

**AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON JANUARY 21,
2014 AT 6:00 P.M., THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ:**

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

Absent: Gene Morgan, District 3

INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

Chair Hinson called the meeting to Order at 6:00 p.m. Marva Davis came forward to give the Invocation. Chair Hinson then led everyone in the Pledge of Allegiance. A silent roll call was taken by Marcella Blocker, Deputy Clerk.

AMENDMENTS, PRESENTATIONS AND APPEARANCES

UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGENDA AS WRITEN.

1. Resolution Recognizing Linda Jones (Retired Educator)

Chair Hinson said he had one presentation to make and asked Linda Jones, a retired teacher, to come forward. He read a Resolution aloud that had been prepared and then presented the Resolution to Mrs. Jones.

2. Presentation on Animal Care

Dr. Greg Winter, DMV (Winter Animal Hospital-Havana, FL)

Dr. Greg Winters was unable to attend the meeting. Chair Hinson said he had a Certificate of Appreciation to be presented to Dr. Winters.

CLERK OF COURTS

3. County Finance and County Clerk Issues

Mr. Thomas said in the Commissioners' packet there was a Cash-in-Summary Report.

Commissioner Taylor asked if the County was on schedule and if this amount was the amount they should have this time of year. Mr. Thomas said there was \$15.8 Million and this was the time of year they were pretty flush with cash and it was in part due to the ad valorem tax revenues being collected.

CONSENT

UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, BEFORE VOTE WAS TAKEN, COMMISSIONER TAYLOR ASKED TO PULL ITEM 6 FOR DISCUSSION. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE ITEMS 4, 5, AND 7. ITEM 6 PULLED.

4. Approval of Minutes:

- A. August 22, 2013 Budget Workshop
- B. September 10, 2013 Budget Hearing
- C. September 23, 2013 Budget Hearing
- D. December 17, 2013 Regular Meeting

5. Ratification of Approval to Pay County Bills

~~6. Approval of Contract Change Order for Time Extension on the Jail Locks and Hardware Replacement Order~~ Item pulled for discussion.

7. Approval of Commissioner Hinson’s Travel to the 2014 NACo Legislative Conference

ITEMS PULLED FOR DISCUSSION

6. Approval of Contract Change Order for Time Extension on the Jail Locks and Hardware Replacement Order

Commissioner Taylor said it was her opinion that the Board needed to look at a complete renovation of the jail instead of spending \$500,000 on door locks. She added once the locks were replaced, there would tend to then be problems with electrical, structure, and it was not going to stop until the Board planned how to completely renovate the jail. She said it was her opinion that buying the locks was “like putting a bandage on the Mississippi, you’re not getting to the crust of the problem down there until we do something with the jail completely.”

Chair Hinson asked Mr. Presnell how much a renovation would cost.

Mr. Presnell said a jail inspection was done a week and a half ago, electrical issues have been addressed, there were issues with the hot water, but that was in the current budget. He added that other issues of course were capacity related issues, staffing issues, but structurally wise they were putting in a lot of money, but they were making progress.

Commissioner Taylor said there was a committed fund to the jail, the ½ cent sales tax which was committed to renovating the jail, and she said once the locks were replaced, it could cause problems electrically. She asked that they beware of further problems that could come down the line.

Commissioner Croley said he was disappointed in the additional time it has taken to get the locks repaired, but they had been dealing with the jail locks and the needs there for some time and it was his understanding the Bond had been retired and the ½ cent tax was continued to provide things such as fire services, etc.

Clerk Thomas said that was actually the .1¢ sales tax and the jail bond had been repaid in 1996 or 1997 and said if they decided to do major construction or add a pod and they have to bond it

and want to use the .1¢ sales tax, whatever the debt services to come out of the sales tax, they would need to reduce funding in the other areas or find additional funding.

Chair Hinson asked how much the .1¢ sales tax generated.

Clerk Thomas informed them it brought in approximately \$2 Million a year.

Commissioner Croley reiterated that the money was committed to certain areas, such as fire services and the point he was trying to make was the locks needed to be done, plus they had already been ordered and the company was simply asking for eight days extension.

Commissioner Taylor asked Mr. Thomas the length of years left on the .1¢ sales tax. She said the funds from the sales tax were already committed, but she also heard the Clerk say there may be circumstances where some of the costs could be brought down so some debt service money could be obtained, otherwise she was afraid they would find themselves in a very serious situation with the jail because crime was not decreasing.

