

AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON NOVEMBER 15, 2016 AT 6:00
P.M., THE FOLLOWING PROCEEDING WAS HAD, VIZ:

Present: Brenda A. Holt, Chair, District 4
Eric Hinson, Vice Chair, District 1
Dr. Anthony "Dr. V" Viegbesie, District 2
Gene Morgan, District 3
Sherrie Taylor, District 5
Robert Presnell, County Administrator
David Weiss, County Attorney
Marcella Blocker, Deputy Clerk

INVOCATION, PLEDGE OF ALLEGIANCE

Chair Holt called the meeting to order at 6:00 p.m., asked Commissioner Viegbesie to say the prayer and then led in the Pledge of Allegiance to the U. S. Flag. A silent roll call was conducted by Deputy Clerk Marcella Blocker.

AMENDMENTS AND APPROVAL OF AGENDA

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGENDA AS PRESENTED.

AWARDS, PRESENTATIONS AND APPEARANCES

1. Economic Opportunity

Mr. Presnell introduced the above item.

Commissioner Viegbesie introduced **Mr. Karl Blischke, Director of Strategic Business Development with the Department of Economic Opportunities.**

Mr. Karl Blischke appeared before the Board and gave a brief overview of his Department. He said his Department dealt a lot with businesses that were looking to locate or expand in Florida

Julie Dennis, Staff Director, appeared before the Board and had a few words to say.

Commissioner Hinson arrived at this juncture of the meeting.

Chair Holt had comments and questions. Mr. Blischke re-appeared before the Board to address her concerns.

Commissioner Viegbesie had comments.

2. Gadsden County Healthy Start Coalition Update

Mr. Presnell introduced the above item.

Dr. Joy Anderson, Healthy Start Coalition, appeared before the Board and said their primary initiative was to promote health and well-being among child-bearing age women, children,

fathers and families in the county and their vision was the County working together to ensure that children and families thrive. She further explained some of the initiatives that they were working on.

Mr. Presnell said this tied into what the Commissioners had been talking about.

3. Teen Court Update

Mr. Presnell introduced the above item and said there were two representatives from the Sheriff's Office present.

Lt. Shelton Turner, Gadsden County Sheriff's Office, and Bianca Murphy, Program Director, appeared before the Board and gave a report on the workings of Teen Court.

Lt. Turner stated he was the direct Supervisor of the Coordinator, Bianca Murphy.

Ms. Murphy gave the Commissioners an overview of what Teen Court did. She said Teen Court was a non-judicial diversion program but had a judicial look in that they house themselves in the Courthouse and the students were brought to them. She added if the juvenile was charged with a minor misdemeanor instead of having them go into the juvenile court system, they were deferred to their program instead and a jury of their peers hears their story, officers are there and the students come up with a sanction they feel worthy. She said there were several different categories of sanctions depending on the offense.

Commissioner Viegbesie said he had requested this update because a number of parents had questioned him about how to handle their youth that was delinquent and the troubles they faced as a first time misdemeanor and 3rd degree felony juvenile offenders.

Commissioner Morgan thanked them for coming and asked the costs of the program to the taxpayers. Lt. Turner said it was approximately \$25,000.

CLERK OF COURTS

Mr. Thomas was not present and there was nothing to report.

CONSENT

Commissioner Morgan asked to pull Item 8 and Mr. Presnell said it would be added as Item 15a.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-1 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED.

- 4. Ratification to Pay County Bills**
- 5. Approval of Minutes**
 - a. September 20, 2016-Regular Meeting**
- 6. Approval to Accept the FY 2017/2018 Proposed Budget Calendar**
- 7. Approval of the 2017 County Commission Meeting Calendar**

- ~~8. Approval of Library Annual Plan of Service 2016-2017~~
Item pulled for discussion.

9. Approval to Lease Dental Equipment to the Gadsden County School Board for FY 17

ITEMS PULLED FOR DISCUSSION

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

PUBLIC HEARINGS

- 10. Public Hearing (Quasi-Judicial)-Midway Business Park Conceptual Subdivision Plan (SD-2016-01)**

Mr. Presnell introduced the above item and said this was for conceptual plan approval of the subdivision of two parcels totaling 191.29 acres into a thirty-three lot industrial subdivision. Mr. Presnell advised this had been previously approved on 2001 and 2002, construction plans were approved, roads were paved, concrete poured, but due to the economy, it was not completed and all previous approvals have expired.

