

AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON JUNE 19, 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 asked everyone to mute their phones, stand for a moment of silence and then led in the Pledge of Allegiance to the U. S. Flag.

AMENDMENTS AND APPROVAL OF AGENDA

Commissioner Morgan asked to add discussion for the County Administrator position.

COMMISSIONER MORGAN MADE A MOTION TO ADD DISCUSSION OF THE COUNTY ADMINISTRATOR POSITION TO THE AGENDA AND IT DIED FOR LACK OF SECOND.

UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD 4-1 BY VOICE VOTE TO APPROVE THE AGENDA AS WRITTEN. COMMISSIONER MORGAN OPPOSED.

AWARDS, PRESENTATIONS AND APPEARANCES

1. Recognition of Mrs. Pat Smith

Mrs. Jackson said this Recognition was requested by Commissioner Viegbesie. Chair Holt asked that Mrs. Smith come forward. Commissioner Viegbesie read aloud the Resolution, presented it to Mrs. Smith and they then posed for pictures.

CONSENT

UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA. COMMISSIONER HINSON OPPOSED.

2. Approval of Amendment to the 2017-2018 State Aid Grant Agreement

ITEMS PULLED FOR DISCUSSION

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

Alan Dust, 477 Scotland Road, Quincy, FL County Employee Complaints, appeared before the Board. He said over the past several years, he has been harassed by the County for things he was not doing wrong on his property while they ignored and continued to ignore actual code violations, both building and zoning, that have taken place at 433 Scotland Road by both the former resident

and the current resident. He said the current resident has a secondary building that people have lived in for periods of time. The current resident has owned the property for over two years. He said the Code Enforcement officer said he would get back with him and no-one has. He added it was not a typical single family dwelling.

Chair Holt said for him to contact the Manager and she would definitely get back with him. He said he has spoken with her and Chair Holt said this was not agendaed and they could not discuss it. She further advised him once it was agendaed, they would be able to address it.

Kirk Douglas, 1223 Dodger Ball Park, Greenshade Volunteer Fire Department, appeared before the Board to speak on behalf of the Volunteer Fire Department. He said they needed the Board's help and support in regard to this matter.

Chair Holt said this item could be agendaed and suggested they contact the County Administrator.

Commissioner Viegbesie thanked them and said there were others that were dedicated in getting this started. He said there were certain things the fire department needed in order to get the training done and asked that they explore to see how the items could be gotten so they would be able to get the necessary training.

Commissioner Taylor said since there were others that needed to get their certification, could the gear be shared just to receive the certification. Chief Douglas said that had been explored and reached out to other departments but the bunker gear needed to be fitted to the person to be compliant.

Commissioner Hinson asked the costs and was told it varied and could be upwards of \$2,000.

COMMISSIONER HINSON MADE A MOTION THAT THIS BE AGENDAED FOR THE NEXT MEETING.

Chief Douglas said as soon as the building was completed, they could apply for grants also.

Chair Holt said for them to contact the Administrator to get this agendaed. She said they also could not continue discussion on this matter because it was not agendaed.

Roderick Whitehurst, 220 White Oak Ridge, Quincy, Greenshade, appeared before the Board to speak on behalf of Greenshade Volunteer Fire department. He said there was a pole barn up and they needed bunker gear.

PUBLIC HEARINGS

- 3. Public Hearing-Adoption of Ordinance No. 2018-001, An Ordinance of the BOCC of GC, FL Amending Chapter 6 of the Gadsden County Code of Ordinances, regulating the sale and consumption of Alcoholic beverages; providing for repeal, severability, inclusion in the Gadsden County Code of Ordinances, modifications that may arise from consideration at public hearing, and correction of scrivener's errors; and providing for an effective date.**

Mrs. Jackson introduced the above item and said it was for approval of an Ordinance that would amend Chapter 6 of the Gadsden County Code of Ordinance, regulating the sale and consumption of alcoholic beverages.

Mrs. Jackson said there was no-one present from GCDC.

Chair Holt said there was an analysis in the packet. She said currently sit down restaurants were prohibited within 1,000 feet of a church, school or public park and there were 480 +/- in the County and it made it very difficult to get an Applebee's, Fridays, etc. to come into the area. She said other Counties made their distance requirements 500 feet. She asked if there were any questions or comments.