Mr. Thomas said the Board committed to use the funds by an ordinance and they could choose to change the use of it by an ordinance.

Commissioner Holt said they had been lobbying Washington for funding in the amount of \$23.5 Million and they voted out the lobbyists that was working on that and then did not have anyone to go after the funding. She added the locks were a must; there was no choice but to repair them.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 2-2 BY VOICE VOTE. COMMISSIONERS HINSON AND TAYLOR OPPOSED. MOTION FAILED.

Commissioner Holt commented that the sooner locks were in, they would not have to worry about the inmates and right now they were weighing costs against safety and the bottom line was safety.

Chair Hinson asked if the Sheriff had appeared before the Board concerning this problem.

Mr. Presnell said not recently, but this was an ongoing issue-the locks were going in either way, this was only for an eight day extension.

Commissioner Croley said he wanted to re-enforce, there was already a commitment to buy the locks, this was simply asking for an 8 day extension because of production delay, and said they could not go back, they had committed to go forward.

Chair Hinson:

“Actually, we can go back, yeah, we can break our agreement. The thing, where I was coming from, see, is we need to start being a little more strategic and have all the information in front of us. As of now, we don’t know how much it cost to renovation, how much it cost for this, it cost for that. The Sheriff has yet to come to the Board and present his case, to me at least. Sheriff has yet to come to, or call me up and say, ‘Hey, this is what’s going on right here. These

are the problems.' I'm hearing this from the Commissioners, maybe hearsay, she say. If it were that important, the Sheriff would have notified me as the Chairman, he should have notified everybody on this Board it was a serious issue. Right now we are going by hearsay, she say. I'm just saying, where I'm coming from is that until we hear from the Sheriff, I support the effort because I voted for it last time. What I am saying is I would like for him to let us know what's going on or and as well as, well, right now, I'm tired of patching things. We've got to go ahead, you've got to make bold moves sometimes to make things happen. Not saying I would do that, but I would at least like to look at options. Option may be too great to do that, but at least give me an option on it."

Commissioner Croley:

"The issue is the eight days."

Chair Hinson:

"Right."

Commissioner Croley:

"If you don't want to give them eight days, that's fine. But..."

Chair Hinson:

"We've got to start, if I'm a commissioner and I want something, I'll come to you for it. If I think it's a great thing, I would at least you the option, you understand where I'm coming from, right?"

Commissioner Croley:

"I appreciate that, but the Sheriff, Sheriff Young, has been here many times and his staff about the jail locks. We all, we voted to go forward with the jail locks. I don't, I don't want, I think it's a disservice to the folks that work at that jail, to those deputies that sit out here that have to deal with these inmates to not have the facility to secure those inmates against each other as well as our law enforcement staff. I mean, these men and women are putting their life on the line for us and we have a responsibility to help secure those inmates and if an eight day extension for the delivery of the locks helps do a better job, why would we not?"

Chair Hinson:

"I agree. But have you walked through the jail yet, Mr. Croley?"

Commissioner Croley:

"Yes."

Chair Hinson:

"And you saw some of the issues?"

Commissioner Hinson:

"I have been completely through the jail, I know, have talked with the staff, seen, you know, been through the whole thing many times."

Chair Hinson:

"Unfortunately, I have yet to talk to, I think it's a great idea for two weeks for them to bring up

something...”

Commissioner Holt:

“OK, let me ask you this, Mr. Manager, OK, the locks are being delivered eight days from now, and so we are saying we’re not going to give them eight days to deliver, what happens?”

Mr. Presnell:

“They are already here. All this is, they asked for eight days that they lost during production because Brinks had to manufacture them for this jail. This vote tonight does not alter, we would have to, doesn’t stop anything, the locks are going in, they are here, the parts are here, all the design work is done, they have been manufactured and they are fixing to be installed. The contractor was just trying to recoup eight days he lost from a production problem.”

Commissioner Holt stated the liability was greater than eight days.

