

**AT A WORKSHOP OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON MAY 8, 2018 AT 4:30 P.M., THE
FOLLOWING PROCEEDING WAS HAD, VIZ:**

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

INVOCATION, PLEDGE OF ALLEGIANCE

Vice Chair Viegbesie called the meeting to order at 4:33 p.m., asked everyone to stand for the Invocation and asked Commissioner Taylor to give the Invocation. He then led in the Pledge of Allegiance.

GENERAL BUSINESS

1. Welcome

He welcomed everyone to the workshop.

2. Discussion of the Gadsden County Travel Policy

Mrs. Jackson introduced the above item and went over the updated items.

She said regarding:

"3a) Employees and authorized persons shall not be entitled to lodging costs for travel which does not require departure from the point of origin prior to 6:00 a.m. or return to the point of origin after 9:00 p.m.

b) Mileage will be reimbursed only when privately owned vehicles are used for travel. When privately owned vehicles are used for travel, mileage will be paid at the most current IRS rate. Mileage must be documented and recorded to the nearest whole mile."

She said the nearest whole mile was consistent with the State but the IRS rate was the one that staff chose and recommended. She said they wanted to make sure they had clear direction for the Clerk's office because they were in a conundrum each time as to which rate they go with for reimbursement and this would make it standard for staff and the Clerk's office for accounting purposes.

Commissioner Viegbesie asked if with the change, the person doing the traveling would need to record the odometer to calculate the miles for reimbursement or would they be using the State distance to calculate and Mrs. Jackson said that was correct. Commissioner Taylor said there should have been language in that they would use the State mileage chart to gauge the mileage between destinations as opposed to what was written.

Mrs. Jackson then discussed Item c-Rental Car. She said they did not have a policy on rental cars and car rental expense was reimbursable but only when prior approval was obtained on the Travel

Approval and Request for Advanced Travel form. Commissioner Taylor asked if the item should indicate whom or who the approval should come from or if it was a standard procedure. Mrs. Jackson said there was a line item a little further down where that would be addressed.

Mrs. Jackson then skipped to Item 4-County Commissioners Travel. She said previously the County Administrator would approve travel for Staff and the Chair approved travel for commissioners and the Vice Chair would approve travel for the Chair. She said Staff suggested the Board should approve travel of each commissioner and approve the budget amendments as needed. She added that was consistent with what they have seen around the State. She said if it was the will of the Board she could make that correction.

Commissioner Hinson said he had heartburn with that and how this came about, people did not want people to know they were out of town and did not want it advertised they would be away from their home. He said with that, the Board decided to go with this and the auditors did not have a problem with it.

Commissioner Taylor said she recalled what Commissioner Hinson mentioned with regard to the privacy and when it was a Board approved item it became public. She said to a degree, she agreed with him that it might open the Board members up and asked if they could come up with something that would lend to both where privacy was kept but was approved. Commissioner Viegbesie said with regard to this, he agreed with Commissioner Hinson, but everything about a public official becomes public and becomes public record. He felt they should look at that.

Commissioner Taylor preferred it be approved by the Board. She asked what would happen if travel was needed between Board meetings. She said maybe they should put something in the policy that approved the travel for the year for the regular trips and something that allowed the Chair or Vice Chair to approve travel between meetings if someone had to go. She said she was OK with it like it was and also agreed with Commissioner Viegbesie on being transparent.

Commissioner Hinson said in all fairness, if someone wanted to know anything about travel, they could do a public records request. He said he had no heartburn in keeping it as it is until they have issues. Commissioner Viegbesie wanted to add to Commissioner Taylor's input and said he wanted to add emergency travels, when absolutely necessary travel occurs; it should be recorded as a part of the Consent Agenda in the next meeting.

Commissioner Hinson said he wanted to move to keep it as it is and move forward.

