Education Program 2nd quarter report.
- b. For the Record: May 3, 2013, Gadsden County Health Department report of activities and expenditures for period October 1, 2012 through March 31, 2013.

Gadsden County Board of County Commissioners
May 21, 2013-Regular Meeting

MAY AND JUNE MEETING(S)

- May 23, 2013, Budget Workshop, 4:00 p.m.
- June 4, 2013, Regular Meeting, 6:00 p.m.
- June 18, 2013, Regular Meeting, 6:00 p.m.
- June 20, 2013, Budget Workshop, 4:00 p.m.

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 8:53 P.M.

GADSDEN COUNTY, FLORIDA

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

ATTEST:

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