Chair Hinson:

“Everybody heard, see, what I’m saying, everybody, he brought it to everybody’s attention except for my attention and I was just curious, ah, if it’s that significant, if I wasn’t the Chair, if it was that significant, if I had to vote on a situation like, I would at least make the effort to go out and talk to the Chairman about this before it come up. Apparently, I’m just listening to what is hearsay, she say, cause you may have a passion about it. I’m not saying it like that, but you may have a passion about it, you might be passionate about it, but it may not be the right passion. But if he come up and talked to the Board about it, or at least talk to me about it, I can see, I can have a lot of questions I could ask the Chair. I support the Sheriff on almost everything he’s doing, I mean, 100% of the stuff, but, I want to make sure that whatever decision I make, I want to make sure it’s the right decision. But, let’s move on, we’ll just move forward and ah, whatever happens, we just...”

Commissioner Holt:

“I would like to say this right quick, we are the owners of the jail. I reiterate what Commissioner Taylor was saying. At any time we can go out there and inspect, and I understand what you’re saying, but at any time. Because, even with the inmates that files legal action before, they didn’t file legal action against the Sheriff. They did against this Board and that’s how they always do because they figure we have deep pockets.”

CITIZENS REQUESTING TO BE HEARD

There were no citizens that requested to speak.

PUBLIC HEARINGS

GENERAL BUSINESS

8. Approval of Interlocal Agreement for Planning Services With The City of Midway

Mr. Presnell introduced the above item and said this would allow the county staff to perform reviews of planning requests that the City of Midway may get and added they currently did not have a planning staff but was their long term goal to build the department up and hire planning staff.

COMMISSIONER CROLEY MADE A MOTION TO APPROVE AND A SECOND WAS MADE BY COMMISSIONER HOLT. BEFORE VOTE WAS TAKEN, COMMISSIONER HOLT HAD COMMENTS.

Commissioner Holt asked when they do annex, to please consider annexing all roads in to prevent struggles in future of who owns the roads.

Commissioner Taylor asked if there would be any costs for the use of county staff.

Mr. Presnell explained there was an hourly cost to not exceed \$23,500 and the County would charge them by the hour.

Dot Inman-Johnson, Interim City Manager for City of Midway, appeared before the Board to further explain the working relationship with the County and said it would be through September 30, 2014 and she thanked the Commissioners and staff for their assistance.

Commissioner Taylor asked if there were any plans in the future to develop a Planning and Zoning board in Midway. Ms. Inman-Johnson said yes.

CHAIR HINSON CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.

At this time, Chair Hinson also mentioned the death of Commissioner Holt's brother and asked everyone to keep her family in their prayers.

9. Bettie Shelton Arnold; Parcel ID#: 2-15-3N-6W-0000-00413-0300/Code Enforcement

Mr. Presnell introduced the above item and said this was an on-going code enforcement case that they had not been able to rectify and they were asking approval to clean up this lot.

UPON MOTION OF COMMISSIONER CROLEY AND SECOND OF COMMISSIONER TAYLOR, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE ABOVE ITEM.

10. Adoption of 2014 Legislative Priorities

Mr. Presnell introduced the above item and said this was for the adoption of the 2014 Legislative Priorities and needed to be finalized for the public meeting scheduled for Thursday night.

Chris Doolan, 1118B Thomasville Road, Tallahassee, FL, Legislative Representative, appeared before the Board.

Commissioner Holt said she needed to leave the meeting early and asked to speak and her only suggestion was regarding economic development.

Mr. Doolan said the legislative program clearly identified 2 projects as their top priority:

- 1- Agriculture Multi-purpose Facility
- 2- Courthouse renovations

He explained they would be submitted as separate projects, one through the Department of Agriculture and the Courthouse project would be submitted through Senator Montford's grant application process.

Commissioner Holt left at this juncture of the meeting.

Mr. Doolan said it was significant to note how important the State of Florida programs were to this County and that annually the County received well over \$20 Million in revenue sharing and program support. He further stated that in addition to the two projects mentioned, there was also listed the various programs where funding was received. He added that included in the list were roads recommended for the next two years, park funding and solid waste funding among other items.

He further said that one of the major items that needed attention within the next two years was a very articulate statement from all of the counties regarding the County Medicaid Cost Sharing. He said that Gadsden County's cost share over the next seven years was scheduled to increase 89% and they have asked that the State take steps to reduce the impact. He added that this would not affect the County in the next two years, so there was time to work on this matter.

Commissioner Croley asked if the Medicaid increase had anything to do with "ObamaCare" and Mr. Doolin said it was not related and explained the increase was due to a change in the formula from a billing system based on what Medicaid eligible folks used in this county and it had nothing to do with any of the federal legislation.

