

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON OCTOBER 7, 2014 AT 6:00 P.M.,
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

Present: Eric F. Hinson, Chairman, 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, Pastor Morris from the New Bethel AME Church came forward and gave the Invocation, then Chair Hinson led in the Pledge of Allegiance and a silent roll call was taken by Deputy Clerk, Marcella Blocker.

AMENDMENTS AND APPROVAL OF AGENDA

Chair Hinson asked if there were any amendments and there were none.

Commissioner Morgan stated he had a question regarding the Agenda and asked if Item 4 was in the right spot on the Consent Agenda. He said he had no problem with the issue, but thought it should be under General Business since it was a contract agreement and a financial matter and thought it needed to be discussed.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 TO MOVE ITEM 4 FROM THE CONSENT AGENDA TO ITEM 11A UNDER GENERAL BUSINESS.

AWARDS, PRESENTATIONS AND APPEARANCES

1. Introduction & Update from Apalachee Regional Planning Council

Chris Rietow, Executive Director, District 2 LEPC Staff, appeared before the Board and gave an update from the Apalachee Regional Planning Council.

Commissioner Holt said there would be a lot of information coming up concerning tax credits, and she added that several of them were not aware that government gets tax credits and something should be able to be done with that in order to get revenue.

Mr. Rietow said it was a very complicated federal tax credit program and if awarded, will allow businesses to receive twenty percent of start-up or expansion costs upfront and would have to go to low-income areas.

Commissioner Morgan asked if the board still met bi-monthly.

Mr. Rietow said they did, on the fourth Thursday and the next Board meeting would be November 20th.

Commissioner Morgan asked if they would consider hosting their meeting in Gadsden County at some point and time.

Mr. Rietow said they would.

CLERK OF COURTS

Mr. Thomas said for the record he forwarded them an email regarding cash balances. He said the good news was all the grant money that was outstanding, most of it had come in. He explained the EMS fund was short of cash and that fund was not allowed to be short and would need to be corrected with a budget amendment within next sixty days.

Commissioner Morgan asked if the county as a whole was financially healthy.

Mr. Thomas said overall as of September 30th, yes.

CONSENT

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

2. **Vickie Dillard d/b/a Escape Lounge v. Gadsden County Board of County Commissioners/Release**
3. **Approval for Plotter to be Declared as Surplus and Sold for Parts**
4. **~~Approval of Annual Contract between Gadsden County BOCC and The Florida Department of Health for the Operations of the Gadsden County Health Department~~ Moved to Item 11A**
5. **Approval of Minutes**
-July 15, 2014 Regular Meeting

ITEMS PULLED FOR DISCUSSION

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS (3 minute limit)

Mrs. Kruize, Black Heritage Museum, appeared before the Board and said the Black Heritage Museum opened on May 25th at the old Stevens School. She said their primary goal was to build self-esteem, values and appreciation with others. She said they also wanted to attract tourists and said people had come from Miami and Tallahassee to see the museum. She added that it was only open by appointment and the contact telephone numbers were 305-252-3535 and 786-287-1157.

Mary Lee Lancaster, 2140 Concord Road, Havana, FL, appeared before the Board regarding loose animals. She said there were stray dogs that terrorize the neighborhood at night. She stated that she knew there was an ordinance regarding pets running loose and asked if there was an ordinance that held pet owners responsible for cleaning up after their pets. She was told

no, Leon County has such an ordinance, but Gadsden did not. She asked that the county consider enacting this type of ordinance to hold pet owners responsible.

Commissioner Taylor suggested that she talk with the County Administrator regarding this problem.

Rev. Alphonso Figgers, 215 North Chalk Street, Quincy, FL, appeared before the board and shared a flyer for the Shaw Quarters/Addition Community Day scheduled for October 25, 2014 from 10:00 a.m. - 6:00 p.m. and invited everyone out to the event.

He said that at an earlier meeting, the TCC building was discussed and a thought occurred to him that possibly \$50,000 could go towards the repairs of the building and the other \$50,000 could go towards the scholarship for the students.

He said his third thing he wanted to mention, he said he did not see anything in place to honor and respect 9/11 this year for the first responders and military men and thought next year something could be coordinated for a County-wide event and held on the Courthouse Square.

He said he saw that Safelite had opened a new business in the 10/90 Commerce Park and hoped more businesses would come.

He had asked at a previous meeting if the Hospital would be opened up for full operation and Commissioner Croley had passed that question on to the Administrator and he said no. He asked if that was the consensus of the Commissioners if it would be opened up in full operation in the future.