Marcella Blocker, Deputy Clerk, sworn in Jill Jeglie.

Jill Jeglie, Interim Planning Director, appeared before the Board to give an over-view of the project.

Commissioner Hinson asked where the meeting was held.

Darrin Taylor, Carlton Fields, appeared before the board to address the questions and was sworn in by Mrs. Blocker. He said the meeting was held on site and Commissioner Hinson asked where and Mr. Taylor said it was at the proposed Midway business park. Commissioner Hinson said he had talked with a group of constituents, that while he felt great about this, he represented the citizens and they did not know if this was residential or commercial because of how it was stated. He further stated that the only information given to them was the meeting in Quincy and was not on-site. Mr. Presnell said that was the Planning meeting. Commissioner Hinson said that may have been why no-one attended that meeting and asked what homes it was sent to. Mr. Taylor explained things were followed according to the Board's code-a one-half mile radius.

Commissioner Viegbesie stepped out at this juncture of the meeting.

Mr. Taylor said to clarify this was just step one and a conceptual approval and they would have to come forward with much more for the preliminary plat approval that would come before the Board along with final plat approval. He added that this was commercial and was not residential; the land use would have to be changed before it could be used as such and their client did not do residential.

Chair Holt said there were extensive meetings earlier and they wanted an explanation for the public. She then announced it was a public hearing and asked if there were any comments and there was no-one.

UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER TAYLOR, THE

BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.

11. Public Hearing (Legislative)-Consideration of Adoption of Ordinance 2016-016 to amend Chapter 2, Definitions and Interpretations, Subsection 2102 and Chapter 6, Subdivision of Land of the Gadsden County Land Development Code

Mr. Presnell introduced the above item and said it was for adoption of Ordinance 2016-016 to amend Chapter 2, Subsection 2102 and Chapter 6, Subdivision of Land of the Gadsden County Land Development Code.

Commissioner Viegbesie returned to the meeting.

Commissioner Morgan stated it would be helpful for Ms. Jeglie to appear before the Board and give a brief explanation of the amendment.

Jill Jeglie appeared before the Board to explain the changes.

Mr. Weiss said there were a couple of minor changes he wanted to suggest for clarification purposes and stated the changes.

Chair Holt asked if there were any comments from the audience and there were none.

UPON MOTION BY CHAIR HOLT FOR APPROVAL WITH THE CHANGES AND SECOND MADE BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

12. Public Hearing (Legislative)-Consideration of Adoption of Ordinance 2016-015 to amend Subsections of Chapter 4, Chapter 5, and Chapter 7, pertaining to neighborhood commercial uses, standards and procedures. The correction of scrivener's errors in numbering and lettering; and the deletion of Subsection 5707.P.8, Signs of the Land Development Code

Mr. Presnell introduced the above item and said it was for consideration of adoption of Ordinance 2016-015 to amend Subsections 4104, Neighborhood Commercial and deleted Subsection 4202,C, Neighborhood Commercial Uses, Subsection 5204, Supplement Standards for neighborhood commercial uses, and Section 5101 Residential Uses, Subsection 5902 Recreational Vehicle Park Standards and Section 7200, Review Procedures of the Land Development Code and to correct scrivener's errors in numbering and lettering.

Jill Jeglie, Interim Director, appeared before the Board and explained the item and changes.

Mr. Weiss said he noticed that the agenda item was a prior version and the option needed to be to adopt the Ordinance to amend Chapters 4, 5, and 7, not Chapter2 and the same in the Ordinance itself.

Commissioner Morgan had questions and Ms. Jeglie addressed his concerns.

Chair Holt announced it was a public hearing and asked if there were any comments from the audience and there was none.

COMMISSIONER VIEGBESIE MADE A MOTION FOR APPROVAL WITH CHANGES AND COMMISSIONER HINSON MADE THE SECOND, THE BOARD VOTED 5-0 BY VOICE VOTE TO

APPROVE THIS ITEM.