Chair Hinson thanked Mr. Doolan on their aggressive efforts regarding the transportation issues in Gadsden County also.

UPON MOTION OF COMMISSIONER CROLEY TO APPROVE LEGISLATIVE AGENDA WITH SPECIAL EMPHASIS FOR THE AGRICULTURAL FACILITY AND COURTHOUSE RENOVATION FUNDING. BEFORE A SECOND, COMMISSIONER TAYLOR HAD QUESTIONS.

Commissioner Taylor asked whose idea was the Courthouse renovations and Multi-purpose center.

Mr. Presnell explained the Courthouse was his and Clyde Collin's idea and the Multi-purpose center had been on the table for years and was Dr. Grant's idea.

Mr. Presnell said if the Commissioners had anything they wished to put on the legislative agenda, now was the time to have it added.

Commissioner Taylor asked how soon this needed to be in and Mr. Doolan explained the legislative delegation meeting was scheduled for Thursday night.

COMMISSIONER TAYLOR SECONDED COMMISSIONER CROLEY'S MOTION AND THE BOARD VOTED 3-0 BY VOICE VOTE TO APPROVE.

COUNTY ADMINISTRATOR

11. Update on Board Requests

Mr. Presnell reminded everyone of the Legislative delegation meeting scheduled for Thursday evening at 6:00 p.m. in the BOCC Chambers.

Road Workshop

He added that he and Curtis Young had been working on road information/transportation issues and a workshop could be scheduled for at 5:00 on February 18th before the meeting to have a transportation workshop.

He also informed the Board that they would be unveiling the new website on February 18th and would be a presentation at that time also.

COUNTY ATTORNEY

12. Update on Various Legal Issues

Mr. Weiss gave the Board an update regarding National Solar and said he had reached out to the Vice-President and he was assured that they are moving forward, they had recently completed the load flow analysis of the grid surrounding the site and they were anticipating the first phase of the inter-connection study to begin within the next 30 days and are moving forward.

Commissioner Croley asked if they were aware of any litigation that might be going on with one of the utility providers or transmission companies over property evaluations and said he had heard of it occurring in other counties.

Mr. Weiss and Mr. Thomas said they were not aware of any.

DISCUSSION ITEMS BY COMMISSIONERS

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

Commissioner Taylor, District 5

Commissioner Taylor asked Mr. Presnell for information regarding Red Cross and he said they were scheduled to be on the agenda hopefully for the next meeting.

She asked about land that the county owned regarding parks being built. She asked for something in hand and said she had property owners that were willing to donate land.

She also stated she had reviewed a letter from FDOT for a project that had received funding for Fairbanks Ferry Road and asked Commissioner Croley how CRTPA became involved with this project.

Mr. Presnell replied that Fairbanks Ferry Road was a LAP project that FDOT had initiated.

Commissioner Croley said CRTPA became involved because Highway 12 was being improved all across the County, starting in District One and was moving west and was part of resurfacing and widening of the paved shoulders and getting part of the federal fuel tax money back for the major state roads. He went on to comment that while he was not asked for that particular road name, it was a primary collector road across the county with exception of the federal roads.

Commissioner Taylor commented that the roads were not done equally, that things were not fair, and reiterated she felt things were being done in specific districts only. She said all she had seen so far were roads in District 2 and 3 being done and asked if anything was in the works for any other roads.

Mr. Presnell stated the Board did not have any say-so over the LAP projects that originated with DOT.

Commissioner Croley said CRTPA went by a formula that involved traffic count and it did not go by districts and pointed out that the Highway 90 project was a \$16 Million project and was in District 5.

Commissioner Taylor said that project was useless and said she “can’t see one person that can understand the need for that to happen, the widening out right there. You’re telling me that that is more important than doing something on this road that almost 25 people have lost their lives. You’re telling me it’s more important than widening roads where we’ve had so many fatalities that are going on out there.” She further stated that wise choices had not been made on the CRTPA Board with regard to how dollars had been spent over the years. She went on to say that the strip on Highway 90 that was being widened was useless, no-one lived there and it did not need to be widened and the money could have been used better elsewhere in her opinion.

Mr. Presnell said Lewis Lane and Hogan Lane were in the budget for 2014.

