

**AT A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD IN AND FOR GADSDEN COUNTY, FLORIDA ON APRIL 3, 2018 AT 6:00 P.M., THE FOLLOWING PROCEEDING WAS HAD, VIZ:**

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

**INVOCATION, PLEDGE OF ALLEGIANCE**

Chair Holt welcomed everyone and asked that phones be muted or placed on vibrate. She then asked that everyone stand for a moment of silence and led in the Pledge of Allegiance to the U. S. Flag.

**AMENDMENTS AND APPROVAL OF AGENDA**

Commissioner Morgan asked that the Board add the County Administrator's position for discussion and action to the Agenda.

**UPON MOTION BY COMMISSIONER MORGAN TO ADD THE COUNTY ADMINISTRATOR'S POSITION TO THE AGENDA FOR DISCUSSION AND ACTION AND SECOND MADE BY COMMISSIONER HINSON, THE BOARD VOTED 3-2 BY VOICE VOTE. COMMISSIONER VIEGBESIE, CHAIR HOLT AND COMMISSIONER TAYLOR OPPOSED. MOTION FAILED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**CLERK OF COURT**

Commissioner Taylor asked when would be the best time to discuss ongoing items. Chair Holt said at the end of the last meeting she asked the Manager to set up a workshop. She said she wanted to discuss purchasing procedures and some of the Constitutional Officers had questions also. Commissioner Taylor said her concern was if things were being purchased or not purchased, if things were still being stalled and did not like rumors. She then said she was unsure if items voted on to be processed at the last meeting was being processed and needed to know that today. Chair Holt said that was discussed in the Workshop at 4:30 and they could bring it back again and discuss it at the end of the General Business.

**CONSENT**

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

- 1. Approval of Minutes**
  - a. March 6, 2018 Pre-Meeting Workshop**
  - b. March 6, 2018 Regular Meeting**

2. **Ratification Memo**
3. **Approval to Accept the FY 2018 1<sup>st</sup> Quarter Report**
4. **Approval of Signatures for Special Assessment Liens and Rehab Contract-SHIP**

**ITEMS PULLED FOR DISCUSSION**

**CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

Tim Borris, 154 Wire Road, Thomson, GA  
Nancy Linnan, Esquire, Carlton Fields, 215 S. Munroe Street, Suite 500, Tallahassee, FL  
Doug Hall, Esquire, Carlton Fields, 215 S. Munroe Street, Suite 500, Tallahassee, FL  
Beth Kirkland, GCDC

**PUBLIC HEARINGS**

**5. Public Hearing-Quasi-Judicial-Hoover Treated Wood Products, Inc. (Azalea Project) Conceptual and Preliminary Site Plan (SO-2018-01)**

Chair Holt said this item was a Public Hearing and all ex parte communication should be disclosed prior to any testimony or presentation of the case. She also stated the procedures they were to follow.

Commissioner Viegbesie asked questions.

Chair Holt asked if anyone had had any contact with anyone concerning this matter and stated she has had a conversation with Tony Holley and Tim Borris, who were with the Hoover project. She said it was not to do with this item but to encourage, as she always had, businesses to come to the County. She said it did not mean she was in favor of this business over any other business. She asked if there were any other disclosures.

Commissioner Taylor said she had a conversation with a concerned citizen that had property in the area and her position was they wanted to make sure the residents were happy because they were the ones that elected them. But she said as a Commissioner she was concerned with growth and development and jobs were needed. She said she encouraged the individual to see if they could talk and work through their differences and come up with something that was best for the community.

Chair Holt said she was in a meeting and a gentleman called her. She referred him to the Manager because of her being in a meeting.

Commissioner Viegbesie said his disclosure, at the preliminary phase he had a phone conversation with one of the property owners and when he disclosed it to the attorney, he was told that he could not do that with any party because that constituted a violation of the ex parte statutes. He said based on that, he decided not to have any other conversations with any other parties even though he was a resident of that area. He said he did have a conversation at the very beginning of the public hearing and upon the advice of the attorney decided not to have any further conversation to avoid violating the ex parte statute.

Commissioner Hinson said he had a conversation with a property owner in Havana and with someone with Hoover.

