

**AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON SEPTEMBER
3, 2013 AT 6:00 P.M., THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ:**

Present: Doug Croley, Chair-District 5
Eric Hinson, Vice-Chair- District 1
Gene Morgan, District 3
Brenda Holt, District 4
Sherrie Taylor, District 5
Nicholas Thomas, Clerk of Court
Robert Presnell, County Administrator
David Weiss, County Attorney
Marcella Blocker, Deputy Clerk

INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

Chair Croley asked everyone to please mute their phones and then called the meeting to order at 6:00 p.m. He asked everyone to stand for the prayer and the Pledge of Allegiance to the U.S. Flag. A silent roll call was taken by Marcella Blocker, Deputy Clerk.

AMENDMENTS AND APPROVAL OF AGENDA

Chair Croley welcomed everyone to the meeting and asked Mr. Presnell if there were any amendments to the agenda and there were none.

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

AWARDS, PRESENTATIONS AND APPEARANCES

1. Wisdom Adult Day Care Services, LLC

(Commissioner Eric Hinson, Vice Chairman, District 1/Latasha Davis, Owner/Director)

Mr. Presnell introduced the above item and introduced Latasha Davis.

Latasha Davis, Wisdom Adult Day Care Services, 1747 FL-GA Highway, Havana, FL 32333

appeared before the Board and thanked them for their attendance and participation in the ribbon cutting ceremony that was held for the adult day-care and presented them with a Thank You plaque. Ms. Davis said their purpose was to provide a specialized adult day-care service to the seniors of the Gadsden County area.

Commissioner Hinson stated he had visited the site and it was unbelievable and was a wonderful place. He added that approximately 70 people appeared at the ribbon-cutting along with Mr. Thomas and himself.

2. American Cancer Society 2014 Quincy Relay for Life

(Cheron Thornton, Community Representative, II)
Mr. Presnell introduced the above item.

Cheron Thornton, 2619 Centennial Blvd, Suite 101, Tallahassee, FL 32308 appeared before the Board and stated there would only be one Relay for Life in Gadsden County in 2014 and it was being renamed Relay for Life of Gadsden County and she hoped the County would support the event.

Chair Croley asked Mr. Presnell to prepare a Resolution regarding this and Mr. Presnell added the County would have a team this year with County staff.

3. Briefing on SR 12 Project Development & Environment (PD&E) Study

(Ray La Fontaine, FDOT District 3, Environmental Management Office)

Mr. Presnell introduced the above item and said this was an update for the Board on the State Road 12 project.

Ray La Fontaine, 607 Highway 90, Chipley, FL, DOT District III, Project Manager, appeared before the Board to explain the above item.

Ryan Weatherall, Kimley-Horn and Associates, 2615 Centennial Blvd, Suite 102, Tallahassee, FL 32308, appeared before the Board and explained this was taking the item to the next step. He said they were starting the project development and environment (PD&E) study on starting a bike trail from Corry Street in Quincy to Highway 27 in Havana.

Chair Croley asked if there were any questions or comments.

Commissioner Taylor asked how the roads were selected.

Mr. Weatherall explained the feasibility study that had been performed and they worked with CRTPA as to where it needed to begin and end and they recognized from the feasibility study there was an interest in potentially taking the trail a little bit further into downtown and they were open to partnering in whatever way that it would make sense in considering what the City has planned versus what the state work would be on this segment of SR 12.

Matt Thro, 302 N. Main Street, Havana, FL, appeared before the Board and informed the Board that the Havana Town Council had passed a resolution in support of this and asked that the Board support it as well; it would be an economic impact for the County and would help highlight the natural beauty of the county.

Ed Bass, 407 E. 9th Avenue, Havana, FL, appeared before the Board and said it was his opinion this would be a great opportunity and added that he owned the Subway Restaurant in Havana and everyday there were 5-10 bicyclists that would come to town and they were riding down the highway and the path would be great for the safety of the people and would also bring in more riders.

Jim Kellum, 104 N. Main Street, Havana, FL, President of the Havana Merchants Association and owner of Kellum's Furniture, Antique Center and Kellum's Fresh Air Market and Garden Center, appeared before the Board and added as a merchant they were trying to get people to

come to Havana to shop and/or eat and in the past he has traveled on Highway 12 when there have been several riders and tried to be cordial to them by moving over and added the path would be very nice to accommodate them. He added that the merchant's association was behind this and encouraged the Board to move forward with it.

Jack McLean, City of Quincy manager, 404 West Jefferson Street, Quincy, FL appeared before the Board and informed the Board that the City of Quincy and the City Commissioners had adopted a Resolution some time ago in support of the bike trail and commended the County Commissioners for working with the engineers in coming up with this.

CLERK OF COURTS

4. County Finance and County Clerk Issues

Clerk Thomas stated he hoped the email previously sent to them helped clarify his comments regarding the fund balance he spoke of at the previous meeting.

He added there still needed to be some budget amendments presented to the Board regarding the refunding of the road bond and bringing forward of grants from last the fiscal year.

CONSENT

Commissioner Hinson asked to pull Item 11.