Commissioner Taylor said Hogan Lane was in her district, but did not understand why it was on the list because it only went in one way and was a perfectly good road except where it broke off into private property and asked how the road was added to the list.

Mr. Presnell stated the Board selected the road. He further stated at the upcoming workshop, the consultant would be present and would be able to answer all their questions regarding the safety studies and he wanted to have everything on the table and get everything cleared up at the workshop and the last approved list would be provided by district of what would be done as far as dirt road paving.

Commissioner Taylor asked what could be done in-house because she was losing faith with CRTPA.

Mr. Presnell said they could budget infrastructure capital project money in the operating budget and the Board could do any project they wanted and the funding source would be ad valorem tax dollars or gasoline tax dollars.

Chair Hinson asked about the 1¢ tax. Mr. Presnell said \$1 Million of that was used to fund public works and the other half was used to fund fire protection.

Commissioner Taylor asked if there was a debt service on the money and asked when it was paid up and asked for the remaining balance.

Mr. Presnell said he thought it was around \$3 Million and the Clerk had recently furnished that

information to them.

Clerk Thomas said the remaining amount was \$3.8 Million and would be paid off in 2018.

Commissioner Morgan, District 3

Commissioner Croley, District 2

Commissioner Croley said Commissioner Taylor failed in her recollection concerning transportation projects that Joe Knight Road had recently been paved and was a dead-end road.

Commissioner Taylor responded that the road did not go through CRPTA, the Board had approved that road.

Commissioner Croley said when looking at funding projects, it was not like work had not been done around, but the problem was when dealing with different pots of money, it had to be used on the roads that qualified and Highway 90 was a federal road and money was obtainable to re-do that bridge.

Commissioner Holt, Vice-Chair, District 4

Commissioner Hinson, Chair, District 1

Chair Hinson asked if the Hospital Board required representation from each district.

Mr. Presnell said that matter was on the next agenda, and stated the Board was responsible for appointing the Board members, but it was not by district.

He then asked for an update on Havana Heights housing project parking lot situation.

Clyde Collins appeared before the Board and said the cable was still up across the parking lot and had never come down, that EMS & the Sheriff's Department were provided a key and commented that he did not have the authority to make them take the cable down.

Commissioner Hinson said the community was still in an uproar over this matter and added that expectant girls were going into labor in route to walking to the ambulance since the gates were locked and seniors were having problems receiving mail-order medicines because the medicine could not be dropped off at the front door. He further added he was trying to "be nice about this situation, but, ah, you can't do it and I'm going to have to go somewhere else."

Mr. Presnell said they had talked to HUD, State representatives and the owner, and they might want counsel to research the matter.

Commissioner Hinson stated he thought about holding a press conference regarding this situation.

Commissioner Taylor warned Commissioner Hinson to be careful in speaking to the press to not speak on behalf of the Board without direction from the Board because it was private property.

Mr. Weiss asked for clarity in what was going on with the problem and said he needed more

information to research the matter.

Mr. Collins said EMS and Big Bend Transit had problems with the complex.

Commissioner Croley asked for clarification on problems with parking.

UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY CHAIR HINSON, BEFORE VOTE WAS TAKEN, COMMISSIONER CROLEY HAD COMMENTS.

Commissioner Croley asked if the complex was in city limits or if was in the county and if they could use public funds to pay the county attorney to research and take up private issues with a private landowner unless it would be within his retainer to do so.

THE BOARD VOTED 3-0 BY VOICE VOTE TO HAVE COUNSEL RESEARCH MATTER AS LONG AS WITHIN RETAINER.

RECEIPT AND FILE

14. A. December 17, 2013 letter from Chairman Hinson to the United States Department of Health Services (Support letter for Bond Community Health Center Service Area Grant Application)
- B. January 3, 2014 letter from County Administrator to Ms. Petrina Herring, Office of Criminal Justice Grants (Certificate of Acceptance of Sub-grant Award for Contract No.: 2014-JAGC-GADS-1-E5-235)

FEBRUARY MEETINGS(S)

- February 4, 2014, Regular Meeting @ 6:00 p.m.
- February 18, 2014, Regular Meeting @ 6:00 p.m.

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HINSON DECLARED THE MEETING ADJOURNED AT 7:32 P.M.

GADSDEN COUNTY, FLORIDA

**ERIC F. HINSON, Chair
Board of County Commissioners**

ATTEST:

NICHOLAS THOMAS, Clerk