Commissioner Taylor said to Commissioner Hinson for years, they have always waited until a fire then try to put out instead of reacting when they saw best practices. She said for them to go with the idea of making an approved list that the Board would approve after the fiscal year of meetings that occur and the Chair and Vice Chair would approve anything that happens in-between the meetings.

Commissioner Hinson said he could swallow that.

Mrs. Jackson then read aloud Item 3d regarding County assigned vehicles.

Commissioner Viegbesie asked when it came to Gas expenditures, would the initial expense come

from the traveler's pocket and then be reimbursed. He asked if a person was driving a County assigned vehicle; why not use a County gas card for the vehicle. She explained they no longer have County gas cards; they were only used for EMS for out of town transport.

Commissioner Holt arrived at this juncture of the meeting (4:55)

Mrs. Jackson said the traveler would receive an advanced travel check.

Commissioner Taylor asked what had happened to have the words "assigned" placed in the Agenda item.

Mrs. Jackson said they do have employees that are assigned a vehicle. She said the reason this was put in, there have been times in the past where the Clerk's Office felt a vehicle in the parking lot should have been used instead of renting one and in some cases, the vehicle may have been unreliable or may impede the daily operations.

Mrs. Jackson then moved to Item 4. She said for cities not included in the GSA list, reimbursement for meals shall be limited to the maximum rate of \$10 for breakfast; \$15 for lunch; and \$25 for dinner and the total for a meal could not exceed \$50 for a full day travel.

She then read over Item 5. She said a lot of conferences may include a continental breakfast and would be classified as breakfast and an additional breakfast meal may not be claimed for reimbursement. She said an evening reception or function that served only hors d'oeuvres would not be classified as dinner and dinner may be claimed for reimbursement. She said if the registration fee included lunches or dinners, those meals may not be claimed for reimbursement.

She then read over Item 6 and there were no questions.

She said with Item f, she wanted to clarify what per diem was. She said this option was best used in a situation, for example, where there might be travel to Orlando and the traveler wanted to stay with a friend and the per diem was not to exceed \$100. Commissioner Viegbesie asked if the \$100 was standard across the State or standard for this County. Mrs. Jackson said that was the State per diem rate. She also stated there was another option employees were able to travel under, the actual cost option, with no per diem and she read aloud that item.

4) County Commissioners Travel: Mrs. Jackson said this was already discussed but Chair Holt was not present. She said it stated that the Board would approve travel in October. She said they would come up with a list of where the Commissioners would like to travel and would be approved in October but if something came up, in-between meetings, the Chair or Vice-Chair could approve emergency travel, but would be on the Consent Agenda at the next meeting.

Commissioner Viegbesie asked when it states the Commissioners shall have an established budget for travel, was it one budget that they would all have access to or one budget and a specific amount allocated to the Commissioner for the fiscal year. Chair Holt said the past procedure used before, if anyone did not use the amount allocated for them, it would roll-over. Mrs. Jackson asked if that should be clarified in this document. Commissioner Hinson said why change something they were having no problem with, that he saw no problem and wanted to keep as it was.

Chair Holt said there were reasons to update the policies; in order to stop controversy, stop having problems, they needed to update the plan.

Mr. Weiss said to Commissioner Hinson's point, if they were making the change to say, routine travel would be approved by Board in the budget process and anything that was not routine, would be approved by the Chair or Vice-Chair and then ratified on the Consent Agenda, then it did not seem they had to do anything to the budget because it all would be approved up front.

Commissioner Hinson said as long as they did not go over budget, keep it in one pile.

Item 1.61 Advanced Travel Pay/Reimbursement

1. Mrs. Jackson read this item aloud.

Commissioner Taylor said with regard to the last statement, should it read "and/or" or "and" because they were looking for two and one contradicted the other because the County Administrator's vote did not override the Board. She asked if it was a requirement that both were needed to be approved.

Mrs. Jackson explained it should read exception should be granted by the County Administrator for staff and by the Board for Elected Officials. There was further discussion around the Board regarding this item.