Commissioner Morgan asked to pull Item 9.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA AS AMENDED. (ITEMS 9 AND 11 PULLED FOR DISCUSSION)

5. Approval of Minutes

- August 1, 2013 Budget Workshop
- August 6, 2013 Regular Meeting

6. Ratification of Approval to Pay County Bills

7. Approval of the 2013-2014 Mutual Aid Operations Plan Between Florida Department of Agriculture and Consumer Services, Florida Forest Service and Gadsden County Fire Departments and the 2012-2013 Annual Forestry Report and Operating Plan

The Board seeks approval of the 2013-2014 Division of Forestry Mutual Aid Operation Plan between Florida Department of Agriculture and Consumer Services Florida Forest Service and Gadsden County Fire Departments. Staff also seeks approval of the 2012-2013 Annual County Commissioners Report between Florida Forest Service and Gadsden County, which details all the events from July 1, 2012 to June 30, 2013. The details are for burning permits, wildfires, and land management.

8. Approval of New Road Names (Comfort Creek Trail and Dawson Court)

9. ~~Approval of SimplexGrinnell Service Agreement Contract~~ PULLED FOR DISCUSSION

This agenda item seeks Board approval to continue the service agreements with SimplexGrinnell

for the Annual Fire Alarm Detection at the Gadsden County Jail, Gadsden County Courthouse, Guy A. Race Judicial Complex and the Gadsden County Sheriff Department and request the Board to authorize the Chairman to execute the contracts.

10. Approval to Dispose of Surplus Electronic Equipment

This agenda item seeks Board approval to dispose of surplus electronic equipment that is obsolete, damaged and has no useful value.

~~11. Approval of Library Strategic Long-Range Plan for FY 2013-2018~~ PULLED FOR DISCUSSION

ITEMS PULLED FOR DISCUSSION

9. Approval of SimplexGrinnell Service Agreement Contract

Commissioner Morgan stated there was no information on the total of the contracts under the Fiscal Impact of the agenda item and said he did see where there were a few different buildings and asked Mr. Presnell for a break-down. He asked if this was a one-time annual fee.

Mr. Presnell said it was an annual fee and they had looked into re-bidding the contract, but the way it was explained to him, there were components built into the wall and if they went with another company, the equipment would have to be removed and new equipment would have to go in.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE ITEM 9.

11. Approval of Library Strategic Long-Range Plan for FY 2013-2018

Mr. Presnell introduced the above item and added this plan was required by the State to receive library grant money.

Dr. Carolyn Poole, Library Director with Gadsden County Public Library Systems, 732 Pat Thomas Parkway, Quincy, FL 32351 appeared before the Board.

Commissioner Hinson asked if this item could be work shopped to address the books, supplies, accessibility and hours of operation of the Library.

Chair Croley asked that Commissioner Hinson address this during his time to speak.

Commissioner Holt mentioned having comment cards at the library that could be filled out by the public to help improve services.

Commissioner Morgan stated he appreciated the efforts put forth in the five year plan and stated he recalled earlier in the year there had been a county-wide town hall meeting held regarding this item.

Dr. Poole said the five year plan was time sensitive and needed to be approved before they could apply for any state aid grants; they would be glad to incorporate any changes and/or revisions in their annual plan of service which would be done later in the fall and could be amended at that time.

Commissioner Hinson stated there was a meeting in two weeks and asked if a workshop could be held next week before the already scheduled workshop to discuss this matter because of the need.

Chair Croley said Commissioner Hinson could address this during his time to speak.

Mr. Presnell said some things had been addressed as far as their hours of operation, etc. and he recommended the Board approve the five year plan, and added the hours of operation could be changed anytime the Board wished to do so.

Mrs. Emily Rowan, 1200 Little Sycamore Road, Quincy, FL appeared before the Board and said she asked to speak because she thought they might breeze through the items and wanted to let everyone know there had been a number of people that had given countless hours and had work shopped this matter since last November and asked that they review the strategic Plan and that it was very good and very important and stated what a joy it had been working there. She added the strategic plan was adopted to be able to apply for state grants. She introduced some of the members present and asked them to please stand as their names were called. She asked that they please read through the plan if they had not done so.

Commissioner Hinson stated this Board was committed to the Library and was supportive of what the library was doing.

Commissioner Holt said she appreciated what everyone in the communities had done in support of the library. She mentioned the evaluation cards and said Dr. Poole needed to know the comments first before they get to anyone else; the cards would give a lot of opportunity.

UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE ITEM 11.

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS (3 MINUTE LIMIT)

Ed Bass, 407 E. 9th Avenue, Havana, FL, regarding the Bike Path

Karen Bass, 407 E. 9th Avenue, Havana, FL, available to speak on behalf of Sicamu

Lewis Ward, PO Box 188, Havana, FL, regarding Lewis Creek proposal

Emily Rowan, 1200 Little Sycamore Road, regarding Library Strategic Long-Rang Plan

Jim Kellum, 104 N. Main Street, Havana, regarding the Bike Trail

Matt Thro, 302 N. Main Street, Havana, FL, regarding Sicamu

Matt Thro, 302 N. Main Street, Havana, FL, regarding bike path

Chris Breedlove, 25 High Street, Quincy, FL, appeared before the Board to express his opinion regarding the SHIP program, the homeless population and stated his Mother was Leona Breedlove and his problem was his mother had tried to get a grant to get her house built but passed away before it was done. He said the place at one time was a bar/restaurant with the home in the rear. He asked why she was denied the benefit of the grant when the money was being passed out. He added that the library system was a good thing and added this was his first public appearance. He asked where he stood regarding the SHIP grant and his home.

