

**AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON APRIL 15,
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
Gene Morgan, District 3
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 Hinson called the meeting to order at 6:00 p.m. Mr. Lee Garner, City Manager of Chattahoochee, stepped forward and asked for a moment of silence for James Atkins, a former Chattahoochee Council member who had recently passed away, then gave the Invocation. Chair Hinson led in the Pledge of Allegiance to the U.S. Flag. A silent roll call was taken by Marcella Blocker.

AMENDMENTS AND APPROVAL OF AGENDA

Mr. Presnell added Item 5A-Proclamation Child Abuse Prevention April 2014 to the agenda.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 TO AMEND THE AGENDA.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 TO APPROVE THE AGENDA AS AMENDED.

AWARDS, PRESENTATIONS AND APPEARANCES

1. Gadsden County Development Council

Mr. Lee Garner, Chairman of GCDC, appeared before the Board to give an update from the GCDC.

He said they would like to have a workshop with the Board in the near future concerning economic development.

Commissioner Croley thanked Mr. Garner for the report and shared with the Board that he had spent the day before in a half day CRTPA meeting at the Tallahassee Airport and informed the Board that Kimley-Horn had been awarded a \$975,000 contract to work with the four counties and municipalities to back the GCDC up on the things he had mentioned.

Commissioner Morgan asked Mr. Garner what the GCDC expenditures were to-date and what it was spent on.

Mr. Garner responded the expenditures were between \$17,000 and \$19,000 so far and was used to pay the consultant under the agreement, giving her so many hours a month to work with, travel, but tried to limit that as much as possible. He said she was in Dallas at the moment and CSX was paying most of the bill.

Commissioner Holt said she had been hearing a lot regarding the train. She added that the more people from the community involved with this, they could inventory some of the assets and added she was very interested in people knowing what assets were available in Gadsden County, i.e., the beautiful lake, Interstate 10, the Railroad, Highway 27, U.S. 90, but there were also things for tourists to come see.

Commissioner Taylor said she felt the need for a workshop and added she was hearing a “smorgasbord” of things and was concerned about spreading things too thin.

2. Presentation of Proposals for Legal Services from the Evaluation Committee

Mr. Presnell introduced the above item and said the evaluation committee had met and they were asking for direction from the Board.

Arthur Lawson, Assistant County Administrator, appeared before the Board and said the committee had met and they were presenting the proposals that met the minimum requirements of the RFP. He added there were a total of seven proposals and five of them met the minimum requirements.

Chair Hinson asked if the Board wanted to make a recommendation and thought maybe the committee could narrow the list to three.

Commissioner Morgan asked who was on the committee.

Mr. Lawson said the committee consisted of Dr. Henry Grant, the County Extension Director, Jeff Price, the Senior Management and Budget Analyst and himself.

Commissioner Taylor asked out of the five recommended, if it was based on criteria and if any of them were lacking in any particular area and said she had no problem with the committee narrowing the list down to three and then bring it back for further discussion.

Commissioner Croley said his observation was the same three firms ranked out as they did last year.

Commissioner Taylor said she would like to entertain all five proposals.

Mr. Lawson suggested the Commissioners choose three and then submit them to the County Manager.

There was further discussion among the Board.

Commissioner Croley pointed out that the current law firm had an attorney on board with hospital experience.

Commissioner Taylor said with the five that met the criteria, she felt they should meet with all and interview them.

UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 4-1 TO RANK THE PROPOSALS BY 1, 2, 3. COMMISSIONER TAYLOR OPPOSED.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THAT THE TOP RANKED CANDIDATES APPEAR SEPARATELY BEFORE THE BOARD FOR AN INTERVIEW.

CLERK OF COURTS

Mr. Thomas was present and had nothing to report.

CONSENT

UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.