13. Public Hearing: Resolution 2016-026 for Fiscal Year 2015-2016

Mr. Presnell introduced the above item and said it was a public hearing for Board approval of Resolution 2016-026 and for authorization for the Administrator and the Finance Director in the Clerk's Office to complete and execute all budget amendments necessary for the Fiscal Year 2016 BOCC budget.

Chair Holt announced it was a public hearing and asked if there were any comments from the audience and there were none.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.

14. Public Hearing: Resolution 2016-023 for Fiscal Year 2017

Mr. Presnell introduced the above item and said it was for Board approval of Resolution 2016-023 and authorization for fiscal year 2017 for the current year's budget and they needed to make some budget amendments but the budget was not being increased.

Chair Holt announced public hearing and asked if there were any comments and there was none.

UPON MOTION BY COMMISSIONER MORGAN TO APPROVE OPTION ONE AND SECOND MADE BY COMMISSIOENR VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

GENERAL BUSINESS

15. Howell Road CIGP Agreement

Mr. Presnell introduced the above item and said it was for Board approval and signature of the FDOT CIGP agreement for the widening and resurfacing of Howell Road.

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

15a. Approval of Library Annual Plan of Service 2016-2017

Mr. Presnell introduced the above item and said it was the second part of the 2016-2017 State Aid to Public Libraries application.

Tabitha Washington, Director of Library Services, appeared before the Board to explain the item.

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

16. Award of Construction for the Local Agency Program Project-FDOT-South Atlanta Street Sidewalk

Mr. Presnell introduced the above item and said it was for approval to award the Local Agency Program (LAP) project for the South Atlanta Street sidewalk project to Panhandle Construction, Inc.

UPON MOTION BY COMMISSIONER VIEGBESIE FOR APPROVAL OF OPTION ONE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

- 17. Acknowledgement letter for the 2016-2017 Edward Byrne Memorial Justice Assistance Grant**
Mr. Presnell introduced the above item.

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

- 18. Approval to accept the 2016-2017 Mutual Aid Operation Plan between Florida Department of Agriculture and Consumer Services, Florida Forest Service and Gadsden County Fire Departments and the 2015-2016 Annual Forestry Report and Operating Plan**
Mr. Presnell introduced the above item.

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

- 19. Cheryl W. Blanchard-Parcel ID No. 3042N5W0000003230400-Code Enforcement**

Mr. Presnell introduced the above item and said it was regarding the release of a code enforcement lien on the property that was formerly owned by Cheryl E. Blanchard. He stated that an individual purchased the property and would be paying the property taxes that were in arrears and was asking that the liens be waived. Mr. Presnell said this property would be back on the tax role.

Mr. Weiss said was a win/win for the County, there was a code enforcement lien on the property, it was sold by tax deed and there was a surplus of funds from the sale to pay a portion of the liens on the property. He added that they were releasing the piece of property from the code enforcement liens.

Commissioner Morgan asked Mr. Presnell about the current situation of the property, if it was still in violation of code enforcement issues.

Mr. Clyde Collins, Building Official, appeared before the board and said when the individual purchased the property, there was two mobile homes on the property and since he's bought the property, he's trying to rehab them and he understood the property was to be cleaned up or the County would bring an action against him.

Commissioner Morgan stepped out at this juncture of the meeting.

Commissioner Hinson asked how the fines were assessed against the property. Mr. Weiss showed him in the Order how it was assessed.

Commissioner Morgan returned to the meeting.

Commissioner Hinson said he did not want to open a Pandora's box regarding the fine, Chair Holt suggested it could be brought back. He said he was voting against it because he was not familiar with it and policies were in place for the rich.

Chair Holt explained this person had already bought the tax deed.

Mr. Weiss said the buyer paid the tax deed and paid more than what was due on the taxes and the first thing the Clerk did was take the taxes out and whatever was left would go to whomever the lienor was and was the County.

UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONERS TAYLOR AND HINSON OPPOSED.

20. Approval to Accept and Award Housing Rehabilitation Bids-SHIP

Mr. Presnell introduced the above item.