Chair Croley asked Mr. Presnell to reach out to him to explain how the process worked and

asked that he give his contact information to Jill Jeglie.

PUBLIC HEARINGS

12. Public Hearing-Approval of Budget Amendments and Resolution 2013-019 for Funding of the Jail Locks

This agenda item seeks Board approval of Resolution 2013-019 and authorization for the County Administrator, Finance Director and Senior Management and Budget Analyst to complete and execute budget amendments #13-0061 and #13-0062.

Mr. Presnell introduced the above item. He stated the bids came in high for the locks; they found an additional \$120,000 and asked the Board to put this with the \$400,000 and roll it forward into the next year because it would be in October before the project would be completed.

Chair Croley stated this was a public hearing and asked if there was anyone present that wished to speak for or against the item and there was no-one.

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

13. Public Hearing-Grant Application to the Florida Department of Agriculture and Consumer Services for the Construction of an Agriculture Education and Promotion Facility

The agenda item seeks Board approval for an application to be submitted to the Florida Department of Agriculture and Consumer Services for funding to construct an Agriculture Education and Promotion Facility; and approval of Resolution 2013-013 certifying that the proposed facility serves a public purpose.

Mr. Presnell introduced the above item and said Dr. Henry Grant was asking permission to seek a grant for the reconstruction of the Livestock pavilion.

Chair Croley stated this was a public hearing would be an effort to enable the County to get funding for a new agricultural facility and asked if there was anyone present that wished to speak for or against the item and there was no-one.

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

Commissioner Morgan thought it was great they were applying for the grant, but had questions.

Dr. Henry Grant, County Extension Director, 2140 West Jefferson Street, Quincy, FL. appeared before the Board to answer questions.

Commissioner Morgan asked if the County was required to match the grant at 40%.

Dr. Grant responded yes and they were using the value of the property among other things and the match amount came up to \$125%.

Commissioner Morgan asked how they needed to plan for this if they were successful in obtaining the grant from a budget standpoint.

Mr. Presnell said Dr. Grant had been very creative and was not anticipating a large capital outlay.

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

14. Public Hearing-Consideration of Resolution 2013-013 to Name an Un-named Creek "Lewis Creek" as Requested by Lewis A. Ward and Required by the U.S. Board of Geographic Names

Mr. Presnell introduced the above item and said this was for consideration of an un-named creek.

Lewis Ward, 2977 Kemp Road, Havana, FL appeared before the Board and stated he was born near the creek and all his life it had been called "Lewis Creek". When FDOT replaced the bridge, he found out there was no name for the creek. In inquiring to having the creek named, he discovered the process and the Board had to give their blessing to have it named officially.

Chair Croley asked if there was any other citizen who wished to speak and there was no-one.

Commissioner Hinson stated he had his reservations and did some extensive research. He said some of the older citizens recalled "back in the day" the water had been clear. He stated he thought they needed to look into getting the water clear again.

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

15. Public Hearing (Quasi-Judicial)- Hearing to Consider the Sicamu, Inc. Class II Site Plan for Change of Use Request (SP-2013-06).

At the July 16, 2013 meeting, the BOCC remanded the Sicamu, Inc. application request back to the Planning Commission for consideration to correct a public notice error and to incorporate fire safety changes. At the August 15, 2013 meeting, the PC voted (9-1) to approve the Sicamu, Inc. Site Plan with Change of Use. In accordance with Subsection 7501, 'Public Hearing Requirements' public notices were mailed to property owners within 1000 feet and notices were posted in three local papers. As directed by the BOCC, public hearing notices were hand delivered to rental (residential) and business properties in proximity to the site.

Mr. Presnell introduced the above item.

Chair Croley informed everyone this was a quasi-judicial hearing and everyone that wished to speak would need to be sworn in by the Deputy Clerk.

Jill Jeglie, Interim Planning and Comm. Development Director, appeared before the Board to explain the background of this matter and was sworn in by the Deputy Clerk. She informed the Board when they made their application, they would have engineer plans, etc. at that time and explained there was an extensive list of agencies they would have to go through for reviews as a part of the process.

Chair Croley asked that Mr. Pons or his representative to come forward and make any statements and/or answer questions the Board had.

Mr. Jose Pons, 1066 Strong Road, Quincy, FL, appeared before the Board, was sworn in by the Deputy Clerk and stated he was caught by surprise on making a statement because there were so many controls and added that the product they would make was not toxic and not damaging.

Matt Thro, Councilman, City of Havana, 302 North Main Street, Havana, FL, appeared before the Board and was sworn in by the Deputy Clerk. He stated Mr. Pons was willing to come into the community, bring business and employ citizens. He added he wished it could be in Havana but was very excited it was in Gadsden County.

Karen Bass, 407 East 9th Ave., Havana, FL, appeared before the Board, was sworn in by Marcella Blocker and said she had represented Mr. Pons through the application process and handed out a brochure to show the types of product that would be manufactured and added the construction process alone would start employing people almost immediately.

Allen Harrod, 353 Christian Loop Road, Havana, FL 32333, appeared before the Board, was sworn in by Marcella Blocker and stated he ran the Printing House for a number of years and felt like they were good for the community and hated to see the printing operation close down. He said he had the opportunity to be a part of selling the building to Mr. Pons and added he was an outstanding person.