Commissioner Hinson asked if it had to come to the Board to discuss or could the Chair sign off on this? Chair Holt said she did not because if it was not accepted across the street, then there was a concern. She clarified and said if the Board decided, it was over. Commissioner Hinson said if it was put in writing that the Chair would be the one to sign off on it...Chair Holt said they knew what obstacles they have faced before. Commissioner Viegbesie said it should be the Board because the situation could possibly occur with the Chair.

Commissioner Taylor said death, accidents or sickness were personal and not for public information and in the event it occurs, with the Chair, the Vice-Chair would intercede and act on behalf of the Chair. She said she understood there might be things back and forth with the Clerk, but if they had a policy in place, the Chair or Vice Chair had the authority to approve.

Commissioner Hinson said everything was public records and if anyone wanted to know about travel, they could do a public records request.

Commissioner Viegbesie said he wanted to add to Commissioner Taylor's comments and if there was emergency travel, it should be recorded on the next Agenda on the Consent Agenda to make it public.

Chair Holt said she believes should come back to Board, if it came back to the Board the death or accident was not the item, the item is funds and the funds were public, since the funds are public, they were voting on the funds themselves and not the personal incident that occurred.

Mrs. Jackson asked the attorney, in the event of death or accident, if they would be violating HIPPA laws if they discussed an accident or illness if that was the will of the Board to bring back.

Mr. Weiss said they could not disclose personal specifics of it but did not know if saying Commissioner had a death in the family would violate HIPPA.

Commissioner Viegbesie said if comes before Board, the Attorney just addressed that and could be said “due to extenuating circumstances” and not get into the specifics of the situation. He asked Mr. Weiss to restate. Mr. Weiss said he was not sure he was 100% clear in terms of the consensus, he knew they would clarify the County Administrator would approve for staff, and could clarify the language a little bit and he would look into the HIPPA issue.

Commissioner Hinson said he thought they should vote first on this to see if they wanted to keep as is and then if they made changes Mr. Weiss could look into it, if not enough votes, no point to move forward.

Chair Holt pointed out they cannot vote in workshops.

Commissioner Taylor said she was inclined to agree with Commissioner Hinson on this item and heard the Attorney say though the items were personal, in order for it to become Board approved or staff approved, there would have to be some level of discussion for it to go into the Minutes on order for it to be an official position the Board took. She said she was of the mindset the reason for doing this, the Clerk followed through on what the Board was asking and if the Chair or Vice-Chair approves it and the Board said they were giving that person authorization to make that decision on behalf of the Board, then that was a policy in place. She said she felt uncomfortable with the Board discussion anything like the examples given and knew there had to be a little more dialogue than “extenuating circumstances”.

Chair Holt said for instance she goes to a workshop in Atlanta; something happened and she had to return early, the County pays extra because it was not a scheduled flight. She then said she flies to Miami, has a death in the family and had to come back early, paid for the regular flight to come back, paid for the emergency flight, those are instances they may need more than one to look into it. She said the Chairman was making decisions on public dollars; it could be placed on the Consent Agenda and passed.

Commissioner Hinson said he did not like drama and there were people that wanted to find small things to talk about so why create this monster all over again. It was concluded that Commissioner Hinson and Commissioner Taylor wanted the Chair and Vice-Chair to sign off on travel, Chair Holt wanted the Board to sign off and Commissioner Viegbesie said as long as policy was in place he was indifferent.

Chair Holt said for them to move to the next item.

1.62 Advance Travel Pay

Mrs. Jackson introduced the next item and said a correction was made in number 2.

“The following supporting information must be attached: copy of program or agenda with provided meals noted; copy of hotel **and rental car information**; per diem or meals information; registration information; mileage and any other expenses noted.”

