**AT A REGULAR MEETING OF THE BOARD OF**

**COUNTY COMMISSIONERS HELD IN AND FOR**

**GADSDEN COUNTY, FLORIDA ON JANUARY 6, 2015, AT 6:00 P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

Present: Brenda Holt, Chair, District 4

Eric Hinson, Vice-Chair, District 1

Dr. Anthony “Dr. V” Viegbesie, PhD, District 2

Gene Morgan, District 3 - absent

Sherrie Taylor, District 5

Nicholas Thomas, Clerk of Court

Robert Presnell, County Administrator

David Weiss, County Attorney

Marcella Blocker, Deputy Clerk

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| **INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**  Chair Holt called the meeting to order at 6:00 p.m., led in silent prayer and the Pledge of Allegiance to the U.S. Flag. A silent roll call was taken by Marcella Blocker, Deputy Clerk. | |
| **AMENDMENTS AND APPROVAL OF AGENDA**  Chair Holt asked if there were any amendments to the Agenda and Mr. Presnell stated there was one amendment he would like to add under Awards and Presentations, which was Resolution 2015-001 honoring the First Responders.  **UPON MOTION OF COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGENDA.** | |
| **AWARDS, PRESENTATIONS AND APPEARANCES** | |
| **1.** | **Pat Thomas & Associates Insurance Company**  **John Pat Thomas, Pat Thomas Insurance**, appeared before the Board with a late Christmas present and said this was the sixth year the Florida League of Cities, the provider for insurance for the County had returned premiums back and he presented a check to the County in the amount of $30,021. He added that it represented the County’s pro-rata portion of the premium that was divided amongst other members.  Commissioner Hinson said it was always customary with the School Board and he thought they had done so last year, to have a picture taken with Mr. Thomas. Chair Holt pointed out her only concern was she thought he was a contractor.  Commissioner Hinson stated it was no problem with him, that Mr. Thomas had done a great job.  The Commissioners then stepped forward to have their photo made with Mr. Thomas when he presented the refund check to the County. |
| **2.** | **First Responders Week-Resolution 2015-001**  Chair Holt read aloud and then presented a Resolution to each of the Volunteer Fire Departments and a plaque to the Fire Departments. |
| **CLERK OF COURTS**  Mr. Thomas was present and had couple of positive comments to make. He said regarding the General Fund, he said they had collected about 98.4% of general fund revenue and the fund balance should go up again this year. He added that the Transportation fund, to the credit of Mr. Presnell who held expenses in check, broke even. He reminded them that he had said some months back if the gas prices ever got below $3.00 a gallon, they would see the fuel tax revenue go up and if gas prices stayed the way they were currently, they could expect the fuel tax revenue to go up this year. | |
| **CONSENT** | |
| **2.** | **Approval of Minutes** |
| **ITEMS PULLED FOR DISCUSSION** | |
| **CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**  There were no citizens that requested to speak. | |
| **PUBLIC HEARINGS** | |
| **3.** | **PUBLIC HEARING-Adoption Hearing for the Amendment of the Intergovernmental Element of the Comprehensive Plan**  Mr. Presnell introduced above item and said it was an adoption hearing for the amendment of the Intergovernmental Element of the Comprehensive Plan.  Chair Holt asked if anyone wished to speak regarding this item and there was no-one.  Commissioner Taylor asked for a comparison of the changes.  **Allara Gutcher, Planning and Community Development Director,** appeared before the Board to explain the changes.    **UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.** |
| **GENERAL BUSINESS** | |
| **4.** | **Public Officials Bond Review**  Mr. Presnell introduced the above item and said this was the Public Officials Bond Review and said that each June and January they were required by County Ordinance to review the sufficiency of all bonds for elected officials.  **UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.** |
| **5.** | **Approval of Contractual Agreement Between CenturyLink and Gadsden County BOCC**  Mr. Presnell introduced the above item and said it was for approval of a contractual agreement between CenturyLink and BOCC for ongoing maintenance to dispatch equipment, etc. at the E911 Office.  Commissioner Hinson asked if there were any other bids regarding this item.  **Maurice Peddie, 911 Coordinator**, appeared before the board to address questions of the Board and said was an on-going contract and was specific to their equipment and was a sole source contract.    Commissioner Viegbesie had questions regarding the providers.  Mr. Peddie explained no bids were placed, state funds purchased the equipment, but they required that they be maintained.  **UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.** |
