

AT A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD IN AND FOR GADSDEN COUNTY, FLORIDA ON AUGUST 5, 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-arrived late
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 6:01 p.m., gave the Invocation and 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

Chair Hinson asked if there were any amendments and Mr. Presnell stated he would like to pull Item 16 and Chair Hinson asked to move Item 23 to 14A.

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

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

AWARDS, PRESENTATIONS AND APPEARANCES

There were no presentations or awards.

CLERK OF COURTS

The Clerk was not present and there was nothing to report.

CONSENT

Chair Hinson asked to pull Item 2.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF ITEM 2.

- 1. Approval of Minutes
-June 3, 2014 – Regular Meeting**
- 2. ~~Proclamation Recognizing National Breastfeeding Month, August 2014~~ Item pulled**

3. **Resolution 2014-014 Supporting the City of Quincy Adams Street Restoration and Sidewalk Project**
4. **Approval to Declare EMS Items as Surplus**
5. **Approval to Sell Surplus Equipment/Vehicles at Auction**
6. **Approval of Small Road Assistance Program Agreement for Hogan Lane-FDOT and Resolution 2014-013**
7. **Approval of Local Agency Program (LAP) Agreement for Design of the South Atlanta Street Sidewalk Project and Resolution 2014-012**
8. **Approval to Propose Safety Studies for County Roads**
9. **Authorization for the Chairman to Execute a Letter in Support of the County's Competitive Florida Partnership Program Application**
10. **Approval of Signatures for Special Assessment Liens and Rehabilitation Contract-SHIP Program**
11. **Approval of Participation in the Application Process for the FFY 2014 Edward Byrne Memorial Justice Assistance Grant (JAG)**
12. **Approval to Accept the Grant Award from the Florida Department of Environmental Protection, Florida Recreation Development Assistance Grant Program (FRDAP) to Renovate Rosedale Park-\$50,000**
13. **Approval and Authorization for the Chairman to Execute the Satisfaction of Agreement and Lien Between Gadsden County and Eddie M. Horne and Martha Kemp Horne-Code Enforcement**

ITEMS PULLED FOR DISCUSSION

2. **Proclamation Recognizing National Breastfeeding Month, August 2014**
Chair Hinson stated the reason he pulled Item 2 was so at the next meeting it could be presented to someone in the community and asked that it be placed on the next agenda.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 BY VOICE VOTE TO HAVE THIS ADDED TO THE NEXT AGENDA.

Commissioner Taylor joined the meeting at this juncture.

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

There were no citizens requesting to speak.

PUBLIC HEARINGS

GENERAL BUSINESS

14. Approval of CR 270 (Woodward Road) Widening and Resurfacing Additive Change Order

Mr. Presnell introduced the above item and stated it was a Change Order to the contract that was bid for the Woodward Road resurfacing project. He said the bid came in lower than the grand amount and they were requesting to do additional work on the road and replace all the guardrails along to road.

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

14a Review and Discussion of Ordinance 2001-010; an Ordinance Providing for the Regulation of Festivals Providing for Legislative Finding; Providing for the Establishment of Rules Regarding Festivals; Providing for Exemptions; Providing for Severability; and Providing for an Effective Date

Mr. Presnell introduced the above item.

Chair Hinson stated he asked to pull the item because someone had called him and said they had a concern about the number of people allowed at events.

Commissioner Holt said she had had complaints about this item because of the number of people allowed at the event and asked that the number be increased from 500.

Commissioner Taylor stepped out at this juncture.

Commissioner Holt explained it had been requested for the amount to be increased because if there were more than 500 people at an event, they would be breaking the ordinance.

Commissioner Croley stated that he would regularly receive complaints about certain events that have loud music in a rural area and it could be heard from a distance away and there were traffic issues on two lane roads. He added that family reunions would be a different matter; there were no-one selling tickets or doing a "music festival".

Commissioner Hinson said they had the pilau event in Havana every year with 2,000-3,000 people in attendance.