Commissioner Morgan said he had spoken with several folks. He said his first remarks were centered on communicating with the public when there was an issue of this nature. He said he wanted to make sure that they clear something up with the public and wanted the Attorney to address communication with their locally elected officials. He said if he was a resident that lived in Gadsden County and there was an issue that was impacting the local neighborhood or something he did and he wanted to talk about it, share information and did he have the right to do that. Mr. Weiss said yes. Commissioner Morgan continued and said along with the right they have, the Commissioners had the right as locally elected officials to accept those calls and listen to their point of view. He said they did not have to and he had not shared how he felt about this project, but they owed it to the public to listen to their concerns. He said he had never understood why there was any miscommunication about that. He said he did understand about ex parte communication and revealing the conversations, but they could listen to the folks in their community give their feed-back and asked if that was correct. Mr. Weiss said there was no legal prohibition on having an ex parte conversation, the reason he had advised not to, it could create a presumption that they have been prejudiced and made up their mind based on conversations that happened outside of the public hearing. Commissioner Morgan asked if his advice to the Commissioners was to not talk to the public when they called asking questions or wanting to give their opinion on an item. Mr. Weiss said on quasi-judicial matters, yes. Commissioner Morgan went on record disagreeing with that and said he appreciated the legal advice and there was nothing illegal about having those conversations. He said he could not believe there was a restriction of him talking to one of his locally elected officials or a resident when there was a serious issue coming up. He said he has had several conversations where he listened to folks' opinion regarding this project moving forward. He listed people he had spoken to regarding this matter. He added it in no way impacted his decision but he felt it was his responsibility to listen to them.

Commissioner Viegbesie said before being advised by the County Attorney, he had a meeting arranged with citizens including Mr. Baxley for him to hear what they had to say. He said that was when he was told he could not do it because of the ex parte statute.

Mrs. Jackson introduced the above item at this time.

**Jill Jeglie, Senior Planner**, appeared before the Board and was sworn in by the Deputy Clerk. She gave a brief description of the agenda item. She said the Planning Commission heard this item at the February 15<sup>th</sup> meeting and it was continued to the March 15<sup>th</sup> Planning Commission meeting to allow for more time for the applicants to meet with notified property owners and intervening parties to discuss the project. She said the applicants were represented by Anthony Holley, P.E., Jim Stidham and Associates, Inc. and there were two intervening groups, Tall Timbers and the local property owners who were represented by attorney Randall Denker.

She informed the Board members that at the March 15<sup>th</sup> Planning Commission meeting, they voted 6-1 to approve this matter and the options were listed on pages 6-7 of the Staff report.

Commissioner Viegbesie asked if she had specific reasons why it was a 6-1 vote. She said she could

only provide a summary and there was testimony given by adjacent property owners and there were concerns with property values, stormwater, pollution, contamination and traffic.

**Nancy Linnan, Esquire, Carlton Fields**, appeared before the Board. She said they agreed with all site plan conditions and were also adding two more tonight. She said they would be providing directional down lighting to prevent glare and said when the Settlement was completely signed, it would be filed tonight and was to be accepted into the record and as a condition of Site Plan Approval. She said they did hold two meetings, the first one they were asked to hold a private meeting with Tall Timbers and the Intervenors and they did not want to do that in a public setting. They held the meeting on February 27<sup>th</sup> at their office in Tallahassee and had 25 people in attendance. She said a second meeting was held for property owners within a 1000' notification zone who may not have been able to make the first meeting and Tall Timbers was also included in that meeting. She said they met in Havana and as a result of the two meetings, they arrived to the two settlements, the latter being this afternoon with the intervenors.

**Tim Borris, Vice-President of Operations, Hoover Treated Wood Products**, appeared before the Board and was sworn in by the Deputy Clerk. He gave a brief explanation of the planned operation of the plant. He said they were the World's largest producer of fire retardant treated wood products and that would be the main focus of the company. He said fire retardants were used in life safety applications; schools, nursing homes, hospitals, multi-family housing and places where building codes require fire retardant products. He gave the difference in a wood preserving plant and a fire retardant treating plant. He said they would treat finished wood products and would then be kiln-dried and all chemicals used contain no VOC's and was water-based. He said they were committed to hiring 15 employees with an average salary of \$40,000/year and there was a strong preference to hire local. He informed them the hours of operation would be daytime and would be an exception if they had to run longer; there would be no trucks that would be serviced on the property other than their forklifts, they would hire commercial carriers. He said they had been asked why they chose Gadsden County and he said Florida was a very strong fire retardant using State and Gadsden County will serve the Florida market. He said the land was zoned heavy industrial and had the availability of rail, water, and gas. He said he believed they could be good neighbors and contribute financially to the County.