3. APPROVAL OF MINUTES

4. Approval of Resolution #2014-009 Declaring the Week of May 18-24, 2014 as National Public Works Week in Gadsden County

5. Approval of 2014 Small County Consolidated Grant Agreement with Florida Department of Environmental Protection (DEP)

5C. Proclamation-Child Abuse Prevention April 2014

ITEMS PULLED FOR DISCUSSION

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

PUBLIC HEARINGS

GENERAL BUSINESS

6. Appointment of Board Members to Gadsden Hospital, Inc.

Mr. Presnell introduced the above item and said this was for appointment of board members to the Gadsden Hospital, Inc. board to bring the number of members back to the recommended nine members and it was also recommended that one of the appointments be a doctor. The recommended appointees were Ms. Arrie Battle and Dr. Hantz Hercule.

UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE APPOINTEES.

7. Candidate Projects for the Small County Outreach Program, Small County Road Assistance Program and the County Incentive Grant Program – Florida Department of Transportation

Mr. Presnell introduced the above item and explained Staff was looking for Board direction to select five roads to obtain some of the grants for the SCOP, SCRAP and CIGP programs.

Commissioner Croley asked if the roads were ranked according to criteria that were based on traffic surface condition and safety. He asked if Mr. Ford with Preble-Rish could make recommendations from the list on the roads he thought would most likely to be funded.

Commissioner Taylor asked if the roads were on the list because they were already pre-qualified.

Justin Ford, Preble-Rish, Project Manager, appeared before the Board and said that was correct, that Preble-Rish along with county staff and Mr. Presnell had reviewed each road and all were strong potential candidates, some stronger than others. He explained that Old Federal Road was a good candidate because of some of the narrow widths and safety hazards that exist, Howell Road was a good and he added he would encourage that one because of the slag condition of the road. He also emphasized the portion of the road they were discussing was the short portion between west of US 90 going back to Robert F. Munroe school and reminded them the longer portion was already included in FDOT's work program and was on go to be widened and resurfaced and thought the shorter portion was a good candidate. He said Tolar-White Road from District 3 was a good candidate because of the narrow lane widths and safety hazards on the roadway, in District 2 Charlie Harris Loop because of the roadway conditions, in District 1, he said Bell Road and McNair Road was a toss-up.

Mr. Presnell said he agreed with the engineer and the SCOP 1 project should be Old Federal Road, SCOP 2 should be Tolar-White Road.

Commissioner Morgan asked for a list of all dirt roads that fit the bill to be paved.

Commissioner Holt suggested each commissioner choose one road and move on.

Commissioner Taylor chose Old Federal Road; Commissioner Holt said she had no problem with the recommendation, but asked about Hardaway Road and when it was in the plan AND Mr. Ford said he thought for 2016; Commissioner Morgan said he would like to get back with them regarding his selection; Commissioner Croley asked if Porter Mitchell Road included Bettstown section.

Mr. Ford said the Bettstown Road had already been approved.

Commissioner Croley said he had heard that BASF was discussing the opening of another mine in the area and asked what impact the CIGP would have on other funding sources.

Mr. Ford said it would not have any affect and stated they could only apply for one CIGP road.

Commissioner Croley recommended Porter Mitchell Road for the CIGP program.

Commissioner Taylor asked if any of the road choices would affect High Bridge Road being pushed up or out.

Mr. Presnell said no and that was the reason it was not before the Board tonight.

UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER CROLEY, BEFORE

THE BOARD VOTED, JUSTIN FORD ASKED TO SPEAK.

Mr. Ford said it looked like they were in agreement with the primary and secondary SCRAP project, the primary SCOP project and the CIGP project, but there still needed to be a secondary SCOP selected.

Mr. Presnell said in their motion, they could approve Mr. Ford's selection and it would not have to come before the Board again and he could report to Mr. Presnell and proceed with the grants.

UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE PRIMARY AND SECONDARY SCRAP PROJECT, THE PRIMARY SCOP PROJECT, THE CIGP PROJECT AND THE SELECTION BY MR. FORD OF THE SECONDARY SCOP PROJECT.

COUNTY ADMINISTRATOR

**8. Update on Board Requests
Social Security**

Mr. Presnell said regarding the Social Security office space issue, the equipment was being installed at the Library, the icons were added to all the county computers at the Quincy Library and hopefully the bugs will be worked out of it and a bigger announcement could be made in the next week. He said the video-conferencing equipment would be located at the Quincy Library.