Commissioner Hinson explained that normally they listen to comments from the citizens and do not make comments regarding what they discuss, but believed the Hospital was of great value.

Commissioner Taylor said she thought it would be good if he sat with the Administrator and discussed this matter.

Commissioner Holt said the Industrial Park located on Joe Adams Road belonged to the City and they would not be able to address that matter.

Rev. Figgers then thanked Commissioner Croley for his services during his term as County Commissioner.

Willie Scott, 26 Shaw Lane, Quincy, FL, appeared before the Board representing the Senior Citizens Services and said there was a problem with the Center and they were before the Board to ask the County Attorney to research the by-laws to make sure the by-laws were being complied with correctly. He added he was not sure how far back the by-laws went, but the building was established in 1987.

Chair Hinson asked him to get in touch with the County Administrator.

Commissioner Morgan asked if it would be more productive if the County Attorney, the Administrator and Mr. Scott met.

Commissioner Taylor said this needed to happen as soon as possible.

Larry Clayton, Post Office Box 704, Havana, FL 32333, appeared before the Board.

Commissioner Taylor stepped out at this juncture of the meeting.

Mr. Clayton informed the Board he was filing a formal complaint for code violations on land use on property described as 2-02-3N-3W-0000-00331-0100. He added that the land use description was Ag2 and was now being used as commercial. He said some of the examples of the code violations were car shows, concerts, remote control airplane shows, soccer games as well as loud music. He told the County Commissioners that the community was tired of the loud music and said this has been an ongoing problem with complaints made to the County Commissioners and the Sheriff's Office. He added that he had no problem with activities that were within the land use codes, but some of the issues they have were parking along the side of the road.

Commissioner Taylor returned at this juncture of the meeting.

Mr. Clayton thanked the Commissioners for allowing him to speak and hoped they would do something about the problem.

PUBLIC HEARINGS

6. PUBLIC HEARING-Amendment of the Land Development Regulations as it pertains to Development Agreements and Adoption of Ordinance 2014-005

Mr. Presnell introduced above item and said this was an update of the Land Development Code to move the regulations pertaining to Development Agreements from Chapter 9 to Chapter 7, combining the two and amending Chapter 7 title to "Development Orders, Development Permits and Development Agreements". He added in addition, there was an amendment to Chapter 2, Definitions, as it pertained to development agreements and the adoption of Ordinance 2014-005. He added they would like to include in the motion an Exhibit B that was not in the Ordinance that renamed Section 7703 to Section 7704.

Mr. Weiss said upon review of the item, there was a scrivener's error in the body of the change ordinance and there were two subsections 7703 and the second subsection 7703 needed to be renumbered to reflect 7704 so when the motion was made, it needed to adopt the revision to include Exhibit B and the correct numbering.

Chair Hinson asked if anyone in the public wished to speak and there was no-one.

Commissioner Morgan had a question for Allara Gutcher.

Allara Gutcher, Director of Planning and Community Development, appeared before the board and explained this would take Chapter 9 and consolidates it into Chapter 7 and would concisely describe what the Development Agreement Process was and refers heavily to the Statute. She added, if they agreed to adopt this ordinance, the one thing that would change was the maximum timeframe the development agreement could live.

Commissioner Croley asked, for instance, if this pertained to Coastal Lumber, where they put in a lot of their own infrastructure and was able to use that piece of land for that production facility. He asked if this provision would allow for those type facilities to be developed and have some type of long term commitment from the County for that.

Ms. Gutcher said this Development Agreement was more geared to property owner and developer to make a long term assessment of what they wanted to do with their property.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM WITH THE CHANGES TO INCLUDE THE SCRIVENER'S ERROR.

7. PUBLIC HEARING-Transmittal Hearing for the Amendment of the Intergovernmental Coordination Element of the Comprehensive Plan to the Department of Economic Opportunity for review.

Mr. Presnell introduced the above item and said there were no serious changes; it was mainly a housekeeping item.

Chair Hinson asked if anyone wished to speak and there was no-one.

Commissioner Holt asked if the City wanted to do development, how this would affect the project.

Ms. Gutcher said this was essentially set up to help work with other agencies.

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

8. PUBLIC HEARING-Amendment of the Land Development Code as it pertains to a change of use of a structure and Adoption of Ordinance 2014-006

Mr. Presnell introduced above item and said it was for the amendment to the Land Development Code to address changes of use by amending Subsection 2102 to include definitions and adding Subsections 7002.C.3 and 7201.A.9 to address changes of use, as well as the adoption of Ordinance 2014-006.

Chair Hinson asked if anyone wished to speak.