**Anthony Holley, with Jim Stidham and Associates** appeared before the Board and was sworn in by the Deputy Clerk. He said the site was 65 acres and the buffer would now extend 150 feet more than map showed as per the Settlement Agreement that was recently reached between them, Tall Timbers and the Intervenors. He said of the 65 acres, they were looking at 11.86 acres for development that would include the site and roadway. He informed them that the water and electric would be provided by Talquin Electric and a septic tank would be provided for the office building. He said stormwater was a major concern and it would be broken into two separate basins and an area of natural vegetation will stay in place as part of the settlement agreement with the property owners. He further stated as part of the Tall Timbers agreement, the stormwater facility was increased by 150% approximately to provide an additional buffer for a larger storm event and to provide additional sediment capture for the down gradient natural features. He said there would be six semi-trucks per day on average and fifteen employee vehicles. He also said the facility would use downward directional lighting to prevent any light pollution to adjacent property owners.

Commissioner Morgan asked Mr. Weiss with the minor changes that were mentioned, would it

require it to be readdressed by the Planning Commission and he responded no.

**Doug Hall, Esquire, Carlton Fields**, appeared before the Board. He said they had worked very hard to reach a settlement agreement and it was signed tonight. He said it incorporated the prior Settlement Agreement that Hoover entered into with Tall Timbers and all adjoining property owners have now agreed to the Settlement.

**Beth Kirkland, GCDC**, appeared before the Board and was sworn in by the Deputy Clerk. She said this item came before the Board as the active project, Project Azalea from a company that was looking to relocate in Gadsden County. She read aloud a letter of support from Coastal Forest Resources Company on behalf of Hoover.

Commissioner Holt said they now had a copy of the settlement agreement before them and it would be provided to anyone that wanted a copy.

**Randall Denker, Esquire, attorney representing the property owners** appeared before the Board and said they did reach an agreement and she did not disagree with anything that was said tonight. She did add that it was a Conditional Agreement and was based on the County doing their part adopting the points they agreed on with the Site Plan approval.

Commissioner Hinson asked if the Interim County Administrator had looked over this as well as the County Attorney. She said she received a copy of the Agreement this morning and there had been a few changes made to it.

Commissioner Viegbesie said this was his chance to give input with regard to what was before them. He thanked the Planning Commissioners for a job well done. He also said most of the questions he had as an individual had been addressed and was very glad that the neighbors and Hoover had come to a harmonious agreement that would provide jobs for people without adversely affecting the area. He also agreed with what the property owners' attorney said that anything deviated from the Agreement would be a breach of the agreement.

Commissioner Hinson said he felt this was a win/win. He thanked the intervenors for their part and thanked Hoover for thinking of Gadsden County. He asked if the County did any research regarding cancer-free neighborhoods. Mrs. Jackson said there was research done regarding emissions. Doug Hall reappeared before the Board and said he could speak on it. Mrs. Jackson said she would rather County Staff address that issue they were asked. Ms. Jeglie said they would have to rely on their research and expertise.

Doug Hall then reappeared before the Board. He said no chemicals used were on the hazardous list. He said if there were any breach, it would be contained entirely in the building; reviewed by DEP and the only emissions from the drying process were water vapor.

Commissioner Viegbesie said that one of his concerns he had was the emissions and the solution that was used to treat.

Commissioner Taylor had questions for Mr. Borris. He reappeared before the Board. She said she was also concerned about the area. She asked if there were any health-related issues at any of the other nine plants. He said they were an industrial plant and there had been accidents but have

had no health-related issues because of the chemicals used in his 30 years of employment.

Commissioner Morgan said obviously the community was a little gun shy because of the history with the Post Plant Road facility and what was left behind. He said this sounded like a positive outcome with all the parties and thanked Hoover for considering Gadsden County. He said all growth was not good growth and they wanted good quality growth for the County. He said he was appreciative of them coming in and explaining the process, how they wanted to work with one of the County's existing employers, and with Coastal coming forth in how this would benefit them. He further stated that another positive was a local municipality that had an investment in the project. He said he was glad people got involved and mentioned they were working through processes now regarding the Land Development Code and Comp Plan and hoped this could be used as an example moving forward. He said he hoped the Board moving forward would consider the process that could help anyone wishing to come here, be able to come. He said this was a good example of why they had the Citizens' Bill of Rights and gave them an opportunity to learn. He welcomed them and said the neighbors did have legitimate concerns, hoped they would move forward in a positive manner and they may want to expand in the future.