Commissioner Holt said they needed to look at the ordinance and make sure it was brought into compliance.

Commissioner Taylor returned at this juncture.

Commissioner Morgan asked if the ordinance was being enforced at the moment and said he understood the reason to regulate certain activities, but he was not in favor of ordinances that could not be enforced. He asked Mr. Presnell the purpose of the fee.

Mr. Presnell said the ordinance was put on the books because of the luau that use to be held

and would call for protection if an event of that size was to be scheduled.

Mr. Presnell said one thing he would like for them to review was the Clean-up Bond because it seemed to create difficulties for people he had met with.

Commissioner Morgan said he had no problem in getting deposit if it were an event of significant size and if the area was not cleaned up as it should be, they would not get their deposit back.

Mr. Presnell suggested if they wanted to keep their protection, to up the number of people and put down a deposit with the County and they would not be caught in limbo.

Mr. Weiss said if they looked at what the ordinance actually regulated and applied to, it was for "festivals" and said the Ordinance gave the definition of same.

Commissioner Holt said she wanted something to cover if anyone wanted to have activities with large numbers, and wanted to make sure people were not skittish in having events in the county and it not be limited to city events.

Commissioner Croley used for example, when the festivals were held at the Ball Farm Road, music went into all hours of the night and disturbed people who were trying to sleep.

Commissioner Taylor said she agreed with taking this on a case by case basis, she did not want to stop festivals from coming and if the manager felt comfortable in authorizing it, he should be able to do so. She wanted to make the ordinance clearer where families could be comfortable in having reunions and community events. She added where she lived, she hears the music that was coming from a business on Adams Street and did not appreciate that.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO GIVE THE MANAGER THE OPPORTUNITY TO REVIEW THIS ITEM AND BRING IT BACK WITH REVISIONS.

15. Approval to Award Gateway Signage and Landscaping Project to Grounds Maintenance Services, Inc.

Mr. Presnell introduced the above item and said it was for approval to award the gateway signage project to Grounds Maintenance Services, Inc. to plant wild flowers.

Commissioner Croley moved for approval.

Commissioner Morgan called for discussion and asked the reason for the difference in the amount of bid. He added that he was pleased to see both bids were submitted by local businesses.

Arthur Lawson stepped forward and stated both businesses bid on the same specs.

Commissioner Taylor said she would not approve any change orders if they have to come back and she would not support that.

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

16. Approval of Interlocal Agreement with the City of Gretna to Provide Building Inspection and Plans Review Services Item pulled

17. Appointments to the Gadsden County Industrial Development Authority

Mr. Presnell introduced the above item and said appointments were due for the Gadsden County Industrial Development Authority and said Mr. Nick Bert had informed staff in writing that he no longer wished to serve. Commissioner Croley and Chair Hinson said he had expressed otherwise to them.

UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 TO TABLE THIS ITEM UNTIL THE NEXT MEETING.

18. Approval of Health Insurance Rates/Options

Mr. Presnell introduced the above item and said this item was for approval of the health insurance rates.

Mr. Lawson appeared before the board and said the County had been with CHP for approximately 20 years and the renewal rate increase was 1.7 percent increase and the recommendation of the Board was to accept the renewal rate increase with Capital Health as well as absorb the increase so employees continue to pay.

Commissioner Holt stated the reason she asked was she thought it would be great to have a workshop regarding this matter and asked when the deadline for this was and Mr. Lawson said it needed to be decided tonight because open enrollment was coming up.

Commissioner Holt asked about the affordable healthcare plan and if that had been looked onto.

Mr. Lawson stated there were sixteen carriers that were authorized under the Affordable Healthcare Act in Florida and there was an increase between fifteen to thirty percent, that individual policies were cheaper while commercial plans were not.

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

19. Approval of Contract with Capital City Bank to Purchase the Thomas Motor Cars Property for an EMS Facility

Mr. Presnell introduced the above item and said this item had been before Board twice before and was for approval of a contract with Capital City Bank to purchase the Thomas Motor Cars property for use as an EMS facility.