Larry Clayton appeared before the board and asked if a business closed today, and it was five years before another business wanted to come in, when did the time start and stop.

Ms. Gutcher appeared before the Board for clarification of his question, if he was asking about non-conforming present use or one that was allowable in the district.

Mr. Clayton explained he lived in a rural area and from time to time a convenience store would "pop up" on the edge of a community. If the store went out of business, how long before another business could come in.

Ms. Gutchler said if it were an allowable use by the plan use category, there was no time limit. She added if it were a commercial business that was developed in a commercial land use category and the land use was changed to residential, there was a time limit on how long it could stay vacant before it had to be residential.

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

9. PUBLIC HEARING-Adoption of Ordinance 2014-007, Amending the Gadsden County BOCC Procurement Policy to provide for a local preference in bid awards, to permit the utilization of contracts of other public entities on the same terms and conditions if the contract was competitively bid, and to permit bid awards to the next lowest bidder after rescission of the low bid without a new solicitation; providing for repealer, severability, and modifications that may arise from consideration at public hearing, and providing for an effective date.

Mr. Presnell introduced above item and said the Board had expressed an interest in amending the GBOCC Procurement Policy and had asked the County Attorney to prepare a draft including certain amendments for their consideration.

Chair Hinson asked if there were any public comments and there was no-one.

Commissioner Morgan asked he supported the intent of this ordinance, but did not support putting the financial burden to the taxpayers and asked if there were another way to accomplish what they wanted to accomplish without it costing the taxpayers a potentially additional \$20,000 for a particular service and asked if there were another option.

Mr. Weiss said there were many ways to implement a local preference policy. He said one way to not have an impact and would not be a financial burden, was to offer a price match option, for instance if the next lowest bid were within five percent of the lowest bid, they could have the opportunity to match the low bid or go a dollar under the low bid.

Commissioner Morgan said he would like to see language concerning qualifications for the businesses.

Commissioner Croley said he has seen these before and did not think much of them and was very hard to implement and wound up costing the taxpayers extra money. He added the Administrator and staff had done a great job in reaching out to local businesses within the community, and used Stones as an example for a local store, but their headquarters was based in Georgia. He mentioned Bell and Bates and said they were locally owned and operated, and asked if Bell and Bates would get preference over Stones? He then mentioned businesses in Tallahassee that employ local people. He felt the whole concept was not practical or was in the best interests of the taxpayers, the citizens as a whole or the businesses. He said the businesses here would find themselves being discriminated against elsewhere. He added if there were two bids that were equal, he felt consideration needed to be given to the one closest to the county. He said with this adoption, he felt a business in Havana may be favored over businesses in Greensboro. He also challenged was anyone going to say they had read and understood all of the policy in detail.

Commissioner Holt said this policy was trying to give opportunities to local people and the other

counties already hire their people and give local preference.

Commissioner Taylor said the idea was to grow the economy and if they invested locally, it would happen, but if the dollars were continued to be spent outside of the county, it would not help. She said everyone knew there was not much growth management going on in this area. She added that she agreed with Commissioner Croley in that it is was very complex issue and did not want to alienate other companies outside of the county in doing business. She suggested they do it case by case and do due diligence in picking the best company.

Chair Hinson said he had spoken to almost everyone in Gadsden County, and when he thought of Allen Sports, when business was sent to B & B Sporting Goods in Tallahassee, it hurt Allen Sports. He said if they continued to invest back in area, they would get more out of it. He said everyone knew he was pro-business and he was pro local-government because if he needed someone to help him out with a kid at a school, he could not call Tallahassee or Miami to help. He said there was a need to support local business.

Commissioner Morgan said he didn't think any of them did not want to support local business and felt most of the citizens wanted to help the local businesses when they could, but the issue was if it cost the taxpayers additional money, he was not for it. He added when it made sense to support the local business, they should, but this ordinance could potentially cost the county a lot of money.

Commissioner Taylor said the specs in a bid would eliminate that problem because of experience being a requirement, there needed to be something in place as a guide.

Commissioner Croley said another thing they might be overlooking for instance was the road contract and Peavy was based in Havana and employ a lot of people from Gadsden County. He added that the type projects he did the majority of was funded by the fuel tax revenue and other sources of revenue that require a competitive bid at State level so when he competes against Anderson Columbia, Mitchell Brothers or whoever and faced with the fact that it will be a low bid so the majority of this work does not apply. He added that sometimes people are confusing these types of programs and are disappointed when they find out that could not be done legally. He then said they had not heard from Mr. Lawson.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR TO APPROVE OPTION 2 MODIFIED WITH THE PRICE MATCH. BEFORE THE VOTE WAS TAKEN, THERE WAS DISCUSSION.