Keith Dowdell, Mayor of the City of Quincy, said he had never met Mr. Pons but his staff has worked extensive hours to ensure the safety of the plant and Mr. Pons has done everything correctly.

Jack McLean, City Manager of the City of Quincy, 404 West Jefferson Street, Quincy, FL, appeared before the Board to speak on behalf of the City of Quincy and said they have had an opportunity to meet with the owner in a regulatory capacity and have found them to display an attitude to be willing to do whatever necessary to have this business located here. He added that he could tell the Board they could rest assured that this business would not be a threat to this community and would be a risk that could be managed.

Chief Scott Haire, Fire Chief and Local Fire Marshal, City of Quincy and Gadsden County, appeared before the Board, was sworn in by Marcella Blocker and stated he had set down with Mr. Pons to discuss the aspects of the dangers of the plant. He said, in maintaining the confidentiality of the businesses, there were several businesses that posed risks in the City and County and listed the risks. He stated, after meeting with Mr. Pons, he was comfortable with the project, felt like this was a manageable risk that the fire department could manage and would have at least two inspections a year at the plant.

Ed Bass, 407 E. 9th Avenue, Havana, FL, appeared before the Board, was sworn in and stated he owned the Subway restaurant in Havana. He stated he averages 6-7 applications weekly, jobs were needed in this area and asked that they please not turn this man away.

Chair Croley asked the Commissioners to disclose if there had been any ex-parte conversations concerning this item.

Commissioner Holt said she had met with Mr. Pons and had requested a products list, information on safety and she asked if he opened his business here that he hire people from

Gadsden County, wanted to make sure he was community friendly and if he had a products change list, she would like to be the first to know.

Commissioner Morgan said he had met with Mr. Pons in 2012 when he was a member of the Gadsden Chamber of Commerce.

Commissioner Taylor said she also had an opportunity to meet with Mr. Pons and discuss this project with him.

Commissioner Hinson said he had met with Mr. Pons, his Wife and Mrs. Karen Bass and he had a list of questions he asked of them.

Chair Croley added that he had met Mr. Pons at a public meeting of the Gadsden County Chamber of Commerce and also disclosed that he was contacted by Mr. Mike Dorian who was opposed to this project. Chair Croley asked if anyone had questions regarding any of the testimony.

Commissioner Taylor said she had some questions to ask of Jill Jeglie and she stepped back to the podium. Commissioner Taylor asked her to repeat the list of reviews starting with EPA. Ms. Jeglie listed the City of Quincy, Fire Chief and fire department, Fire Marshal, Gadsden County Building Code and Permit department, State of Florida Fire Marshal, Local Emergency Planning Committee for Tier II review for chemical storage information, Florida Department of Environmental Protection for storage tank registration and regulation, Solid Waste Program Review, Hazardous Waste Program Review, Air permitting program review, MPDES discharge permit review, State Emergency Response Program Tier II reviews, Toxic Release Inventory review, Northwest Florida Water Management district if there are any changes to the structure for storm water review, Environmental Protection Agency toxics release inventory review, Air permitting review, and the Department of Labor Occupational Safety. Commissioner Taylor thanked the Planning Department for their review of this item. She asked if anyone spoke in favor and Jill stated Mr. Palm owned 72 acres in the area and was in favor of this business. She said the jobs would not be \$30,000 jobs but would be minimum wage jobs. She stated Mr. Pons had no intention to become a resident of the County and she was not sure that his son intended to move to the area. She asked the Commissioners did they want a company that had to have all the reviews necessary to come here and be located in front of a retirement facility. She added she would like to see this type of business move into an industrial park. Commissioner Taylor said when she asked Mr. Pons what they would do with disposed materials once they were emptied, Mr. Pons couldn't answer her question. She stated this county had more cardiovascular disease, diabetes, per capita than any other county this size. She said she was against the location of the business, not the gentleman or the business.

Commissioner Hinson asked Mr. Presnell to read aloud question 3 and the response.

"It is understood the new site owner will also be storing highly combustible fuels (LPG) and chemicals (solvents) if the BOCC approves agenda item #16. Please obtain in writing from the applicant the type and maximum quantity of these highly combustible materials that will be present on site at any given time.

The owner has provided in writing that the propane tanks should be at a minimum

10,000 gallons. The propane will be stored in smaller separate tanks rather than the entire 10,000 gallons in one tank. In addition to the propane it is anticipated that 6 tanks of 3,000 gallons each for fuel oil, lubricating oil, white spirit, alcohol, isopar and aromatic naphtha will be required. The use of these smaller tanks is dependent on the product being packaged.”

He then stated he was in a peculiar situation and stated his brother was in the same type business. He stated he had talked to a lot of individuals and he was assured it was a safe business, but at the same time, you wanted to make sure the Commissioner who represented the district had all of their questions answered.

Commissioner Morgan stepped out at this juncture of the meeting.

Commissioner Hinson stated at the end of the day he hoped they had answered all the questions that Commissioner Taylor had.

Commissioner Morgan returned at this juncture of the meeting.

He added he was playing it by ear tonight, but he felt in his heart, his brother makes these same type products and they are purchased. He added he wanted to see the jobs made available and added that while they didn't have a home here, his son planned on staying in the area and thought this would be a plus for Gadsden County.