Commissioner Holt asked if the soil had been tested yet where the tanks had been located.

Mr. Presnell said yes, it was part of the Brownfield Grant, the site was evaluated and it was all clean.

Commissioner Holt said she did not want to use the CDBG grant for this and they were only allowed two per year, they did not need this piece of property and jobs were needed. She expressed her desire to save the grants until they had a grant writer and they could go after grants for economic development for jobs. She added there was a lot of space at health department available where the dentist office moved out.

Chair Hinson said initially he was against this project, but after thinking about it, he was a proponent of getting as much property as could be gotten, and if they owned the property, they could negotiate with companies to try to entice them to move to Gadsden County. He added if they got the property off of 27 that was commercial land, even if it were decided not to use it for EMS and renovate the building where the Sheriff's Office was located, they still owned the property and could negotiate with other companies to bring in jobs. He added if Capital City Bank could get a grant for the property, the County would not pay for anything and it would be a win/win situation.

UPON MOTION OF COMMISSIONER MORGAN FOR APPROVAL OF OPTIONO ONE AND SECOND BY COMMISSIONER CROLEY, BEFORE THE VOTE WAS TAKEN, COMMISSIONER HOLT CALLED FOR DISCUSSION.

Commissioner Holt called for discussion and said it was the Board's fault there was no grant writer and if they put in for this grant, it would limit what the grant writer could apply for. She reminded them that Quincy was annexed to the Little River and there were opportunities there to partner with the City of Quincy to get jobs in the area.

Chair Hinson said they were looking at a commercial piece of property, Capital City Bank will refurbish the whole building, and it was located on a prime piece of property, and while it may not be the best place for EMS to be housed, if a building was available, companies might want to locate here because of an available building.

Chair Hinson called for the vote.

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

20. Approval of the Agreement with the Statewide Guardian Ad Litem Office (GAL) for FY 2015 Trust Fund OPS Position Reimbursement

Mr. Presnell introduced the above item and advised the Board had historically funded this in the past and asked that this year there be a formal agreement.

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

21. Authorization for Chairman to Sign the Advertising Matching Grant Letter of Agreement to Receive the Visit Florida \$2,500 Grant for the Tourist Development Council

Mr. Presnell introduced the above item and said it was seeking authorization for the Chairman to sign the Visit Florida Advertising Matching Grant Letter of Agreement for the Tourist Development Council to develop a mobile phone application showcasing tourism activities and

attractions in Gadsden County.

UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOITED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

22. Approval of the Tourist Development Council 2015 Spring Event – Crappie Tournament

Mr. Presnell introduced the above item and said it was seeking board approval for the Tourist Development Council to host a Crappie Tournament in the spring of 2015 to be held at Lake Talquin.

MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECONDED BY COMMISSIONER MORGAN, BEFORE THE VOTE WAS TAKEN, COMMISSIONER HOLT CALLED FOR DISCUSSION.

Commissioner Holt said there were two groups and the second was unable to be present for their presentation and it was handled by email because the TDC had not met again for the second group to be able to make their presentation.

Commissioner Morgan asked if the TDC made their recommendation and was now asking for Board approval.

Commissioner Holt said the second group never had a opportunity to present and there was not a chance to hear from them. She added the first group made their presentation and it was not an item that was bid on because they could go only go to \$5,000. When it ended up being \$12,000, TDC was told they had to go back and bid it and TDC did not meet again for the second group to be able to present.

Commissioner Croley asked if TDC did meet with this group and approve this item.

Commissioner Holt said TDC met, but it was before the other group had an opportunity to make their presentation.

Attorney David Weiss clarified that the discussion was based on the County's procurement policy and when it was apparent that it would cost \$12,000, they needed to get quotes, which is what happened. He added they were not able to make their presentation before the Board, but did email quotes as to what they would charge.