Mr. Weiss read in the changes.

Commissioner Taylor said she would be more comfortable to bring this back with the amended language.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN TO BRING THIS ITEM BACK, BEFORE THE VOTE WAS TAKEN, COMMISSIONER CROLEY CALLED FOR DISCUSSION.

Commissioner Croley called for discussion and the term "local businesses" was on page two and

that had not been defined and included surrounding counties, along with other items that were not defined.

**CHAIR HINSON CALLED FOR THE VOTE. THE BOARD VOTED 4-1 BY VOICE VOTE.
COMMISSIONER CROLEY OPPOSED.**

10. PUBLIC HEARING-Adoption of Ordinance 2014-008, Amending Chapter 58, Article IV, Gadsden County Code of Ordinances, Entitled Outdoor Festivals; Providing for Repealer, Severability, Inclusion in the Gadsden County Code, Modifications That May Arise from Consideration at Public Hearing, and Providing for an Effective Date.

Mr. Presnell introduced above item and said the BOCC had expressed an interest in potentially amending Chapter 58, Article IV of the Gadsden County Code of Ordinances which regulate outdoor music festivals.

Mr. Weiss said this was a simple change and all this ordinance would do is clarify that this ordinance would only apply to outdoor music festivals and it would not apply to other activities and would increase the exemption on outdoor music festivals.

Chair Hinson asked if there were any public comments.

Gloria Prather, 924 Frank Smith Road, Quincy, FL, appeared before the Board. She said she heard music the other night, there was a big bang, and now they want to increase the number of people from 500 to 2,000. She said her neighbors heard all the noise, you drive down the road and could hardly get by because of how they parked in the road and did not agree with the change because people all over the area were being disturbed.

Michael Dorian, 145 Alligator Run, Quincy, FL, appeared before the Board and said there were already festivals going on, there was noise, illegal fireworks, people parking on the side of the road and the only recourse they had was to call the police.

Commissioner Morgan stepped out at this juncture of the meeting.

He said even after police coming, it happens again the next week. He said along with the festival, there are model airplane shows, soccer games and there was a steel band there the other night.

Commissioner Morgan returned at this juncture of the meeting.

Mr. Dorian asked what kind of protection they would have with the number of participants increasing to 2000 and there would be parking all down the road. Neighbors would have to listen to the music and fireworks and asked the commissioners to say no.

Larry Ganus, 2174 Frank Smith Road, Quincy, FL, appeared before the board, and said according to the Property Appraiser's website, he was 1.4 miles from the venue they were discussing and could hear music playing and voices over the loudspeakers and his biggest fear was if this was expanded to 2000 people, the noise would be worse, more traffic problems, parking problems and according to the exemption, all they would have to do is file an affidavit that said they would not have over 2000 people and it would only exacerbate the situation. He asked that

they leave it as was. He also said Chapter 55 was a Noise ordinance, and read that to commissioners. He said the ordinances on the books were not being enforced.

Wayne Hawthorne, 804 Frank Smith Road, Quincy, FL, appeared before the board and said he lived in the area approximately 2 miles from the site. He said there was a water shed adjacent to his land and it would tend to amplify the noise problem. He said there was a parking problem with only 500 people and no sanitary facilities, no police and it was a dangerous situation. He said it was a nuisance to be in the country and all of a sudden hear fireworks go off. He asked them to consider leaving the ordinance as it was.

Larry Clayton, 1564 Dodger Ball Park Road, Quincy, FL, appeared before the board and expressed concerns with the proposed changes to the outdoor festivals. He asked that they keep it limited to 500 people and understood it applied to any gathering. He said he lived right next door to the event and it was difficult for him to enjoy life and the peace and quiet on his property when the events were going on. He added he did not like the remote control airplane buzzing his horses or the vulgar language over the loudspeakers along with the traffic control and crowd control. He gave the population of Gretna, Greensboro and Havana and they all had a population of less than 2000, but they had a full-time police force to enforce the law. He added that now they wanted to turn 2000 people loose with alcohol in a pasture with no control, law enforcement, no facilities and was difficult for him to understand why. He further added if there were any change to the ordinance, it should be to require a permit for all outdoor activities and events and ensure the safety of attendees, enforcement of the noise ordinance and appropriate facilities to handle the garbage and human waste.