Commissioner Holt asked if she could call Mr. Pons forward for questions and asked what would happen with the containers that held the product and how they would be disposed of. He stated there was a company that would purchase the containers and take them off. He said the empty drums could be filled with their product and be sold as commercial products. Commissioner Holt said she felt like they were concerned that there would be stockpiling going on. She added she was concerned but Mr. Pons had reassured her of her concerns.

Mr. Pons said they were coming to Gadsden County, his son has had surgery and that was why he was not here now and this has been a long process because they started in 2012 and shared Commissioner Taylor's concerns regarding the location. He stated he had met with the seller of the building before they closed on the building and asked if the Board would approve of the business. He stated they had looked for other buildings in Gadsden County that would fit their needs and had been unable to locate such and this building was perfect. He added they were committed to being a member of Gadsden County and hiring citizens of the county.

Commissioner Holt stated she was interested in the job factor, but was concerned about the community. She added she was in favor of this being approved tonight, but added she respected Commissioner Taylor's opinion.

Commissioner Morgan said when this issue came before the Board previously there were two concerns he had; one being proper noticing, that issue had been met and the other being safety.

Commissioner Holt stepped out at this juncture of the meeting.

He added that once the potential hazards were addressed by Chief Haire he felt more

comfortable about everything. He said that he continued to support Mr. Pons' efforts and appreciated the fact that he considered Gadsden County for his place of business.

Chair Croley asked Commissioner Taylor if she had any thoughts.

Commissioner Taylor stated she would like to have the last say-so because it was her district.

Commissioner Holt returned.

Chair Croley said there was some confusion at the last meeting because of questions of the proper signage and notification to the public. He added that Commissioner Holt was correct in the process of the Citizens' Bill of Rights and it simply required that they only had to mail a postcard to the surrounding public and the process did not require the tenants and employees to be contacted personally. He also understood that some of the people that opposed this also passed out their own flyers and yet were not present tonight with this discussion. He added he was satisfied that requirements had been met. He stated in his line of business (commercial insurance), he was pretty well informed on the dangers of the ingredients. He added he dealt a lot with agricultural facilities and had the opportunity in July to visit the site of the explosion in West, Texas. He said the industrial facility was different from that type of facility and did not see it to be a great peril to the community. He said the last question was does it make sense from an economic development effort. He commented, when you find a facility that fits and fits your business plan and no-one comes to raise a valid complaint against it, it is hard to wish to stand in the way. He stated to Commissioner Taylor, "You, as a district commissioner, I am very hesitant to place anything in a commissioner's district they are not comfortable with. I recognize that at times you've had very serious concerns or brought up issues with citizens' growth management and planning bill of rights, but simply because it often required a super majority vote for certain things to be done. But that's part of the reason that the super majority vote requirement is there. No different than it is raising taxes or other things, because, if we don't have at over 50% of the population represented, then I'm not real sure we are getting a majority input."

Commissioner Taylor stated first of all, she heard everyone and knew pretty much the direction this was going tonight. She asked them to remember when asked about the disposal of the product; an adequate answer was not given. She said this was not a good thing to go in that neighborhood. She said the jobs were needed, but wished it could be located elsewhere. She added that Commissioner Hinson had asked Mr. Presnell to read about the amount of combustible materials that would be on that site at one time. She stated to Mr. Croley that she appreciated his professional opinion. She asked them to remember the things that happened now that normally do not happen. She wanted to go on record saying that this was not a good industry to go in that area. She asked them to remember there were 30 jobs coming and bringing \$1.5 Million and she thought that was a stretch. She said that sometimes they have to say no, this was not a good business to go in the area, and it was their job and responsibility to say so. She said she was willing to guarantee there would not be 30 jobs, there would not be \$1.5 Million revenue and this would come back to haunt them.

Chair Croley called for the vote.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, BUT

BEFORE THE VOTE WAS CALLED, COMMISSIONER HINSON ASKED FOR DISCUSSION.

He asked if there were any other questions that would need to be answered before the vote was taken.

Mr. Pons returned to the podium.

Mr. Pons asked if they thought they would grow too large, if so, there were building codes and they could not build anything more without it being approved.

Chair Croley called for the vote

THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE. Commissioner Taylor was the opposing vote with the comment "You stomp out weeds, you don't let weeds grow."

Chair Croley called for a 5 minute recess.

Chair Croley reconvened the meeting.

GENERAL BUSINESS

16. Approval to Confirm Appointment of Public Works Director

The agenda item seeks Board confirmation of the employment of Curtis Young as the new Public Works Director.

Mr. Presnell introduced this item and said he had a few comments he would like to share and this was a story.

Chair Croley asked Mr. Young to step forward.

Mr. Presnell informed the Board that Mr. Young was born and raised in Gadsden County, FL., he started his employment with the Public Works Department in August, 1991 as a Maintenance Worker I. Mr. Presnell continued and stated every 3-5 years, Mr. Young advanced his career and was promoted. He added Mr. Young was a great asset and had been an outstanding employee. He said that even though they had advertised the position and interviewed other possibilities; the committee was unanimous in selecting Mr. Curtis Young as the next Public Works Director.

Chair Croley said that he thought everyone knew Mr. Young and knew the benefit of his hard work and dedication to the County service.

UPON MOTION OF COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO CONFIRM CURTIS YOUNG AS THE PUBLIC WORKS DIRECTOR.