3. “Should a traveler elect to depart later or return earlier than what is scheduled and calculated on the Request for Advance Travel Form, it is the responsibility of the traveler to amend the travel plans and accommodations to reflect the new travel arrangements and avoid added cost to the County. Should new travel plans not be amended prior to departure or return, any overage in advance accommodations or previously allocated advance travel pay shall be reimbursed to the County. All activity shall be documented on the Travel Reconciliation Form.”

Commissioner Hinson asked to go back to Item 2. He said normally Staff scheduled hotels and car rentals and felt they should have records. Mrs. Jackson said the actual placeholder is done on the County credit card but the actual rental receipt or hotel receipt is given to traveler. If they fail to bring back the receipts, staff has to call the rental agency or hotel to obtain receipts. Commissioner Hinson said they were all team players, but they need to be mindful that there was an Administrative Assistant and it made it easier for them and they did not need to be fighting against each other.

Chair Holt said they were stating to bring back a copy of the hotel receipt and rental car receipt and they were already do that and it was no problem. She asked him to look at paragraph 3 and tell her if it was different from what they were doing.

Commissioner Viegbesie said he thought the document they were preparing was to avoid the actions of anyone from being upon to interpretation and when they do what they do according to the policy, which was the guideline of how they should be doing and felt it would resolve confusion.

Chair Holt stepped out at this juncture of the workshop.

Commissioner Viegbesie said for them to work on the document to make sure they have something that guided them, things were working in harmony and smoothly and make sure the right elements were put in it and did not have conflict with the Chief Financial Officer, which was the Auditor for the County and the Office of the Clerk.

1.63 Reimbursement

Chair Holt returned at this juncture of the meeting.

Mrs. Jackson read aloud number 1. “A Travel Reconciliation Form must be prepared and signed by the Traveler as well as the County Administrator or his/her designee for County employees or the Chairperson for Commissioners as appropriate. The Required supporting documentation and receipts must be attached and submitted to the Finance Department within 7 days or reimbursement will not be granted.”

Commissioner Hinson asked if there had always been the 7 days return policy on it and Mrs. Jackson said yes. He said if someone turned in later, they had other pressing items, may not get reimbursed, why was that they case if they were doing nothing illegal. Why put a date on it.

Chair Holt said it had always been 7 days and he asked why. She said it had always been 7 days after returning.

Chair Holt said it had always been that and asked what his suggestion was and what number he wanted there. He asked if that was OK with the other Commissioners.

Chair Holt said if she did not turn in receipts, she did not expect to get reimbursed and did not care about the number and Commissioner Viegbesie agreed.

Commissioner Hinson used an example and said if he went out of town, used his own card to purchase gas, comes back 2 weeks later, he asked if he could not get reimbursed.

Chair Holt asked him what date he wanted there, if he wanted 14 days.

Commissioner Hinson asked why a date had to go there and Chair Holt said the Accounting Department had to close out after a certain time. He said “Why put a date on it, if you don’t want your money, that’s on you but I still say, because some people have a big rush, they get back in town and get rushed and sometimes the just...” Chair Holt said if that number was there, they would be held to that number. He said right, but if that person did not want reimbursement, that was on them but he did not think they should give them 5-7 days or whatever. He then said they might have other projects, for instance, he got back into town on Friday night and has to go back out of town on Sunday, and no-one would be there on Sunday and he’s gone for the whole week...

Chair Holt said whatever the scenario, to leave it in their office...

Commissioner Hinson said (looking at the side table) “Staff should not be biased; only people on this Board should not be biased. If you got a problem being here, if got to show your emotions again, you can sit right over there (indicating the audience). Do not show your emotion again because...” Chair Holt told Commissioner Hinson “We as a Board cannot address staff”. Commissioner Hinson then said he was not addressing staff; he did not call any names. Chair Holt said when they do that, it’s close and not to go there because they lost that lawsuit. He asked who was addressing staff. She said with implying “they need to go sit over there” was implying, if he got her point. He said he was not talking to anybody, and the only staff he knew was “right there (pointing at side table) and I’m not talking to her”. Chair Holt said for him to not even point.