Commissioner Holt said she had this item placed on the agenda, and said this was referred to as the "luau law", and when they had the luau, they provided sanitation, security and parking and was a once a year event. She added if there were less than 500, these things could happen and instead, look at the ordinance and see what should be in there. She further stated that property owners were not allowed to use their property to the best use because of the high unemployment rate. When the luau was put on, they provided 42 local vendors an opportunity to make money that one day. She said she was hearing that these events were happening often and if this was the case, it needed to be addressed. She pointed out when someone went to the Seafood Festival, Mule Day or Forest Festival, there are private property owners allowing people an opportunity to make money and allow property owners to utilize their properties and make an income. She said maybe this should be addressed in a workshop. She added that the people that were in favor of this were not backing down.

A person in the audience asked where "they" were and Commissioner Holt stated "they" did not have to attend, they had her representing them.

Commissioner Holt read a portion from the proposed Ordinance and said if it were a private event on private property, why would the County want to look at how many times events had been done in the past year.

Commissioner Morgan said any ordinance not enforced, which there were a number of, needed to be addressed. He said he had listened to concerns from the public regarding this issue, thought they were genuine and if he lived in the neighborhood, he would have the same concerns. He said he saw nothing good in raising the amount of people and from a safety

standpoint, did not think it wise to increase the number.

Commissioner Croley said this event was occurring regularly in District 2. He said while he appreciated the citizens that came, they were not the only ones that have voiced displeasure. He said this ordinance did begin with the luau and before the school was built, the property was owned by St. Joe Paper company and he saw first-hand the parking issues and what went on. Next, he said, was the music festival that started in Commissioner Taylor's district, then it moved to Ball Farm at Point Milliken at the dead-end road. Same complaints from everyone, now soccer games taking place on Highway 12 and now it has moved to the north. He said he was not sure how they would place 2,000 people on 20 acres and did not think changing the ordinance was a good idea. He added this was not impeding family reunions, church sings, and dinner on the ground, etc. He added this related to problems with traffic, noise generated by amplifiers, music happening late at night and disturbing peoples' tranquility. He said he had no problem with the idea of a festival in an urban or well regulated setting and did not support the change.

Chair Hinson asked what was meant by "relevant background qualifications".

Mr. Weiss said the purpose of that was a matter of making sure that whoever applied for the permit had experience and qualifications that entitled them to actually put on an event of this nature.

Chair Hinson said there was a young Hispanic woman that put on a Cinco de Mayo show, it was her first time and the place was packed and this was the reason he asked about the background checks and it may be an issue because they did not want to discriminate against anybody. He added that his issue at first was the pilau held in Havana every year, but they had officers and clean-up crews and had a problem at first because of those events and the events in Chattahoochee, the pow-wow and boat races, but saw this did not relate to those events. He added that he believed everyone was now on the same page.

Commissioner Holt said it had nothing to do with the \$500 and if the document was looked at, it needed to be fixed. She asked why they were concerned whether this band or that band had played or shown up at different events. She added that was not county business and that was infringing on their rights and they either needed to approve the event or not approve it.

Commissioner Hinson said some of the things in the Ordinance could be cut out, but one thing was the safety issue, the second was the need to have law enforcement present and the third was trash on the side of the road. He added that the language needed to be revised.

Commissioner Taylor agreed the ordinance did not need to be changed and said if your home and community was being compromised, it upsets a lot. She said, however, she supported growth and development If there were an organization that wanted to host such an event then it should go through the proper channels and come before the board to be heard.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER CROLEY TO APPROVE OPTION THREE, BEFORE THE VOTE WAS TAKEN, COMMISSIONER HOLT HAD COMMENTS.

Commissioner Holt said she needed to be on the prevailing side so she could bring this back. She reiterated that the document needed to be reviewed and brought back, did not need to have some of the issues in it. She added she was in favor of insurance.

CHAIR HINSON CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE FOR OPTION THREE.

GENERAL BUSINESS

11. Approval to Rescind the Gateway Signage and Landscaping Project Bid Awarded to Grounds Maintenance Services, Inc. and Award the Bid to CSI Contracting, Inc.

Mr. Presnell introduced the above item and said it was for approval to rescind the Gateway Signage and Landscaping project bid that was awarded to Grounds Maintenance Services, Inc. and award the bid to CSI Contracting, Inc. He explained Public Works had held a meeting with Grounds Maintenance Services and GMS voluntarily withdrew from the project and realized they had made a grave error in what was expected of them. He said two bids were submitted and they checked with DOT with regard to going with the next bidder.

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

11A. Approval of Annual Contract between Gadsden County BOCC and The Florida Department of Health for the Operations of the Gadsden County Health Department

Mr. Presnell introduced above item and said it sought board approval of the annual contract between BOCC and the Gadsden County Health Department for the operation of the Gadsden County Health Department.