| **6.** | **Approval to Accept the Department of Homeland Security Grant Funding for Local Training, Planning and Exercise Under Contract Number: 15-DS-P4-02-30-01-\_\_(CFDA# 97-067)**  Mr. Presnell introduced above item and said it was for approval to accept the Department of Homeland Security Agreement for local Emergency Management Training, Planning and Exercise Contract in the sum of $12,307 to fund local planning, training and exercise in emergency preparedness for Gadsden County employees, volunteers and citizens.  **UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.** |
| **7.** | **Approval of Revised Agreement Task Authorization and Additional Terms with The Management Experts, LLC to Provide Emergency Management Training**  Mr. Presnell introduced the above item and said was for approval of a revised Agreement Task Authorization and additional terms with The Management Experts, LLC, to provide emergency management training.  **UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.** |
| **8.** | **Approval to Award Bid 14-18 to Gulf Atlantic Culvert Company, Inc. for the Supply of Asphalt Coated Culvert Pipes**  Mr. Presnell introduced the above item and said it was seeking Board approval to award the County contract for the supply of asphalt coated culvert pipes to Gulf Atlantic Culvert Company, Inc. and informed them it was the only bid received.  Commissioner Taylor asked if this was specific for any project or if it was stock-piled.  Mr. Presnell said they were stock-piled and was for ongoing use throughout the year.  Commissioner Hinson asked for a physical address of the company because it only showed a Post Office box.  Mr. Presnell stated they were located on Tower Road.  Commissioner Hinson asked that in the future, they have a physical address for all contracts they approve.  Commissioner Viegbesie asked if the whole stock-pile was used annually.  Mr. Presnell responded that they were used on a daily basis and they would deliver a truckload at the time and not all at once.  **UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.** |
| **9.** | **Approval of Interlocal Agreement with the City of Chattahoochee Regarding Public Boat Ramp Improvements on the Apalachicola River**  Mr. Presnell introduced above item and said it was for Board approval of an Interlocal Agreement with the City of Chattahoochee for improvements to the public Boat Ramp on the Apalachicola River in the amount of up to $50,000 and the boating improvement funds would be used.  Commissioner Taylor asked how that amount was derived at.  Mr. Presnell said it was an engineer’s estimate and Chattahoochee would award the bid, the County was just approving the Interlocal Agreement with them. He further explained their engineer would do the design and they were responsible for paying the engineer and this was just as they do for road maintenance or building inspections with the cities and municipalities. He also explained they were approving the boating improvement funds and the funds were restricted to boating improvements.  Chair Holt said her concern would be the City bidding it and she would like to see who placed bids on this.  Mr. Weiss explained the reason it was constructed in this matter was the boat ramp was not county property and the County did not want to incur costs or liability associated with what the improvements resulted in and felt the cleanest way to handle it was to reimburse upon the receipts up to a certain amount.  **UPON MOTION OF COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE ITEM UPON RECEIPT OF DOCUMENTATION.** |
| **10.** | **Approval of the Economic Development Services Agreement with the Gadsden County Development Council**  Mr. Presnell introduced above item and said it was for Board approval of the contract between Gadsden County BOCC and the Gadsden County Development Council, Inc. for economic services.  Commissioner Taylor said she had major issues with some of the items in the contract and asked the attorney if he had reviewed it.  He said he had not reviewed it prior to it being placed on the agenda but did do so before the meeting.  She added that one of the major concerns she had was at the execution of the contract, the County was to advance GCDC $80,000 without any performance and she thought they were in unison that the contract was to be performance based.  Commissioner Hinson said he felt the need to move forward and approve the contract tonight and then have the attorney review it to see if they should go forward.  Chair Holt asked if the attorney had reviewed the contract.  Mr. Weiss said he had reviewed it, but it was not in his preferred format, but the content was OK.  Commissioner Viegbesie said when he reviewed it, his concern was the same as Commissioner Taylor had expressed, he did not see any measurement for what the money was for and thought that was the ground they had so many differences in and if possible, find a way to add it before the motion to approve it before the money was disbursed.  Chair Holt pointed out attached to the Contract was Exhibit A that showed the deliverables and they could not wait to approve this.  Commissioner Taylor said based on her knowledge, understanding and experience with performance based deliverables; the language had to be one that was measurable. She said the contract had already been approved and she agreed with Commissioner Viegbesie that there needed to be measurable items in the contract.  **CHAIR HOLT CALLED** **FOR THE VOTE AND SAID THERE WAS A MOTION ON THE FLOOR BY COMMISSIONER HINSON AND SHE MADE THE SECOND. THE BOARD VOTED 3-1 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER TAYLOR OPPOSED.** |