Chair Holt said she was happy that they were able to come to an agreement. She said they had to add the inclusion of the recent Agreement. Ms. Jeglie said if they went with the Settlement Agreement, they needed to strike "M" and add the downward lighting as a condition.

Doug Hall reappeared before the board and said the neighbors would feel more comfortable with the downward lighting be specifically added to the Site Plan Agreement.

Commissioner Hinson said he has been in favor of them, thanked them for their patience, and hoped for the next time, the Board needed to start doing research and investigation themselves to make sure the Commissioners made the best decisions.

**UPON MOTION BY COMMISSIONER HINSON TO APPROVE THIS ITEM BASED ON THE INFORMATION AND CONTINGENT OF DELETION OF "M", ADDITION OF DOWNWARD LIGHTING AND THE TERMS OF THE AGREEMENT SETTLEMENT AND SECOND MADE BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

#### **GENERAL BUSINESS**

**6. Sheriff's Deputy Training Request-Florida SWAT Association 2018 Tactical Emergency Medical Support Course**

Mrs. Jackson introduced the above item and said this was for approval for funding from the Gadsden County Law Enforcement Education Fund (LEEF) to pay for training and per diem costs for a deputy to attend the upcoming Florida SWAT Association Tactical Emergency Medical Support Course and that the amount had increased from \$666.00 to \$711.00. She said Staff had checked the budget and there were adequate funds and the LEEF form needed by the Clerk's Office had been submitted.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION 1.**

**7. Approval of Contractual Agreement between CenturyLink and Gadsden County**

Mrs. Jackson introduced the above item and said it was for approval for the contractual agreement between CenturyLink and the GCBOCC and for authorization for the Chair to sign. She said this would completely replace the E911 Primary system and this was fully grant supported.

Commissioner Morgan asked about the funding under the fiscal impact. He said this was a \$200,000 agreement and asked about the funds from the State.

**Buddy Peddie, E911 Coordinator**, appeared before the Board. He said this was a grant that had been applied for and was a total reimbursement grant and would be reimbursed when he turned in everything to the State.

Mrs. Jackson clarified this was a reimbursement grant and they were not in charge of the Constitutionals' money, that was a Clerk's Office question. Mr. Peddie further clarified the County had been awarded the grant; he just needed to get the contract approved.

**UPON MOTION BY COMMISSIONER VIEGBESIE TO APPROVE OPTION 1 AND SECOND MADE BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**8. Approval and Award of Re-bid RFP 17-17 CDBG Grant Lead-Base Paint Inspections, Risk Assessment and Clearance Testing Services**

Mrs. Jackson introduced the above item and said this was for the approval and award of Re-Bid RFP 17-17 CDBG Lead-Based Paint Inspections, Risk Assessment and Clearance Testing Services. She said this was required by the CDBG Office and their procurement policy was a little different from the County's. She said the original bid was advertised in all three local papers according to the County's Procurement Policy but their Procurement Policy required that it also be advertised in the Tallahassee Democrat.

Commissioner Morgan asked about the amount that was to be paid out to the Grant Administrator of the \$750,000 was a normal amount. Mrs. Jackson said they were not on that item yet.

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

**9. Approval and Award of RFP 18-04 CDBG to Andy Easton and Associates**

Mrs. Jackson introduced the above item and said it was for Board approval to award RFP 18-04 to Andy Easton and Associates, Inc. for Grant Administration services and for authorization for the Chairperson to execute the contract.

Mrs. Jackson said she was the grant writer at the time of this submission and there was \$110,000 written into the grant for the services and was allowable by the CDBG office and was an amount that would be expected to administrate this grant. She said there were a lot of deliverables and this person was the contractor and had to ensure every single deliverable was done and would remove Staff from doing it because it was so tedious.

**COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE OPTION 1 AND COMMISSIONER HINSON MADE THE SECOND WITH A QUESTION.**

Commissioner Hinson asked regarding \$110,000, could they not find someone that could do it

along with other duties. Mrs. Jackson said they had to do what was allowed by the grant and the grant required that this person do it.