Commissioner Hinson said he had heartburns regarding this matter. He said Church's Chicken, pawn shops, liquor stores and sometimes Family Dollar bring down the value of the community, especially liquor stores. He said he did understand what they were trying to do and almost all of them eat at Chili's and other places like that. He felt it was good to have a thorough workshop and go through it line by line to make sure not one word was missed or added.

Commissioner Taylor said her only concern was having it 500 feet close to schools, (inaudible) institutions, day-care, because historically liquor stores in this county also had people loitering and hanging around in the immediate area, which was their choice, but she had concerns with it being that close to churches and other sacred places and would like to see 1,000 feet stay in the Ordinance. She said liquor stores and pawn shops did have an impact in the community.

Commissioner Morgan said he did not want to see liquor stores within 1,000 feet of a church but he had no problem with a restaurant establishment that was serving meals as long as they were located on the interstate exchanges throughout the County. He said he was not for a liquor opening up within 500 feet of a church, school or park.

Commissioner Viegbesie said liquor store within 1,320 feet as in the case of Walton County or 2,500 feet as in the case of Calhoun County, he had an issue with it if it was within a place of worship, day-care, but he thought what they were looking at was sales and service of alcoholic beverages by any caterer licensed by the Division of Hotels and Restaurants deriving at least 51% of its gross revenue from the service of food and non-alcoholic beverages, where consumption was on the premises. He suggested this body needed to consider amending the Ordinance a little and making restrictions of 500 feet allowable along the I-10 interchanges, State Road 90 and State Road 27. He said that was where restaurants would want to be, not in the communities where most of the churches and day-cares would be. He added he was unsure how they Board would feel about considering the 500 feet restrictions to just the three thoroughfares within the County.

Chair Holt said she agreed with those 3 because that was where the traffic was and people were already going to Tallahassee to eat at Applebee's, Olive Garden and Chili's.

She asked if anyone in the audience wished to speak.

Mr. Weiss wanted to clarify what was currently in place. He said currently there was 1,000 feet from any church, school, and public park but there were certain exemptions from the 1,000 feet requirement and they was a "grandfathering" exemption, which was someone that had a license to sell beer or wine as of the effective date of the Ordinance in 1975. He said there was an additional exemption for the sale of beer and wine for consumption off premises, so if someone had a convenience store within 1,000 feet, that was ok, it was a convenience store for beer and

wine sales. He said that was currently the exemptions they had from the 1,000 foot requirement. He said this proposal would reduce the 1,000 feet to 500 feet but those exemptions would continue to be in place. He said the additional exemptions that would be in place would be for what they were currently discussing, restaurants that served beer, wine and liquor and have a minimum of 25 patrons and derive at least 65% of their gross revenue from the sale of food and non-alcoholic beverages. He added there was an additional exemption for culinary education programs, for caterers and for special events that did not last more than 36 hours. He also pointed out that any of those places could be located within the 1,000 or 500 feet, whatever they decided and everything that did not qualify for one of the exemptions, i.e., liquor stores and other types of license holders would have to continue to be at least 1,000 feet or 500 feet, if they changed it.

Roderick Whitehurst, 220 White Oak Ridge, Quincy, FL32352, re-appeared before the Board. He said he agreed 100% regarding having more business to come here to help the community like Applebee's, Golden Coral or any type steakhouse. It would help create more jobs and they kids could learn more about culinary art and would help them to do better because that would mean a future and give them a skill.

Commissioner Hinson said it was brought to his attention there was a restaurant in Havana some time back that Coach Slaughter ran and started selling alcohol and now there was a major conundrum because a church purchased a piece of property across the street and had not put anything there the past 5-10 years but they owned the property. He said someone approached him and said they wanted to put a restaurant there like was previously there but could not do it because a church owned the property but he supposed that was another conversation.

Commissioner Morgan said what he mentioned, somewhere in the packet it mentioned "active church or house of worship" and that would not be issue moving forward.

Chair Holt said she was fully in favor of the 500 feet and needed a motion and a second to move forward or however the Board wanted to do it.

Commissioner Morgan asked if the attorney had any concerns and he said based on the conversation, he did not but felt it was a policy decision as to how they wanted to handle it and could do at the policy level what they felt was appropriate, if they wanted to keep 1,000 feet but add some exemptions, that was a possibility. Commissioner Morgan said he did not want to have happen was a liquor store to open up next to church saying their sales was based on 51% of hotdogs but he had no problem with a sit-down restaurant.