UPON MOTION BY COMMISSIONER VIEGBESIE FOR OPTION ONE AND SECOND BY CHAIR HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

21. Updates to County Housing Assistance Plan (HAP)

Mr. Presnell introduced the above item and said this item was provided in response to the Community Development Block Grant requirements for an update to the County's HAP policy to modify the definition of Household Income and denote provisions that must be met before final payment is disbursed to contractors.

Anita DeSilva, SHIP Coordinator, appeared before the Board to address questions.

Mr. Weiss said there were still references to Community Affairs and that should be changed to Department of Economic Opportunity.

Commissioner Morgan asked if this was recommendations and not requirements and Mr. Presnell said they highly suggested that this be added to the policy to prevent any difficulties in the future.

Commissioner Hinson asked if the \$750,000 grant was awarded and Mr. Presnell said yes.

COMMISSIONER HINSON MADE A MOTION TO APPROVE WITH CHANGES AND SECOND WAS MADE BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

22. Updates to County CDBG Procurement Policy

Mr. Presnell introduced the above item and said this was in response to suggested changes to the CDBG requirements for the development of a county-specified CDBG Procurement Policy to comply with the CDBG Office requirements.

Mr. Weiss said they were unable to have a minority business enterprise policy at this point because the disparity study had not been done yet and they needed to strike some language from the Procurement Policy. There was discussion around the Board.

Commissioner Viegbesie felt they should listen to the Board Attorney and suggested this item be pulled.

Chair Holt asked if he brought the requested information and Mr. Weiss said he was working on getting the requested information.

Anita DeSilva, SHIP Coordinator, appeared before the Board to address the Board. She said she worked with Dee Jackson, Grant Coordinator regarding the HAP and having a minority business plan in the Procurement Policy was mentioned and thought there was language that “minority businesses are encouraged to apply”.

Mr. Presnell suggested if they did not like the language, they could move on. Commissioner Hinson said if this prevented them from receiving grant monies, they needed to change their policy.

Commissioner Taylor said they could do two things: 1) Set a date before the next meeting and get approved and all the payers could be there or 2) They could approve this item tonight contingent upon the changes being made on approval of the policy within the next week. Commissioner Viegbesie pointed out they had a meeting scheduled for November 22nd. Mr. Presnell said what Commissioner Taylor said was a good move, pending the County developing the policy and they had time.

UPON MOTION BY COMMISSIONER TAYLOR TO APPROVE ITEM CONTINGENT UPON AN ADOPTION OF A MINORITY POLICY IN A TIMELY MANNER AND SECOND MADE BY COMMISSIONER VIEGBESIE. COMMISSIONER MORGAN HAD QUESTIONS.

Commissioner Morgan asked the County Attorney his opinion.

Mr. Weiss said his understanding everything else would be adopted today and the particular section and the last line in the title would be effective after a date they actually had a policy in place, whenever that may be and his recommendation was to approve the policy without that section and as soon as able to have the disparity study, then it could go back in. Commissioner Taylor clarified that was her motion.

CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 4-1 BY VOICE VOTE. COMMISSIONER MORGAN OPPOSED.

23. Resolution Prohibiting Excessive Force

Mr. Presnell introduced the above item and said it was recommended by the CDBG for the development of a resolution prohibiting excessive force by law enforcement agencies against individuals engaged in non-violent civil rights demonstrations.

Commissioner Hinson asked that it be explained. Mr. Presnell said they recommended that the County have an Ordinance in the books that prohibited excessive force being used and used as an example, if there were people protesting on the Courthouse Square, excessive force could not be used and this was tied back to the Federal Fair Housing Act.

Ulysses Jenkins, Special Projects Coordinator, said there were steps that had to be followed before using a particular amount of force and said as an example, if he were being threatened with a stick, he could not use his gun to stop and was not a proper use.

Commissioner Morgan pointed out they did not want to discourage was appropriate use of force and felt by them supporting this resolution was repealing all other resolutions in conflict with this.

COMMISSIONER MORGAN MADE A MOTION TO APPROVE OPTION TWO TO NOT APPROVE THIS ITEM. COMMISSIONER TAYLOR HAD A QUESTION.