Economic Development Workshop

He announced the Economic Development workshop was proposed for May 20th at 4:30.

He said they had reached out to vendors interested in doing business with the County, had ran ads in the local newspapers, placed it on the website and had sent emails to all the commissioners so they could reach out to people and had not received many responses. He asked if someone had approached them in the past and was interested in doing business with the County, to please have them get in touch prior to Thursday

Commissioner Taylor had questions and Mr. Lawson came forward to answer them.

Arthur Lawson appeared before the Board and said they had kept things real simple, had asked for the different trades and whether or not they were licensed. He said they had not asked about the bond because that would depend on the value of the job, if the job was big enough, it would be bid out.

Commissioner Taylor felt that the word "licensed" may have hindered some from inquiring about this.

Mr. Lawson and Mr. Presnell explained some would need a license in their trade, but other jobs, such as painters and carpet layers would not require a person to have a license.

Commissioner Holt suggested putting this information on the County's Facebook page.

Budget Season

Mr. Presnell said budget season was here and the deadline for groups to apply for funding and anything received past May 1st would not be accepted. He said the first Budget Workshop was scheduled for May 29th.

Farm Share

He announced the Farm Share event was scheduled for April 30th and the County would have a table there with displays and information concerning programs available and what some of the departments do and some of the county staff would be there to help put food in the cars that come by. He invited the commissioners to come join in.

Quincy Shuttle

He informed the Board that the City commission tabled this item and he asked for more information from Gretna and Havana and they were waiting for Quincy to act. He said they have reached out to Big Bend Transit and it was currently not a problem for the County because there was money budgeted, but may have to do a month extension or month-to-month until the City Commission decides and he can bring something back to the Board.

Commissioner Croley asked if the municipalities were current with their fuel bills.

Mr. Presnell said Quincy was not, but he spoke with the Interim Manager the day before and he was not aware of the situation and hoped to have the money by the end of the week.

Mr. Croley asked how much short they were.

Mr. Presnell said with the building inspection, fuel etc., it was between \$62,000-\$64,000.

Commissioner Croley said there was concern with the road widening that was being done, not only the ones being done now, but also the ones to come in the future and asked him to give the commissioners a report regarding the guardrails.

Mr. Presnell said the road in particular that Commissioner Croley was speaking of was Shady Rest Road, a State funded project. The State hired a design engineer and in one area, there was a fiber optic cable located there, and the second firm, which was a construction engineering inspection firm that had to be selected, takes the design plans and builds the road. They ran into the fiber-optic cable to avoid having to move it or being able to move it, they placed the guardrails closer to the pavement than he believed the original design team intended and it had become an issue because it looked funny, because it looked like the guardrails were too close to the travel lane. He added that according to the design engineer and the CEI, it did meet DOT specifications.

COUNTY ATTORNEY

9. Update on Various Legal Issues

Mr. Weiss said he had nothing to report, but was available if anyone had questions.

Commissioner Morgan asked for an update regarding Woodrow Butler Road from the last meeting.

Mr. Weiss said according to Florida Statutes, if the county constructs the road and maintains it for

four years, it was presumed to be a county road. However, if the County failed to maintain it for a period of time, there could be an argument that it would not be equitable for it to be presumed to be a County Road. He also said there was a subsection in the Statutes that covered if the road was not constructed by the County, but was maintained for a period of seven years, but it had to be the immediate past seven years, it was presumed to be a county road. He added that he was not sure that he had enough information or facts to come to a conclusion. Basically, he needed to have documentation as to when the road was constructed, who constructed it, what did the construction consist of, i.e., what was there before, was it some form of road that the County made substantial improvements (brought up to county standards) or something that was there and the County started scraping and scraped occasionally, but did not do much more. He said he hoped to see county records of construction maintenance or short of records, have someone who has full knowledge of exactly what happened, the sequence of events. He further said that even with having records and documentation, they would still be making a prediction of what a Court would determine, because it was a mixed question of law and fact and unless the County was 100% certain that the documentation showed that the standard of the criteria and the statute had been met, he recommended that the County do nothing regarding that road, unless they were 100% certain that the documentation supported that.