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

12. Approval of Interlocal Agreement between Gadsden County and the Town of Greensboro for Animal Control Services

Mr. Presnell introduced above item and said it was for approval of an Interlocal Agreement between the BOCC and the Town of Greensboro for Animal Control Services and authorization for the Chairman to execute the agreement.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, BEFORE THE VOTE WAS TAKEN, COMMISSIONER TAYLOR HAD A QUESTION.

Commissioner Taylor asked who was paying the money and Mr. Presnell said the Town of Greensboro would pay the funds to the Gadsden County Animal Control Department.

Chair Hinson said he had seen an influx of calls regarding animal control and it was in the budget at one time to hire another animal control officer and maybe there could be an officer on both sides of the county. Mr. Presnell said early on in the budget there was another position for an animal control officer and the position was removed to cut costs.

CHAIR HINSON CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

13. Approval of Professional Services Agreements for Engineering Consulting Services for Gadsden County

Mr. Presnell introduced the above item and said was for approval of an agreement for the two engineering consulting services.

COMMISSIONER HOLT MOVED APPROVAL AND WAS SECONDED BY COMMISSIONER CROLEY, BEFORE THE BOARD VOTED, COMMISSIONER TAYLOR HAD QUESTIONS.

Commissioner Taylor asked if the second firm had a set rate.

Mr. Presnell said one firm had a set rate and the other had a range and the rate the County was accustomed to working with was in that range and the hourly rate would be firmed up by the time the Board approved the task orders.

CHAIR HINSON CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.

14. Approval of Contract for the Tourist Development Council (TDC) to Host a Crappie Tournament Utilizing the Services of Crappie USA in January of 2015 and Authorization for the Chairman to Execute the Agreement

Mr. Presnell introduced above item and said was for approval of the contract for the TDC to host a crappie tournament and utilize the services of Crappie USA.

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

15. Approval to Cancel the November 4, 2014 BOCC Meeting

Mr. Presnell introduced above item and said there had been a request to cancel the November 4th BOCC meeting because of the General Election being the same day.

COMMISSIONER HOLT MADE A MOTION TO APPROVE AND THERE WAS A QUESTION BY COMMISSIONER MORGAN.

Commissioner Morgan asked if they were required to have a certain number of meetings per year.

Commissioner Holt said she had this item placed on the agenda and added they have never met on election day because they had to be over the election and this was the first time she had ever seen a meeting scheduled on election day.

CHAIR HINSON CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

16. Approval to Extend the Lease Agreement with the United States Department of Agriculture (USDA) for the Farm Service Agency (FSA) Office

Mr. Presnell introduced above item and said the item sought Board approval to extend the lease agreement with the United States Department of Agriculture for the FSA Building.

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

17. Approval of Contract for the Tourist Development Council (TDC) to Utilize Chisano Marketing Group for Tourism Marketing Services

Mr. Presnell introduced the above item and said it was for approval to enter into a contract with Chisano Marketing Group to allow the TDC to use their services for marketing Gadsden County and authorization for the Chairman to execute the contract.

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

18. Consideration to Renew County Administrator's Contract with Robert Presnell

Mr. Presnell introduced above item and said it was for renewal of Robert Presnell's contract as the County Administrator for one additional year.

Commissioner Holt stated she had spoken with the Administrator and he had expressed an interest in working for another year and she supported the one year contract.

Commissioner Taylor said she was in agreement with a two year contract.

Commissioner Taylor asked Mr. Presnell if he was amicable with a two year contract.

Mr. Presnell said, as he had expressed to the Board, he appreciated the opportunity and would serve as long as the Board desired for him to.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER, THE BOARD VOTED 4-1 FOR A TWO YEAR CONTRACT. COMMISSIONER HOLT OPPOSED.

COUNTY ADMINISTRATOR

19. Update on Various Board Requests

Mr. Presnell reminded everyone about the on-line ethics workshop and stated Commissioner Taylor was the only one that had complied so far.

He informed them that the Solid waste franchise agreement was coming up in December.

Commissioner Croley said the agreement included recycling and reminded them when they looked at the agreement four or five years ago, they were now looking at an in-county business that included recycling and the waste was going to Decatur County in partnership with them and saved the County a lot of money. He added that Waste Pro was doing a really great job.

Mr. Presnell wanted the Board aware that they were still negotiating with the City of Quincy on the fuel payment. He said another payment had been made, but the usage almost equaled the payment. He said he had tried to work with the City, the end of the fiscal year was coming up,

but the dollar amount (around \$80,000) was at the point some action may need to be taken.