Chair Croley asked him to state for the record his name and address and make a brief statement.

Curtis Young, 1234 Highbridge Road, Quincy, FL, made some statements concerning his love for the job and stated this was his passion.

Commissioner Holt said in 2007 when she was Chairman, 4 hurricanes had already hit the Gulf, and she talked with Mr. Presnell then called Franklin County and spoke to Cheryl Sanders, Chairman of Franklin County, to find out what their needs were. She informed Commissioner Holt they were not able to get up Highway 98. She called Mr. Presnell, spoke to a few of the Commissioners and they sent everything they could find to the area to assist them in clearing the roadways. She said Curtis was right there lending a helping hand with a big smile.

Commissioner Hinson stated when he was elected and met Mr. Young, he was always a true gentleman, a person that had respect from the community and whatever they could do to support his endeavors and make sure he was successful, let them know.

17. Approval of the Original Volunteer Fire Department Interlocal Fire and Rescue Service Agreements

This agenda item seeks Board approval of the original Interlocal Fire and Rescue Service Agreements between the County and the Concord, Chattahoochee, Greensboro, Gretna, Havana, Midway, Mt. Pleasant, Robertsville/St. Johns, Sycamore and Wetumpka Volunteer Fire Departments.

Mr. Presnell introduced the above item. He said they renewed the agreements with changes, there were some concerns with the changes, and this was the original agreements first looked at and the County Attorney approved them.

Chair Croley asked, without going into too much detail, what was the major difference in what was amended and asked if the previous vote would need to be rescinded.

Mr. Weiss stated there were a number of things he had suggested, there were issues to respect of liability, the term of the contract, he wanted to add general contractual standard language and the entities that were entering into the agreements, and the contracts were signed by fire chiefs and not signed by people who had authority, i.e., council members or someone who had authority to obligate them.

Chair Croley asked Mr. Presnell if he was satisfied and he was.

Commissioner Hinson said it would not take but a split second, if the Chair signed to give permission to go with this.

Mr. Presnell called Andre Walker, Fire Coordinator, to come forward and answer questions.

Andre Walker, Gadsden County Fire Coordinator, 412 East Jefferson Street, Quincy, FL, appeared before the Board.

Mr. Weiss stated this was a matter of authorization and added when they entered into a contract, the Chair would sign on behalf of the Board after it was voted on.

Commissioner Holt asked if they could approve contingent on the changes.

Commissioner Morgan said the thing to remember about the fire contracts, they had come a long way on how they were done, where the issue at hand is with this particular item was how it

was communicated and processed, this was not done the right way. He added when the attorney was asked to review the contracts, he came back with legitimate concerns that needed to be addressed that would protect the volunteer fire departments as well as the municipalities. He added they should approve this and move forward and there was a 6 month opt out phrase, put this into place and talk through some of the issues and concerns.

Commissioner Holt said she had no problem in approving this tonight contingent, didn't take special meeting or any council.

Mr. Presnell said cities operated differently than the counties, the City Manager had more authority because they were chartered.

Mr. Walker said in some instances with the fire departments, the Chief was the President because of the size of the department.

Commissioner Hinson said he agreed with what they were saying, but the Attorney had issues and they needed to make sure their ducks were in a row.

Mr. Presnell said they would double check each agreement and if one needed to be amended, it would be.

UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE VOLUNTEER FIRE DEPARTMENT INTERLOCAL FIRE AND RESCUE SERVICE AGREEMENTS.

18. Approval to Award Bid 13-11 for the Jail Locks and Hardware Replacement Project

This agenda item seeks Board approval to award Bid No. 13-11 to C.A. Owens & Associates, Inc. to replace the jail locks at the Gadsden County Jail and to allow the Chairman to execute the contract. The construction consists of approximately 36 cell devices and 35 corridor and vestibule devices.

Mr. Presnell introduced the above item and said it sought Board approval to award Bid 13-11 to C.A. Owens & Associates to replace the jail locks at the Gadsden County Jail.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON AND COMMISSIONER HINSON ASKED FOR DISCUSSION.

Commissioner Hinson asked how many other companies had they done work for prior to Gadsden County.

Clyde Collins, Building Official for Gadsden County, appeared before the Board, and stated they had done a number of jobs all over the State of Florida, in Alabama and Georgia. He added there were not that many companies that did this type of work.

Commissioner Taylor asked if this was well-spent money, with the jail being overly-populated and the boiler that needed to be fixed, if this was a good investment because there were issues there and asked if they were fixing something that was fruitless.

Chair Croley said in all the years they have been here and discussed this issue, if you look at the

building, the building was solid and good progress was being made on the needed repairs.

Mr. Presnell said steps had been taken to correct problem issues, this was a big expenditure and once this step was taken, there was a statement being made that they were correcting the jail and would stay there.

Chair Croley said there had been two meetings across the whole county spectrum and everyone had confirmed by vote to fix the issues and stay there.

Mr. Presnell said once the locks were repaired, put in another boiler, the only other remaining item was the air handlers.

Commissioner Hinson asked for the record, concerning Clemons, Rutherford and Associates, when that was bid out.

Mr. Presnell stated that was done before his time.

Commissioner Taylor asked if Mr. Lawson could confirm when this item was approved.

Arthur Lawson, Assistant County Administrator, appeared before the Board and said CRA had been on Board since 2006 or 2007.