| **11.** | **Approval of the Gadsden County Agricultural Education and Promotion Facility Request for USDA Loan and Grant Funding**  Mr. Presnell introduced the above item and said it was for Board approval for applications to be submitted to the United States Department of Agriculture for funding to construct an Agricultural Education and Promotion facility and Farmer’s Market.  **UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, BEFORE THE VOTE WAS TAKEN, COMMISSIONER TAYLOR HAD A QUESTION.**  Commissioner Taylor asked that the Administrator finish his dialogue.  Mr. Presnell wanted to make sure it was clear with the Commissioners that they may or may not receive the $200,000 grant and there was a $300,000 low interest loan and was to work on the complex they were trying to build.  Commissioner Viegbesie said at the funeral for Sheriff Larry Campbell, he happened to see Senator Montford and he offered his assistance in whatever might be needed.  **CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE ITEM.** |
| **12.** | **Approval of Interlocal Agreement for Planning Services with the City of Midway for FY 2014/2015**  Mr. Presnell introduced above item and said it was approval of an Interlocal Agreement for Planning Services with the City of Midway for the fiscal year 2014-2015.  Commissioner Viegbesie asked if there was money budgeted for this item.  Chair Holt pointed out this was an Interlocal Agreement where the County provided the services to Midway and would be reimbursed by Midway.  **UPON MOTION BY COMMISSIONER HINSONA ND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.** |
| **13.** | **Approval of Interlocal Agreement for Road Maintenance and Special Projects with the City of Quincy**  Mr. Presnell introduced the above item and said it was for approval of an Interlocal Agreement for road maintenance and special projects with the City of Quincy. He added this was done annually as a group and something happened and it was not signed and he would let the attorney explain.  Mr. Weiss explained that on September 16, 2014, the Board approved all the Interlocal agreements with all the municipalities and the School Board and this was substantially similar to the one on the agenda. He further explained that when the City hired their permanent attorney, he contacted Mr. Weiss and informed him that the Agreement had not been approved yet and he had a couple of concerns with the Indemnification provision in paragraph 10. Mr. Weiss said he wanted to add “to the greatest extend permitted by law” and a statement that the City was not waiving its sovereign immunity by entering into this Indemnification provision.  Commissioner Viegbesie asked if a driver hit a pothole on a county road and within city limits, then the County could not be held responsible or sued to replace a damaged rim.  Mr. Weiss explained the intent of the paragraph was there were numerous roads within the city’s jurisdiction which was owned by the County prior to incorporation or annexation by the City, so they are titled in the County’s name, but maintained by the City and was the City’s responsibility for maintenance. He added that the intent of the paragraph was even though the County was maintaining the roads; it was being done as an independent contractor. He further stated if the County was sued and the claim was that the County was somehow negligent in the maintenance, they would indemnify the County, basically pay whatever portion of the claim the County was found responsible for up to their limits of sovereign immunity.  Commissioner Taylor asked where there was a county road that was within the city limits.  Mr. Weiss said there were a number of roads that were titled in the County’s name.  Mr. Presnell said there were several, for instance Mainstreet in Chattahoochee.  Chair Holt said there had been problems when citizens had been annexed into the city and the roads were not and they were not aware of that.  Commissioner Viegbesie asked if an organization wanted to have an event and use a particular road and it was part of the County highway, but was within the city, who would they would go to get their permit from?  Mr. Weiss responded if the County had jurisdiction, authorization would come from the County, but depending on why they wanted the road closed, additional authorization may have to come from the City as well.  **UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.** |