Commissioner Taylor asked who Andy Easton was and he was in the audience. She asked if he was recommended and she said they did not make recommendations but his name was on a list of qualified contracted vendors that had done this work in the past.

Commissioner Hinson asked why it was bid out and an RFP not done. Mrs. Jackson said an RFP was done and according to the CDBG policy, they had to do an RFP. They wanted the least amount of money spent and if they had done an RFQ they could have picked them based on qualifications and did not have to be the lowest bid. She further reiterated that CDBG required an RFP.

Mr. Weiss said that generally an RFP was proposals but not necessarily locked into evaluating based on costs alone, other factors could be considered.

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

**10. Appointments to the Quincy Historic Preservation Trust**

Mrs. Jackson introduced the above item and said it was for Board approval to appoint two representatives to serve on the Quincy Historical Preservation Trust Committee. She added that the Quincy Garden Center sent a letter requesting the District 3 County Commissioner and the Tax Collector, Dale Summerford, be appointed.

Commissioner Viegbesie asked for clarification as to why the significance of District 3 was requested when the Trust required two commissioners to be appointed. He said he was not going to oppose but would rather the Board choose which Commissioner would like to serve.

**COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE THE APPOINTMENTS AND COMMISSIONER MORGAN MADE THE SECOND WITH COMMENTS.**

Commissioner Morgan said he had received a phone call and knew that Mr. Summerford did as well, from the group to see if they would be willing to serve. He added as far as he understood, the Board had the right to appoint two people and they made a request of the initial appointment.

Commissioner Taylor asked if the Board reflected the composition of the County, if they were diversified.

Commissioner Morgan said he understood her point and from the names he heard that going to serve on the Board, it did reflect diversity.

Commissioner Viegbesie said with regard to Commissioner Taylor's concern, he suggested that with this particular organization, if the makeup of the members were not reflective of the demography of the County, suggested they research historical sites in the County to include in their list of historical sites to work on improving for the historical preservation of the County. He said that he would prefer that the makeup of this particular Board was representative of the demography of the population of the County.



Commissioner Taylor asked for a list of who was on the Board.

**Allie Vanlandingham, Capital City Trust**, appeared before Board and said they service the Trustee for the Quincy Historical Preservation Trust. She said the City had already approved a couple of their representatives and they needed two names from the County. She said the other members of the committee were appointed by the original members of the Munroe family and was typically children, grandchildren and they had the ability to appoint their successor. She said the City had appointed Andy Gay, Mike Wade and Joel Sampson.

Commissioner Hinson said it sounded diverse to him.

Commissioner Taylor said with that, she did not agree with the two nominations.

Chair Holt asked if they look at properties and determine whether the properties were a historical site and Ms. Vanlandingham said they did not. She said they only determine historic preservation pieces and how to spend the money from the Trust for the old Munroe House, also known as The Garden Center and the surrounding grounds.

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

*Commissioner Taylor stepped out at this juncture of the meeting.*

Commissioner Morgan said to be clear, the names submitted by the City of Quincy were different from the ones that were selected.

## **COUNTY ADMINISTRATOR**

### **11. Update on Various Board Requests**

Mrs. Jackson said she had a couple of announcements:

Groundbreaking for the St. Hebron Walking Trail first phase would be on April 24, 2018 at 3:00 p.m.

Travel Policy workshop is scheduled for May 8, 2018 @ 4:30 p.m.

Development Order Process Workshop with the Planning Consultant has been scheduled for May 17, 2018 @ 4:30 p.m.

She said the Budget process has begun, they have given the Fiscal Year guidelines to all department heads, she had met with most of the Commissioners regarding their budget needs and were now getting information from the Constitutionals.

### **Building Inspection Department**

She said they had staked out the Greenshade/Dogtown Fire Station and framing would begin the next week.

She said she spoke with the architect for USDA yesterday regarding the Ag Center and he was

sending an approval email so they could proceed; it was going out for bid in the next week's newspapers.

Commissioner Morgan had questions.

**Clyde Collins, Building and Planning Director**, appeared before the Board. He said they had to advertise for two weeks, will get bids in, look over them and certify them, will make a recommendation and it would then be brought to the Board. He said it could probably be June before they were able to start on the building.