Commissioner Taylor said she agreed with Commissioner Hinson there should not be dates on it but to her the more glaring part was they now wanted the Chair to approve the form and all through the form Chair only was to approve travel.

Mrs. Jackson said point well taken, this piece of policy was written and was consistent if the Board had already approved the travel then the Chair would be the appropriate person to sign the reimbursement because the travel had been approved by the entire Board. Commissioner Taylor asked who would sign off if there were extenuating circumstances.

Commissioner Taylor asked if this would come back and was told yes. She said when it did, they may not want to put too much else on the Agenda that night because this might take some time to go through. She said that whatever was sent across the street be facilitated. She said she would like to know why some things were put in the policy and felt the Chair had a lot to do with some of the language and maybe more dialogue was needed as to why. She said the Clerk needs to be here to help dissect some of this and help with the language. She further stated if at all possible, they all needed to sit down and work this out together so it was not a “ping-pong match” and she

encouraged him to come over and work this out.

Chair Holt said with the situation with the Clerk that was the reason for doing this. She said he asked the Clerk 6 different times in a meeting for a workshop and he refuses to workshop. She said he would not address it in the regular County Commission meeting to workshop and way why they were doing this. She said they went straight to what the State was doing. She further stated at any point if they wrote a policy what was within the State law and the Clerk refused to do it and that was why they have an attorney. She said she had no problem with going to Court and they should not either. She said at a certain point, if they were within the law, they were the policy maker, not the Clerk and was why he would not address them that night as far as the workshop. She said they were trying and have tried in the past to be friends with the Clerk but Government was not a friendly situation. She said they follow laws, policies, Ordinances, Statutes and State Constitutions.

Commissioner Taylor said she said they had to do what the State Statute said and when there was a grey area where it could be contradicted, it would happen.

Chair Holt said there would be contradictions, and with the Sheriff, it was contradicted but the Sheriff's Department was right. She said she followed up with the Sheriff with the gun process and the Sheriff was right but it did not make the process go through the Clerk's Office. She said they were the only policy making body in the County on the County level and they must follow the law.

Commissioner Taylor said she went to him to find out the problem. She agreed they did extend the invitation to the Clerk to have a workshop. She said she went to him to personally find out what the problem was and was neither there nor there but what has to happen is that there must be some sort of collaboration between the two because they could set meetings, come up with a policy second to none and still have holes in it that could easily be sited by the gentleman.

Chair Holt said that was why they should go to Court, Collier County has sued, Palm Beach County has sued and the reason they keep doing it was what they were discussing now. She said he will not answer emails, phone calls and he has to answer sooner or later. She said that was why they needed the Attorney on the job to say what they needed to do and they were going to move on and do what they need to do.

Commissioner Taylor left the meeting at this juncture.

Commissioner Viegbesie said he had to leave also because he had another meeting and thought they need to have a continuance of this workshop.

Chair Holt said she would like to agenda this item and vote on it in the meeting and be done. She said in the Tourist Development Council, since she sat on that Board, all they need is some stipulations for travel for that group.

Commissioner Viegbesie said for flexibility reasons, 7 days was too soon. Chair Holt suggested "upon return" because in that situation they may return late and they have a certain number of days after returning. Commissioner Hinson said "reasonable date".

Commissioner Viegbesie he was going to put on his professor hat, you don't tell students a

reasonable time because they would hold their homework until grades were due. Chair Holt asked if they wanted 20 days and Commissioner Viegbesie said 25 days.

Mrs. Jackson asked if there were any questions on the Internet policy and Commissioner Viegbesie felt they would need to reschedule that for a later date.

3. Discussion of the Gadsden County Internet Policy

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE WORKSHOP ADJOURNED AT 6:15 P.M.

GADSDEN COUNTY, FLORIDA

**BRENDA A. HOLT, Chair
Board of County Commissioners**

ATTEST:

NICHOLAS THOMAS, Clerk