Commissioner Morgan said his issue was the records with the County and assumed there were records on all the county roads and asked Mr. Presnell if the County had such records.

Mr. Presnell said there were records going back to 1997, but nothing prior to that time.

DISCUSSION ITEMS BY COMMISSIONERS

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

Commissioner Taylor, District 5

Commissioner Taylor said she wanted to talk about an ordinance and asked the Board to reconsider when doing emergency repairs, guidelines for emergency repair program restricts mobile homes from being able to receive the funds and with mobile homes having such a presence in the County and the residents and constituents that live in the mobile homes and asked that they reconsider and include or allow mobile homes to receive some of the emergency services from the emergency repair fund and asked to be able to bring back the ordinance to change.

Mr. Presnell responded that when they adopted the Emergency Housing program, they mirrored the SHIP program.

Commissioner Taylor said, for example, there was electrical wiring in a mobile home and the residents had to move out the very next day unexpectedly and because of that situation they were now considered homeless and was unable to do anything and it then became an emergency because of them being homeless. She called the Administrator's office for help and found out that mobile homes were not eligible.

Mr. Presnell said the funds were totally at the Board's discretion, when adopted, they started the program by mirroring the SHIP program and SHIP funds could not be used on mobile homes.

Commissioner Taylor asked if she could make a motion to re-address the ordinance to add the language and bring back before the Board for review and include language that they could not abandon or sell the mobile homes for a period of time.

Commissioner Holt said she would like to have a copy of the ordinance emailed to her to review.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE, TO HAVE THE ORDINANCE EMAILED TO THE BOARD IN ITS CURRENT STATE FOR REVIEW AND HAVE IT PLACED ON THE AGENDA FOR THE SECOND MEETING IN MAY FOR DISCUSSION OF ADDING MOBILE HOMES TO IT.

FCAT

She thanked everyone for supporting the FCAT Rally and informed them it was a huge success.

She asked Mr. Presnell regarding the non-profits if he had reached out as in the past and if it had properly been advertised.

Mr. Presnell said it had been advertised in the local newspapers, was on the website and had sent letters out. He was asking the Commissioners to help spread the word.

Commissioner Morgan, District 3

Commissioner Morgan said he had nothing to report.

Commissioner Croley, District 2

Commissioner Croley said he had nothing to report.

Commissioner Holt, Vice Chair, District 4

Commissioner Holt said several people in the County was having problems with all the rain and was not able to get to their property, and when the County was contacted, there was only so much the County would be able to do concerning the County doing work on private property and stated it was a felony for the county to do work on private property without being reimbursed.

Economic Development

She also added that she felt a lot better about Economic Development.

She also mentioned that she was at Gretna Elementary last week and was the Easter Bunny.

Commissioner Morgan said he had been asked about the mosquito spraying.

Mr. Presnell said the telephone number had not changed and was on the website, will be in the three newspapers, but anyone could call Mosquito Control at 850-627-5396, or if that failed, call Public Works. He added that they are now required to log in the requests with names and addresses and turned in to the Department of Agriculture prior to the spraying being done and no random spraying was now allowed.

Commissioner Hinson, Chairman, District 1

Commissioner Hinson concluded by thanking the Economic Development Committee for coming and doing such a good job.

RECEIPT AND FILE

11. A. March 28, 2014 Letter from Mediacom (Non-Standard Converter Fee)

UPCOMING MEETINGS

- May 6, 2014, Regular Meeting, 6:00 p.m.
- May 20, 2014, Regular Meeting, 6:00 p.m.
- May 29, 2014, 1st Budget Workshop, 4:00 p.m.

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HINSON DECLARED THE MEETING ADJOURNED AT 7:34 P.M.

GADSDEN COUNTY, FLORIDA

ERIC F. HINSON, Chair

ATTEST:

NICHOLAS THOMAS, Clerk