Chair Holt said what she understood from the State law, if there was a liquor store there could not be an entrance from the store or restaurant, there had to be a separate entrance; it could be a stand-alone liquor store even if attached to the same building but had to have a separate entrance.

Commissioner Morgan asked if they could include in the Ordinance that liquor stores were not allowed within 1,000 feet of a church and Mr. Weiss said they could include an expressed prohibition if they wished to do so.

Commissioner Taylor said if they read this closer, they were allowing a restaurant to do package alcohol. She then read under the Division of Alcoholic Beverages and Tobacco Licenses and Permits

for Alcoholic Beverages it stated: “Beer, wine, and liquor in connection with operation of a restaurant; sale by the drink for consumption on premises and package sales in sealed containers...” She said they had to have a certain amount of footage for the restaurant but they needed to take this into consideration and the State law would trump whatever they said. She said she was for businesses and economic development but had to have smart development. Chair Holt said for them to look at the Ordinance and Section 6-2(3) stated “...the sale of alcohol is by the drink for consumption on the premises.” She said that was COP and that was the type of license she had and she discussed the different “COP” licenses.

Mr. Weiss said what was important to look at and was proposed here were the “SRX” and the different types of licenses from the Division of Alcohol and Beverages and Tobacco, it showed all the licenses that could be had and what they entailed and allowed. He said if they wanted to expressly prohibit package sales...Commissioner Morgan said it put it in there...

Commissioner Taylor said there were other licenses for them to consider, for example the “CEP” and “13CT”. Mr. Weiss said there were additional licenses and believed they were all specific to consumption on the premises and felt the Ordinance tracked that language and included that “on-premises” as well.

Commissioner Hinson said he had heartburn earlier because of what happened years ago in his district. He said he saw a new trend where they open a convenience store then put pizza, chicken and it laid out like a restaurant in the convenience store and then they could have a liquor store on top of that because they were now selling food. He said there was a place in Havana doing this and Chair Holt said it was in the City and he said it was the County and he was bamboozled by how they were able to do this. Chair Holt said for him to contact Alcohol and Tobacco and they would either explain it to him or shut it down. She said if they approved this, they were saying what could and could not be done. He said when he sees another commissioner has heartburn, they should have a workshop to answer all the questions and they did not need to rush this and needed someone to break down the acronyms on the licenses so could they could have as much information as possible and be on same page and do things the right way.

Commissioner Morgan stepped out at this juncture of the meeting.

Commissioner Viegbesie said from his personal perception, what they were doing right now, discussing different parts of the Ordinance, should be done in a workshop format.

Commissioner Morgan returned at this juncture of the meeting.

Commissioner Viegbesie said he thought this needed to be workshopped and at the appropriate time would make the motion.

Chair Holt said in looking on page 9, this was the second time this had been before them and it was for food establishments only and pointed out that Planning and Zoning passed this with a majority vote. She also said she felt it was a great idea what Commissioner Morgan mentioned about including no package stores.

Commissioner Morgan said he did not disagree with what she just said and would like to include what Commissioner Viegbesie mentioned and that was to include the main thoroughfares in

Gadsden County; Highway 90, Highway 27 and the I-10 interchanges to keep the integrity of what they were trying to accomplish and Chair Holt said she agreed with that.

COMMISSIONER VIEGBESIE MADE A MOTION FOR A CONTINUANCE OF THIS ITEM AND THE DIFFERENCES BE IRONED OUT BEFORE IT COMES BACK AND WHEN IT DOES COME BACK, EXPECT GDCDC AND CHAMBER TO BE PRESENT FOR THE DISCUSSION AND SECOND MADE BY COMMISSIONER TAYLOR. CHAIR HOLT HAD COMMENTS.

Chair Holt asked Mr. Weiss if it could be continued with no further input when it came back.

Mr. Weiss said they could continue the public hearing, but the problem with doing it on this matter was there would be some potential changes and the public needed an opportunity to have input on the changes.