*Commissioner Viegbesie stepped out at this juncture of the meeting.*

Commissioner Morgan asked about the employees they were talking about moving out at the last meeting. Mr. Collins said they had been moved. Mrs. Jackson said they were having the building inspected and based on that, the employees may be moving back in before the new building was completed.

Commissioner Hinson asked if the arena would be refurbished; Mr. Collins said they would build the building first and go after grants to redo the building to make it a year-round arena.

*Commissioner Viegbesie returned at this juncture of the meeting.*

Commissioner Hinson said he understood that employees were getting sick and birds had gotten inside of the building. She said they were speculating what could make the employees sick because previously an investigation was done on the building and there was not mold or mildew found. She added that the only thing they could think of that might be wrong was the inability to keep down the bird poop from the broken windows.

*Commissioner Taylor returned at this juncture of the meeting.*

Commissioner Hinson said he saw the drawings the architect showed them and thought they were doing the whole building and thought that was included.

Chair Holt said when they tried to get funding for that part, the Legislature would not give any; they only gave funding for the new building. She said they were asked why not fix the building and had to remind everyone, the State owned the building, not the County.

Mrs. Jackson said the Summer Youth employment applications were out in the schools, the County Administrator's office, at the libraries and on the County website.

She reminded them the 5 Year Plan Retreat at the Havana Library is scheduled for April 21<sup>st</sup> from 9:30 a.m. – 3:30 p.m.

Chair Holt said on the Summer Youth Program, she was hoping they could have some County students as Ambassadors representing the County. She said there was no-one representing them as Ambassadors to the County. She explained that would be to welcome people into the building or at other places and could welcome people to County events, such as the fishing tournament. She said there were some events coming up with the Tourist Development Council and this would

be a good public relations process for young people to do and would like to see them do more for the County.

Mrs. Jackson said Staff received a letter from a development company wanting to purchase a piece of property located behind the Library and Centennial Bank. She asked what the will of the Board was as to how to handle future property sales. She said this was the second inquiry she had received this week.

Chair Holt said they may need to look at the Policy and Procedures to see what they may have in place.

Commissioner Taylor said at one time the County had a realtor and if they looked at that again, they could get it appraised properly and get fair market value for it.

Chair Holt said that was kind of in her area and she would not advise to use a realtor because if it was left in the open market, all the realtors would try to sell it.

Commissioner Taylor said they could fashion a contract so they would not be locked in and yielded to the Attorney.

Mr. Weiss reminded everyone there were certain advertising, notice and public bidding requirements associated with selling County-owned property. He said at one time there was something in place with a realtor that was marketing properties for the County. He said he wanted to make sure if they moved forward in that way in the future, the realtor understood the County's obligation to publically advertise and bid out to highest bidders and would need to look at the whatever the agreement was with the realtor to make sure it was not the Standard Residential real estate but would need to have certain language in it.

Commissioner Taylor said that was good information and she felt they needed to start moving property, they were starting to accumulate it and they needed to grow the revenue and needed someone that could help move it.

Chair Holt said what they were talking about was an open-listing and they needed to put Policies and Procedures in place.

Commissioner Taylor said to set up a workshop so they would be able to move some property.

Mr. Weiss said there were exceptions but not to bid at the Courthouse, that was a foreclosure type procedure and the tax deeds were done at the Tax Office. He said this was separate and he would be happy to look into it.

Commissioner Hinson said he did not believe in selling property because when you try to buy property back, it cost a thousand times the price. He said there were a lot of issues here, mental health, homelessness, opioid crisis, etc. He said there were too many serious needs in the County.

Chair Holt asked the Attorney if he could research out all the property the County was holding, and then said no, the County Administrator had the information.

Mrs. Jackson asked for direction and Chair Holt said the Attorney just said it had to be bid out. Mr. Weiss said there were exceptions and he would get with the Administrator.

## **COUNTY ATTORNEY**

### **12. Update on Various Legal Issues**

Mr. Weiss said he wanted to clarify ex parte communications. He said there was no absolute legal prohibition against having ex parte communications; the issue was if they had those conversations, there was a presumption that could arise that they have made a decision or was somehow prejudiced by the conversations outside the public meeting and the repercussions were, if the party was on the losing side of the battle, Court could say they were entitled to go through the entire process again.