| **14.** | **Approval to Confirm the Appointment of the Library Services Director**  Mr. Presnell introduced above item and said it was for Board confirmation of Tabitha Washington as the Library Services Director.  **UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE AND HE REQUESTED THE FREQUENCY OF THE MOBILE UNIT TO MIDWAY, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE TABITHA WASHINGTON AS THE LIBRARY SERVICES DIRECTOR.** |
| **County Administrator** | |
| **15.** | **Update on Various Board Requests**  Mr. Presnell said the Gadsden County Public Safety Coordinating Council decided they would like to have bi-annual meetings and it would be coming up.  He said they were waiting for nominations for the Senior Citizen board.  He added that Carla from Rep. Williams’s office made contact and set the date for Monday, January 26 at 6:00 p.m. for the Legislative Delegation Meeting here and notices would be sent out  He reminded them that the Crappie tournament would be one week from Friday and a lot of folks were coming from out of town visiting the County. |
| **COUNTY ATTORNEY** | |
| **16.** | **Update on Various Legal Issues**  Mr. Weiss said he had nothing to report, but was happy to answer any questions and there were none. |
| **DISCUSSION ITEMS BY COMMISSIONERS** | |
| **17.** | **Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County** |
|  | **Commissioner Anthony “Dr. V” Viegbesie, PhD – District 2**  Commissioner Viegbesie said he had nothing specific with regards to District 2, but wanted to tell the Commission Happy New Year and hoped the Board comes together, and grows to where they do not take comments personally and there were no personal attacks. |
|  | **Commissioner Gene Morgan, District 3** |
|  | **Commissioner Sherrie Taylor, District 5**  Commissioner Taylor asked the progress on Hogan Lane.  Mr. Presnell said it was being designed and may have to wait until they received the grant dollars, but once done, it would be ready to go out for bids.  She then said at one time they were looking at refinancing the bond, and asked where they were at with that.  Mr. Presnell said they would probably see it in March, that by law they had to wait twenty-four months from the previous refinancing.  She added that she appreciated having the First Responders at the meeting tonight and appreciated the report from the Clerk. |
|  | **Commissioner Eric Hinson, Vice-Chair, District 1**  Commissioner Hinson dittoed everything Commissioner Viegbesie said and thanked Major Shawn Wood for doing an outstanding job along with Curtis Young the past couple of weeks with the severe weather.  He also mentioned that he would like to have a retreat to identify an aim and get direction. |
|  | **Commissioner Brenda Holt, Chair, District 4**  Chair Holt said she had received several complaints regarding Stephens School from the roof to contracts to people asking for items from there and asked that it be placed on the agenda ASAP since the property was owned by the County Commission.  Commissioner Taylor asked for clarity because a program that she started was at that building and she had a sub-lease with Carolyn Ford and asked if there were a problem with that agreement.  Chair Holt said that the agreement was still in place, but that was not the concerns she was hearing.  She also said they should be concerned when there were no applications for new development under public hearings.  She added that they really needed a project manager on board.  Commissioner Viegbesie said Commissioner Hinson raised a concern at the last meeting regarding the job position classification and asked if that was something Board was going to visit.  Chair Holt said that could be determined by the Board, however they wished to do it, but she was more concerned that they had a specific person on staff that was a professional.  Commissioner Holt asked the Administrator who was currently handling those responsibilities.  Mr. Presnell responded that it depended on if they were talking legislative or administrative, and added they were going to need to discuss it further.  Commissioner Taylor said this was an item that needed to be entertained during the budget season and felt it was not something for them to go forward with in the middle of the fiscal year because an enormous amount of money had been spent this year, but agreed it was a great idea.  Chair Holt said she wanted it on the agenda, there was money for those things and there was more than $3 Million in reserve, more than what the State required. |
| **RECEIPT AND FILE** | |
| **18.** | a. Gadsden County Division of Emergency Management Quarterly Report (August 1, 2014-November 3-, 2014)  b. December 12, 2014 Letter from Mediacom  c. December 12, 2014 Letter from Mediacom |
| **UPCOMING MEETINGS** | |
| **19.** | **January 20, 2014 – Regular Meeting at 6:00 p.m.**  **February 3, 2015 – Regular Meeting** |
| **MOTION TO ADJOURN**  **THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 7:30 P.M.**  **GADSDEN COUNTY, FLORIDA**  **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  **BRENDA A. HOLT, Chair**  **Board of County Commissioners**  **ATTEST:**  **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  **NICHOLAS THOMAS, Clerk** | |