COMMISSIONER VIEGBESIE WITHDREW HIS MOTION FOR A CONTINUANCE AND MADE A MOTION TO TABLE THIS ITEM FOR A WORKSHOP AND COMMISSIONER TAYLOR WITHDREW HER SECOND AND MADE HER SECOND FOR A WORKSHOP. CHAIR HOLT CALLED FOR THE VOTE AND THE BOARD VOTED 3-2 BY VOICE VOTE. COMMISSIONER MORGAN AND CHAIR HOLT OPPOSED. MOTION PASSED.

GENERAL BUSINESS

4. Appointment to the Circuit 2 Alliance Community Action Team (Franklin, Gadsden, Jefferson, Leon, Liberty and Wakulla)

Mrs. Jackson introduced the above referenced item and said it was for appointment to the Circuit 2 Alliance Community Action Team.

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

5. Voting Credentials-2018 National Association of Counties (NACo) Annual Conference

Mrs. Jackson introduced the above item and said it was to designate a County delegate and County Alternate to participate in the NACo annual election of officers and policy adoptions at the NACo Annual Conference.

UPON MOTION BY COMMISSIONER VIEGBESIE FOR ANYONE THAT ATTENDED THE CONFERENCE BE ABLE TO VOTE AS HE WAS UNABLE TO ATTEND AND SECOND MADE BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

6. Approval of Resolution 2018-001 Revising Gadsden County's Travel Policy

Mrs. Jackson introduced the above item and said it was for Board approval of Resolution 2018-001 revising the County's Travel Policy for all employees and authorized persons.

Chair Holt pointed out the changes started on pages 6 of 12. Mrs. Jackson said these revisions were decided at a workshop.

Commissioner Viegbesie said he did not see anything different from what they agreed on at the

previous workshop held on May 8th.

COMMISSIONER VIEGBESIE MADE A MOTION TO ADOPT OPTION 1 AND CHAIR HOLT MADE THE SECOND. COMMISSIONER TAYLOR HAD QUESTIONS.

Commissioner Taylor asked Mr. Weiss to give a brief refresher of what changed. Mr. Weiss said changes made were underlined and the changes were being able to approve an advance for fuel costs and there was discussion of approval of travel for the Commissioners whether it was by the entire Board or whether it was by the Chair for the Board and the Vice-Chair for the Chair. He said there was interest for the protection of privacy making it so the Chair approved travel for the Board and Vice-Chair approved travel for the Chair instead of the entire Board for routine travel. He listed the agreed upon changes.

Commissioner Viegbesie said one thing this did was to explain the times of department and return and reimbursable expenditures and what determined an overnight stay and the difference in hors d'oeuvres and meals and what could be claimed for reimbursement.

Commissioner Taylor said at the last Board meeting there was concern about Commissioners having regular trips publicized in a Board meeting and security of their privacy and if they trip was cut short. She asked where the Clerk was on 25 days to get receipts over to their Office for reimbursement and felt that was a long time and she did not agree with it. She said the advance for fuel costs, where they receiving a check for gas before leaving based on State mileage before leaving on the trip and Mr. Weiss said yes, if advanced travel was approved.

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

Chair Holt pointed out a motion was previously made and she made the second.

Commissioner Morgan said there was problem with the previous travel policy and asked if the issues had been addressed. Mrs. Jackson said everything had been addressed here with the exception of the Clerk's office was not comfortable with the 25 days, they recommended 7 days. He said he thought that was the concern that Commissioner Taylor expressed. He asked if there was heartburn in changing it to the 7 days and Chair Holt said that was up to the person that made the motion.

Commissioner Viegbesie said when they said they have anywhere from 25 days, they had anywhere from three hours of arrival up to 25 days to turn in receipts and did not see anything wrong with having "up to" 25 days, if he wanted his money, he would turn in receipts as soon as he returned.

Chair Holt said in looking at the item, it was assumed they would have their money already for the trip and there would be nothing to be reimbursed for; they would have travel for gas, and asked what they were being reimbursed for. Commissioner Viegbesie said the possible things to be reimbursed for were luggage charges, airport charges, toll charges, parking, etc.

Commissioner Hinson called the question.

THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER TAYLOR AND COMMISSIONER MORGAN OPPOSED.

7. Approval of the County Internet Usage Policy Number 18-01

Mrs. Jackson introduced the above item for approval of the proposed County Internet Usage Policy Number 18-01.

COMMISSIONER VIEGBESIE MADE A MOTION FOR OPTION 1 AND COMMISSIONER MORGAN MADE THE SECOND WITH A QUESTION.