Chair Holt said she agreed but her questions were when that came into play.

## **DISCUSSION ITEMS BY COMMISSIONERS**

### **13. Report and Discussion of Public Issues**

#### **Commissioner Eric Hinson, District 1**

Commissioner Hinson asked if someone sent a letter saying, for example, the Interim County Administrator was a genius without signing, could that be stamped and when given to her, did that then become a public record?

Mr. Weiss said it did not have to be stamped to become public record.

He thanked the Board for being bold today and for making good decisions.

He said at the end of November or December, he made a motion to invite Head Football Coach Willie Simmons to come because it was important for Gadsden County to support their own. He then said at the last Board meeting he made a motion to bring in three other people and it has not been on the Agenda. He said one showed up and he hoped that the next week they would get in touch with the people.

Chair Holt asked if he wanted to direct Mrs. Jackson or remind her of these items. He said that was the way they had done for years.

Commissioner Viegbesie said he recalled in the conversation Commissioner Hinson said he wanted to "recognize" someone and that was different than wanting a Resolution. He said if he was asking for a Resolution, he suggested he make a motion now, get a second and Staff would work on it.

#### **Commissioner Gene Morgan, District 3**

Commissioner Morgan had nothing to report.

#### **Commissioner Sherrie Taylor, District 5**

Commissioner Taylor said there were three people she wanted to have recognized and a Resolution issued during one of the May meetings  
Lajarious (sp) Davis, nicknamed "Pole"

Candidate - ?

Garrett Dowdell, who goes to the Group home and cuts people's hair with disabilities.

She thanked Mrs. Jackson for the groundbreaking at Stevens School and the Commissioners that took part.

She said there must be order and respect and everyone must be treated fairly and with respect. She said she heard his passion but it must be orderly.

She then said she was unable to get here for the 4:30 pre-meeting because of work.

**Commissioner Anthony "Dr. V" Viegbesie, Vice-Chair, District 2**

Commissioner Viegbesie thanked the residents of Potter Woodberry Road and Hoover Wood Treatment Plant for their civility, understanding and desire to enhance economic development by working out a win/won compromise and ensuring a harmonious coexistence.

**Commissioner Brenda Holt, Chair, District 4**

Chair Holt apologized but said she could not have Commissioners going back and forth in debate because sometimes things get out of hand and they had to stay on task.

She thanked everyone for the Pre-Workshop meetings and said things were going great.

She said she did not see how they could choose architects without a bid and asked the Manager about bringing it back before the Board.

Mrs. Weiss said they did bid out the continuing contract services.

*Commissioner Taylor left at this juncture of the meeting.*

He further explained as long as the scope of the service and the need was (inaudible) below the dollar threshold, they could use contracts on a continuing contract basis. He said the engineer, architect, that all fell under that consulting professionals under the Consultants' Competitive Negotiations Act. She said if it was under that threshold, could they rebid it each time? He said there was a threshold set by statute and did not think there was any reason if they wanted to set a lower threshold...She said if there were two people in the audience and could provide the same service, why should they not be given the same, and this has been going on for twenty projects and may go two or three years and have nothing.

Commissioner Morgan asked why they could not bid on the Professional Services agreement.

Chair Holt asked what the length of that contract was. Mr. Weiss said he believed the most recent one did not have a term on it but was at the will of the Board.

Chair Holt said she wanted to bring it back and did not see it as fair.

Mrs. Jackson asked for clarification, when they bring this item back, was it the will of the Board to bring back to revoke the current CSA or bring back with another bid to add to the current CSA.

Gadsden County Board of County Commission  
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Chair Holt said she wanted to bring it back to look at it.

Commissioner Hinson asked if he could list three people he want to recognize and wanted a proclamation for them:

Gadsden County Hall of Fame  
Courtney Weston  
Mary Brock

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

Chair Holt said she wanted the architect contract brought back.

**Receipt and File**

- 14. FY2017 Administrative Budget Amendments
- Letter from Capital City Bank
- Letters from USDA
- Death Resolutions for the week of March 12, 2018

**UPCOMING MEETINGS**

April 17, 2018-Regular Meeting – 6:00 p.m.

**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 8:43 P.M.

GADSDEN COUNTY, FLORIDA



  
BRENDA HOLT, Chair

ATTEST:

  
NICHOLAS THOMAS, Clerk