Commissioner Morgan asked that he keep them informed of any actions so they were not caught off guard.

Commissioner Croley asked if there was an interest rate added, (yes, around 7%), the building fees, and animal control fees, of they were current.

Mr. Presnell said they might be at 30 days now, they were current last month.

Commissioner Holt asked that he write the City Commission a letter.

COUNTY ATTORNEY

20. Update on Various Legal Issues

Mr. Weiss said the only item he had was the alcohol consumption in the parking lot. He said he had done some research and the County was within their rights as a property owner and the County in general to enforce the ordinance which does not permit alcohol consumption on the County owned parking lot.

Commissioner Hinson said he had problem because he has daughter with asthma, and had more problem with employees smoking on site and thought that issue needed to be addressed as well to be fair about the situation.

Commissioner Croley said he brought up the subject of the parking lot because of the safety concerns.

Commissioner Hinson interjected that he would also make his concerns on smoking on site a motion as well.

Commissioner Croley said they knew they could not enforce the law themselves and asked that the attorney write a letter to the Chief of Police to have them properly patrol the parking lot to enforce the ordinance because of the concern of public drinking in a parking lot with posted signs.

Commissioner Hinson stated there should be signed posted and Commissioner Morgan stated there were but they were not reading the signs.

Commissioner Morgan said that should be done and be pro-active and if down the road there was a serious event, it showed that the Board had properly notified the appropriate authorities.

Commissioner Holt said she was not sure it should be addressed from the attorney to the Police Department, but instead from this government to the government that was over the police department.

There was discussion among the Board as to who should draft the letter and to whom it should be addressed to.

Commissioner Croley asked the attorney to send the letter to the police department.

Commissioner Croley said the attorney had put before them the information regarding the redistricting process and asked if this was his response to the request for information.

Mr. Weiss said this was basic in terms of obligation and if the Board wanted him to get into a lengthy legal analysis, he would.

Commissioner Morgan asked if it made sense to the Attorney that they had met the requirements of the Florida Statutes and if it honored the intent of same and if it would make sense to have an independent firm come in and look at the present census population, how each district was represented and say everything was in great shape or either recommend other action.

Mr. Weiss said in response to the question, yes, the Board should review and analyze any relevant data that could be collected. He added if the County had the ability to do this in-house they could, but he did not believe the County had the resources to do so.

Mr. Presnell added that there were people available through FSU that had the computer modeling that could move the census balls around and they could pay the \$5,000 and it could be done very quickly.

Commissioner Morgan pointed out that the \$5,000 expense could turn into a lot more than that if someone contested that the County did not do as they were supposed to do and they were tied up in court and it was their job to make sure it was properly addressed every ten years.

Commissioner Taylor said back in 2012 or 2013, this commission looked at this and did all they needed to do and there was not that big of a change with the census. She added as far as she was concerned, it had been properly vetted and she was willing to let it go.

Commissioner Croley disagreed an analysis was properly done because there was a recommendation from the Supervisor of Elections that an outside consultant be hired to do this, the Administrator provided information to that effect as well as the County Attorney and an outside law firm made a presentation to that as well. He added in reviewing the Attorney General's opinion that "...guess work' is not a reasonable exercise of the discretion vested in the county commissioners" and that "...the county commissioners may not simply do nothing because the United States Census Bureau had not provided sufficient data and may not rely on pure guess work." He said this had not been reviewed according to the information they were provided by the County Attorney. He further stated he felt it opened them to future issues next year, which was the odd year and one of the few times the County had left to look into this and it was well documented in the records.

Commissioner Taylor responded that the term "subjected" meant how she felt, an emotion, but when she states census, that was a fact, not an opinion and that was what the redistricting was based on, what the growth was. She added that she felt the way the district lines were drawn now was fair. She further stated if she could be shown where the numbers indicated where they needed to change, she was willing to do so, but otherwise she was not for it.

Commissioner Morgan said all he was after was an objective firm to come in and have a proper analysis done and if there needed to be changes made, make the changes, if not, they were good.

Commissioner Croley said if the districts were properly balanced, they would know it, if not, they would also know that and all he was after was getting a proper analysis done.

DISCUSSION ITEMS BY COMMISSIONERS

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

Commissioner Taylor, District 5 **Department Overages**

Commissioner Taylor said they had received an email from the Clerk and he spoke with regards to some of departments having overages and asked if it were still an issue.

Mr. Presnell said with EMS, they did not over-spend, it was a collection issue. He said they were starting off the new fiscal year and he was not sure how often the Clerk's Office looked at things throughout the year.