Commissioner Morgan asked if there was a need for this ordinance and was told yes.

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

COUNTY ADMINISTRATOR

8. Updates

Mrs. Jackson said there was a Citizens' Bill of Rights workshop scheduled for June 21st at 4:30; BOCC Regular Meeting scheduled for July 3rd at 6:00 p.m.; a second budget workshop scheduled for July 10th 5:00; July 17th is the BOCC Regular Meeting; and July 26th is the tentative Tower Workshop at 5:00 p.m. Chair Holt asked about the tentative meeting for the Ordinance and Mrs. Jackson said probably the second meeting in July.

Commissioner Viegbesie asked what the estimated costs to the County was for ink cartridges and paper for their meeting books and Mrs. Jackson said it was in the \$1,000's. He said he was old school and liked the book but for cost saving measures, they could go paperless.

COUNTY ATTORNEY

9. Updates

Mr. Weiss said he had nothing to report

CLERK OF COURT

10. Updates

DISCUSSION ITEMS BY COMMISSIONERS

11. Report and Discussion of Public Issues

Commissioner Eric Hinson, District 1

Commissioner Hinson said he hated to bring this up, but saw something the other day and with Medicaid/Medicare, they were looking at \$980,000 next year for an expense, they needed to be very careful with hiring and personally thought, since they had that expense they knew about, it would be wise to put a freeze on hiring until they knew exactly where they were going.

Chair Holt said they needed another building inspector and they had to have a planner,

Commissioner Hinson said they were about to hire a Public Relations person for \$41/hour and wanted to make sure they had the money.

Mrs. Jackson said the range was already approved by the Board and it could not be changed and the position was revamped to add more responsibilities. Chair Holt pointed out the TDC person was moved into Housing and there was no-one working with TDC currently.

Commissioner Hinson said he wanted to go on record and said could see what was going on with the State, he knew what was going on with Medicaid/Medicare and felt they should put a freeze on hiring until they knew exactly what was coming.

COMMISSIONER HINSON MADE A MOTION TO PUT A FREEZE ON HIRING AND MOTION DIED FOR LACK OF SECOND.

Commissioner Hinson then went around the dais and told everyone he loved them.

Commissioner Gene Morgan, District 3

Commissioner Morgan suggested they look at an inventory of equipment for their Volunteer Fire Stations and identify any express needs there.

Commissioner Sherrie Taylor, District 5

Commissioner Taylor said she had nothing to report.

Commissioner Anthony “Dr. V” Viegbesie, Vice-Chair, District 2

Commissioner Viegbesie thanked Commissioner Morgan for raising the fire issue.

Commissioner Taylor left the meeting at this juncture.

COMMISSIONER VIEGBESIE MADE A MOTION FOR A RESOLUTION CONGRATULATING STEWARD TEMPLE AME CHURCH ON THEIR MORTGAGE BURNING ON JULY 8TH AND A RESOLUTION TO HONOR THE PRESIDING ELDER PLUMMER OF QUINCY DISTRICT AME CHURCH AND SECOND MADE BY COMMISSIOENR HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS MATTER.

Commissioner Brenda Holt, Chair, District 4

Chair Holt told Commissioner Hinson he had to cut off his comments telling everyone he loved them because it was too long. She said people were beginning to comment they were not taking care of County business and saying the same thing regarding the Resolutions.

She asked the Board to consider doing the Resolutions at 5:30 and then they could conduct their business at 6:00. She said she and Commissioner Viegbesie was running for office and did not need political speeches, just people taking care of their business starting at 6:00 p.m., otherwise they were not serving the public.

Receipt and File

12. Death Resolutions

Gadsden County Board of County Commissioners
June 19, 2018 – Regular Meeting

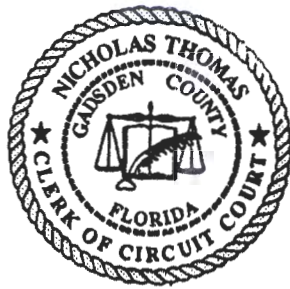
UPCOMING MEETINGS

July 3, 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 8:09 P.M.

GADSDEN COUNTY, FLORIDA




BRENDA HOLT, Chair
Board of County Commissioners

ATTEST:


NICHOLAS THOMAS, Clerk