Commissioner Hinson asked if they were paid monthly.

Mr. Lawson said they only invoiced for services rendered.

Commissioner Hinson said he knew they were paying almost \$500,000, and asked how much was being paid to the architect firm.

Chair Croley asked Mr. Lawson to recall the Sherriff's office was very pro regarding the RFP on behalf of this company because of their experience in working with the jails around the region and this thing has been going on for so long and has become a big liability to this county because when those officers go there, they need to be able to control the prisoners.

Commissioner Taylor said the point of the matter was the last job of CRA and was it bid out and Mr. Lawson said not that particular job, they had been put on board some time ago and this was reactivating the project.

Commissioner Taylor said this was a separate job by nature and this job should have gone out for bid.

Mr. Lawson said the standard was it would go out for bid at \$25,001 and this job was at \$25,000.

Commissioner Holt said in December, 2008, CRA was hired to look at the jail to see what would need to be done to justify \$23 Million. There were designs done and was going to be two courtrooms, virtual courtrooms, Sheriff's facility, everything was going to be at one site and the reason for the gap in time, they were deciding if more beneficial to build new facility or repair

current jail. She added something needed to be done because in one case, they shook the door and it came open. They must have locks in place.

Commissioner Morgan said there were a couple of things to consider:

- No matter whatever facility they refer to as the County Jail, they have no choice but to make it safe for the employees and the inmates;
- The real issue is having effective game plan for how to have the most efficient jail possible;
- Need to minimize liability if they stay in the existing jail;
- Minimize costs;
- Maximize potential revenue.

He added the Jail was built in 1988 for a capacity of 188, has been at or above capacity consistently all these years.

Commissioner Morgan asked the difference in the bid amounts.

Clyde Collins spoke to the Board and stated that Clyde Owens worked on the locks a few years ago and spent approximately a week looking over everything when he placed his bid.

Chair Croley asked after the bid is awarded, if they were required to post a performance bond.

The Administrator said yes.

Commissioner Taylor said she heard Commissioner Morgan when he said they needed to look at the overall picture. She added she was of the opinion the locks were a bandage on the problem. She said she was voting for this tonight because the building needed to be made safe.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE FOR APPROVAL OF THIS ITEM.

19. Replacement/Appointment of Member(s) to the Gadsden County Tourist Development Council

This item seeks Board appointment to two new members.

Mr. Presnell introduced the above item and stated there were two (2) vacancies on the Council.

Chair Croley said Commissioner Holt had someone she would like to recommend in the Tourism vacancy in the Gretna area.

Commissioner Holt stated her nomination was for Mr. Clarence Jackson, and it was a one year term.

Chair Croley asked Mr. Lee Garner to come forward.

Lee Garner, Chairman, TDC, appeared before the Board and said they had no recommendations, they had been discussing it, but Commissioner Holt had mentioned Clarence Jackson and they had no problems with him being appointed. He stated there was a gentleman

from the Comfort Inn in Midway and that was who was recommended as the tax collector to fill the other vacancy. He said they could defer on that because there was a meeting scheduled for the 16th and they could make a recommendation at that time.

Commissioner Hinson said when reviewing the agenda, he noticed Peter Patel had resigned and he called him, they talked a few minutes and Mr. Patel told him he would like to reconsider withdrawing his resignation.

Mr. Garner said he had no problem with Mr. Peter coming back onboard; the TDC was meeting on the 16th, it could be an agenda item and be brought back at the next Board meeting.

Commissioner Morgan said he had no problem with the choice for TDC, but it would put them out of compliance with the State Statute and he could not support that. He added the Board had the information in front of them regarding the State Statutes and it laid out how the TDC was to be comprised. He further stated if they added another elected official, it would put them out of compliance with the statutes.

Chair Croley asked Mr. Weiss to read what the composition of the Board must be. As Mr. Weiss stated what the composition was, Commissioner Morgan gave them the names of the persons filling the position.

Chair Croley said he understood there needed to be two elected officials, but was there anything saying that said you couldn't have more than two elected officials.

Mr. Garner said he always had been reflected as a tax collector even though he was listed as Tourism Industry and there were 4 on the board.

Commissioner Morgan said as long as they were meeting the State Statutes, he was good with it.

Chair Croley asked Mr. Weiss's opinion regarding if the Council was legal.

Mr. Weiss stated the way he read it, "It says 'shall', it doesn't say 'at least' and it doesn't say 'at most'. I mean 'shall', I would tend to interpret this as at least to, I mean, I'm not, I would probably rather take a look and do a little research on that, because 'shall' obviously can be interpreted as 'must', I mean it is must, in terms of what 'must' means in this context, does it mean exactly two or at least two? I would tend to say it probably means at least two, but I don't know that I could tell you that with 100% certainty."

Commissioner Morgan stated with them not being under a timeline, to wait and ensure things were done the right way, let it go before the TDC and let them send the recommendation and they would approve it.

Commissioner Holt said there was no right way in government, there was just government. She added Mr. Jackson was her appointee; he was a citizen and happened to be a councilman.

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

OPPOSED.

20. Approval of Financial Support for the Quincy CRA Labor Day Weekend Celebration and Concert

This item seeks financial support of \$9,000 for the Quincy CRA Labor Day Weekend Celebration and Concert.

Mr. Presnell introduced the above item.