Clerk Thomas said he had mentioned this back in March of the possibility. He said they had increased their fees in hopes it would generate more money and was not going to budget a general fund transfer and he encouraged them to do so and they did. He added if they had not done that, it would have been much more significant.

Commissioner Holt stepped out at this juncture of the meeting.

He added that it had been proven for the last thirty years the General Fund has subsidized EMS and it had never completely made it by itself with the collections. He added with the fiscal year that just ended, it needed to be ratified with a budget amendment and would need to be watched closely in the current fiscal year.

Commissioner Holt returned at this juncture of the meeting.

Road Improvements

She said they had discussed refinancing the bond and asked when that might be brought before them.

Mr. Presnell said Mr. Gollahon would be present at the next meeting.

Parks

She asked if the money was still there. Mr. Presnell said yes. She asked if there was a list.

Mr. Presnell said it was in their Comprehensive Plan, the Board approved the list and only one was left and they would need to update that list in the near future.

Senior Citizens

She said there was a great showing of the Senior Citizens tonight and asked that they not be smoothed over and for their concerns to be addressed.

Commissioner Morgan, District 3

Commissioner Morgan said it was mentioned earlier about animal control and there was a need to address the problem.

Redistricting

He added he would like to see an independent firm come in to make analysis to see if there was a need to make any changes.

He also commended the administrator on his job.

Commissioner Croley, District 2

Commissioner Croley said he had been successful in getting GIS mapping and complemented Justin Ford for putting the map together and complemented Robert Presnell as the County Administrator for his assistance. He said it was a five year crash data history and pointed out roads with major problems.

Commissioner Holt, Vice-Chair, District 4

Commissioner Holt said she liked Commissioner Taylor's question about EMS. She said they were unable to recoup money if a patient was transported from here to Tallahassee because CRMC claimed the money and EMS could not recoup the money.

Commissioner Hinson asked if each commissioner could do what was right for Gadsden County and forget about the politics of the hospital and the emergency room and see how the matching funds worked and try to find money that could help the County out.

Commissioner Holt said the reason she brought the matter up, CRMC could say since the County furnished the ambulance, they could take care of the costs, or they could say the County was running the ambulance free and every time a Medicare patient was transported to Tallahassee, they could reimburse 50% or even 10% so that money could stay in the County.

She also said that she did not want anyone to think she did not appreciate the Administrator, but she had talked to him before the meeting and he indicated he wanted a one year contract.

She said she went to the site at the Alabama-Florida line, where Jackson County is doing at Campbellton. She said it was 2,240 acres they have purchased and there was a railroad on (Highway) 231. She added if they got the Toyota plant or any plant that large to support that plant and they were looking at the railroad and looking at the west side of the county. She said they were hoping to get some of those companies here.

Commissioner Hinson, Chair, District 1

Chair Hinson said he had received a phone call today concerning the Havana-Concord Road and someone had been involved in a car accident there and there was a need for a traffic light at that intersection.

Mr. Presnell said Preble-Rish had conducted two engineering studies and the most recent was

approximately two years ago.

Commissioner Hinson said he was sick of studies, there needed to be action taken.

Commissioner Holt asked if Mr. Presnell could look into that matter.

Mr. Presnell said there was certain criteria that had to be met with the State and asked Justin Ford with Preble-Rish to address the process of traffic lights.

Justin Ford, Preble-Rish, appeared before the Board and said that was something that came up every month at their safety traffic meeting. He invited the Board members to attend the next meeting, which was the next day at the Bus Barn at 10:00 a.m. He said the DOT has a formal process and when the study was done, it did not meet the seven step criteria.

Commissioner Morgan said the County could do something tomorrow, but it would tend to tick off as many people by adding rumble strips and stop signs as if nothing had been done.

RECEIPT AND FILE

22.
 - a. **August 28, 2014 letter from Mediacom (October 1, 2014 Rate Adjustments)**
 - b. **Certificate of Completion-Ethics, Public Records, and Sunshine Laws Workshop Part 1-Part 3 (Commissioner Taylor)**

UPCOMING MEETINGS

23. **October 21, 2014-Regular Meeting @ 6:00 p.m.**
November 4, 2014-Regular Meeting @ 6:00 p.m.

Gadsden County Board of County Commissioners
October 7, 2014-Regular Meeting

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HINSON DECLARED THE MEETING ADJOURNED AT 9:27 P.M.

GADSDEN COUNTY, FLORIDA

ERIC F. HINSON, Chair

ATTEST:

NICHOLAS THOMAS, Clerk