Commissioner Taylor asked what kept the group that did not get the opportunity to present from making their presentation.

Commissioner Holt explained the TDC only met so many times in the year and they did not get an opportunity. The first group that presented was over the \$5,000 limit. While the other group did send an email, they were unable to make their presentation in person as the other group had done and she was just advising the Board of that.

Commissioner Taylor asked the attorney if there could be any legal ramifications if the Board moved forward with this.

Mr. Weiss said the procurement policy said for items over the \$10,000, there needed to be two

or three quotes and his understanding was these were the only two in the area that were available and he felt they had complied with the policy with getting the two quotes.

**CHAIR HINSON CALLED FOR THE VOTE. THE BOARD VOTED 3-2 BY VOICE VOTE.
COMMISSIONER HINSON AND COMMISSIONER HOLT OPPOSED. MOTION PASSED.**

23. Review and Discussion of Ordinance 2001-010; an Ordinance Providing for the Regulation of Festivals Providing for Legislative Finding; Providing for the Establishment of Rules Regarding Festivals; Providing for Exemptions; Providing for Severability; and Providing for an Effective Date

Moved to Item 14a.

COUNTY ADMINISTRATOR

24. Update on Board Requests

Mr. Presnell Informed the Board that it was time again for the Value Adjustment Board to meet and they needed to re-appoint members and last year's members were Commissioner Sherrie Taylor, Commissioner Gene Morgan, Martha Peeler and Scott Watson.

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

Mr. Presnell said at the next meeting that the TCC building would be placed on the next agenda so a formal decision could be made to be able to finish the budget.

Commissioner Hinson said he had received a call from the Chairman of the TCC Board and they had been discussing the issue for quite some time. He said the Board was audited and there was an issue with TCC with the building and there was a chance in the next few months that the Sheriff may need to find a new place if the Board decides to move with it.

Commissioner Taylor said this not time to discuss this matter.

Mr. Presnell reminded everyone of the Final Budget workshop scheduled for August 21st at 4:00 p.m.

COUNTY ADMINISTRATOR

25. Update on Various Legal Issues

Mr. Weiss said he needed direction on how to handle some pending litigation and needed to have an attorney-client session at the next meeting regarding Escape Lounge v. Gadsden County and it deals with building inspection/code enforcement.

DISCUSSION ITEMS BY COMMISSIONERS

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

Commissioner Taylor, District 5

Commissioner Taylor asked what type of recourse there was with a business establishment that has an intercom system on the outside that plays music throughout the night.

Mr. Presnell stated if it was in an unincorporated area, the County could address it, but if it was inside the City, it would fall under city codes and the County had no recourse.

Commissioner Taylor left the meeting at this point.

Commissioner Morgan, District 3

Commissioner Morgan had nothing to report.

Commissioner Croley, District 2

Commissioner Croley had nothing to report.

Commissioner Holt, Vice Chair, District 4

Commissioner Holt asked that the RFP process be looked at by the board to see if there was anything that could be included in there for local jobs.

She added with the Interlocal agreements with the cities, if annex into the municipalities, the Board needs to make sure that they annex roads and streets in at same time.

Commissioner Hinson, Chair, District 1

Commissioner Hinson said he had been appointed to the Board of Directors with the Florida Association of Counties and there was a board meeting scheduled for September 17th – 19th and Commissioner Holt can handle the meeting in his absence.

RECEIPT AND FILE

27. a. Gadsden County Development Council-Economic Development Q2014 Report

UPCOMING MEETINGS

28. August 19, 2014-Regular Meeting @ 6:00 p.m.
August 21, 2014-3rd Budget Workshop @ 4:00 p.m.

Gadsden County Board of County Commissioners
August 5, 2014-Regular Meeting

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HINSON DECLARED THE MEETING ADJOURNED AT 7:15 P.M.

GADSDEN COUNTY, FLORIDA

ERIC F. HINSON, Chair

ATTEST:

NICHOLAS THOMAS, Clerk