Commissioner Holt said the City of Quincy requested \$9,000 and TDC approved \$5,000. She added she was at this event and it was very good.

Jack McLean, City Manager, 404 West Jefferson Street, Quincy, FL appeared before the Board and said actually the Mainstreet Board was the one that made the request.

Commissioner Morgan said this came before the TDC Board and they have the ability to approve up to \$5,000.

Chair Croley asked if the TDC was supportive of the additional \$4,000 but didn't have the authority to approve, he had no problem with

Commissioner Morgan said there were certain guidelines they have to fall under and if they give \$9,000 to one event, there would be other events to come before them to ask for support. He added Chattahoochee was going through the steps to become a Mainstreet City.

Commissioner Taylor tended to agree with Commissioner Morgan and listening outside of City Hall, she was willing to go with the approved amount of \$5,000, but for the first time tonight, she agreed with Commissioner Morgan.

Commissioner Morgan stepped out at this juncture of the meeting.

Commissioner Morgan returned at this juncture of the meeting.

Commissioner Holt said the events should be funded and the TDC must follow the procedure all the time.

COMMISSIONER HOLT MADE A MOTION TO APPROVE, BUT COMMISSIONER HINSON HAD COMMENTS.

Commissioner Hinson said he was a fighter for all the communities and the difference here was when all the hotels were sold out, that was a good thing. Commissioner Hinson said if this was not approved, he would end his economic development support.

CHAIR CROLEY ASKED IF THERE WAS A SECOND AND COMMISSIONER HINSON SECONDED THE MOTION. THE BOARD VOTED 3-2 BY VOICE VOTE. MOTION APPROVED. COMMISSIONER MORGAN AND COMMISSIONER TAYLOR OPPOSED.

COUNTY ADMINISTRATOR

21. Update on Board Requests

Mr. Presnell said he had sent out an email regarding an ethics class for continuing education and was a conference in Tampa if they were interested.

He informed the Board that Senator Bill Nelson and staff were to be in town on Thursday, September 5th at the Jessie Furlow Center.

He informed the Board he had the Work camp meeting with the Judge and the State Attorney, it went very well and they were putting together a plan for board approval, and there would be more details to come.

He informed the Board also that Governor Rick Scott's assistant, Melody Selis, called and Mr. Presnell and Olivia went over and met with the Governor and First Lady and had a very nice dinner.

He made the Board aware that Ms. Phyllis Moore received an award for 34 years of service to the Board of County Commissioners and said she serves on the Board of the Florida Community Development Association and has for a good number of years, that she was winding down her career and her service to this Board and they presented her with this plaque to show their appreciation of her years of service.

COUNTY ATTORNEY

22. Update on Various Legal Issues

Mr. Weiss said he did not have anything unless anyone had questions for him.

Chair Croley asked for them to put together a "cheat sheet" so the Commissioners would know what their responsibilities are regarding the new Ethics law.

DISCUSSION ITEMS BY COMMISSIONERS

23. Report and Discussion on Public Issues and Concerns Pertaining to Commission Districts and Gadsden County

Commissioner Taylor, District 5

Commissioner Taylor said tonight was one of the nights when she received a shellacking, she thanked them for allowing her the opportunity to speak and they needed to respect what happened in other's district.

Commissioner Holt, District 4

Commissioner Holt said she learned one thing from Commissioner Taylor and asked the Administrator to look at a mile per district per year for scraping.

She mentioned she wanted to look into TDC and didn't want to get sued and added it really needed to be work shopped.

Chair Croley asked her to write up her concerns; let the Administrator review them and meet with Mr. Garner and get back with the Board.

She added the Industrial Board was another organization they needed to look at and added they were the only board that could borrow money.

Commissioner Morgan, District 3

Commissioner Morgan asked how the agenda was compiled and Chair Croley said it generally was put together by the Administrator and his Staff; they then email a draft to Chair Croley listing the items for review.

Mr. Presnell said there were things that had to be done to run the government and he always tried to honor the wishes of the Board.

Commissioner Morgan said he knew it was a tough job deciding what to place on the agenda and suggested having fewer agendaed items on the meetings because when it gets late into the evening, you start making not as good well thought through decisions as you would earlier in the meetings and asked in the future to limit the number of items on the agenda.

Commissioner Hinson, Vice Chair, District 1

Commissioner Hinson said Quincy Music Theater was having a program on September 7th featuring Nat Adderly.

He said they had discussed the library in making sure it was assessable, hours of operation were convenient, they had the right books, etc.

He thanked new Public Works Director, Curtis Young and thanked everyone for doing an outstanding job.

Commissioner Croley, Chairman, District 2

Chair Croley had nothing to report.

RECEIPT AND FILE

September Meeting(s)

- September 10, 2013 (1st Budget at 6:00 p.m.)
- September 17, 2013 (Regular Public Meeting at 6:00 p.m.)
- September 23, 2013 (Final Budget Hearing at 6:00 p.m.)

Gadsden County Board of County Commissioners
September 3, 2013-Regular Meeting

MOTION TO ADJOURN

**THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING
ADJOURNED AT 10:11 P.M.**

GADSDEN COUNTY, FLORIDA

DOUGLAS M. CROLEY, Chair

ATTEST:

**Marcella Blocker, Deputy Clerk for
NICHOLAS THOMAS, CLERK**