Commissioner Taylor said she agreed in part with him on not being strong-armed by the Federal Government and asked if he would agree to term excessive when some things that Mr. Jenkins mentioned that a law officer does violate, if he agreed if she was talking to him and he shot her, would he not want a policy in place to consider that being excessive and felt they were asking whatever the letter of the law was, it be followed.

Commissioner Hinson said he was trying to figure out the conversation and asked what was wrong with protecting the citizens.

Chair Holt said there was a motion and second and Commissioner Viegbesie corrected there was no second. She asked the will of the Board.

UPON MOTION BY COMMISSIONER VIEGBESIE FOR ADOPTION OF OPTION ONE AND SECOND BY CHAIR TAYLOR, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER MORGAN OPPOSED.

24. CDBG ADA Compliance Policy Approval Request

Mr. Presnell introduced the above item and said this was also a CDBG requirement and was for approval of a county-specific CDBG ADA Compliance Policy to comply with current requirements.

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

COUNTY ADMINISTRATOR

25. Update on Various Board Requests

Mr. Presnell said he had a few updates:

There would be a meeting at the IFAS Center on December 8th regarding the South loop of the Quincy by-pass from 5:30 – 6:30 p.m. Chair Holt asked the status of the Northern phase and Mr. Presnell said it was in the design phase, a route had been selected.

Commissioner Viegbesie explained at the last CRPTA meeting, the FDOT decided to take the South route before the North route because the South route would keep the trucks away from downtown Quincy.

Presnell congratulated the three commissioners on their re-election and reminded them a special meeting would be held Tuesday, November 22nd to swear them in and Judge Garner would be present to do the swearing in.

He said the Staff Thanksgiving lunch would be this Thursday at Noon.

Commissioner Taylor asked the Administrator the process for selecting people for the housing program and if there had been any changes to it. Mr. Presnell said it comes down from the State on a first come, first serve along with some other criteria, but Staff had worked hard to purge old applications and they were now working on current applications.

COUNTY ATTORNEY

26. Update on Various Legal Issues

Mr. Weiss echoed his congratulations on the re-election of the Commissioners.

Commissioner Taylor stepped out at this juncture of the meeting.

DISCUSSION ITEMS BY COMMISSIONERS

27. Report and Discussion of Public Issues

Commissioner Brenda Holt, Chair, District 4

Commissioner Anthony “Dr. V” Viegbesie, District 2

Commissioner Viegbesie commended the effort of the Board for the smooth collaboration of the retreat held last week.

He then suggested they look into organizing a Veterans’ Day parade in the County.

UPON MOTION BY COMMISSIONER VIEGBESIE FOR A RESOLUTION TO BE PRESENTED TO THE WILLIAMS FAMILY AND ONE FOR KENDRICK EVANS AND SECOND MADE BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS MATTER.

Commissioner Eric Hinson, Vice Chair, District 1

Commissioner Hinson asked for an update on the traffic light in Concord. Mr. Presnell said everything was on target for December as the engineer had said. Mr. Presnell said he would get him an update tomorrow.

LAP Grant – He asked the delay in getting Brickyard Road resurfaced and Mr. Presnell said the contracts were not in yet. Commissioner Hinson then asked if possible to apply for a grant for a sidewalk on Brickyard Road since the road was going to be widen.

Richbay Park – He asked if there was a grant that would lead to the park and Mr. Presnell said they had looked and the only money available was if it was attached to a school.

Mr. Presnell said he was invited over to the Carver Heights Senior Center and they had done tremendous work to the building.

Commissioner Gene Morgan, District 3

Commissioner Sherrie Taylor, District 5

Gadsden County Board of County Commissioners
November 15, 2016 – Regular Meeting

Receipt and File

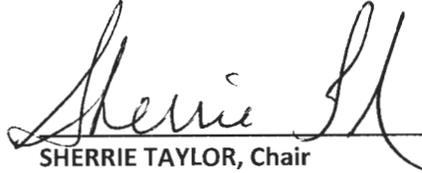
UPCOMING MEETINGS

- 17. November 22, 2016-Special Meeting – 6:00 p.m.
- December 6, 2016-Regular Meeting

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 8:55 P.M.

GADSDEN COUNTY, FLORIDA



SHERRIE TAYLOR, Chair
Board of County Commissioners



NICHOLAS THOMAS, Clerk