

AT A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD IN AND FOR GADSDEN COUNTY, FLORIDA ON JULY 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 – arrived late
Gene Morgan, District 3
Sherrie Taylor, District 5
Dee Jackson, Interim County Administrator
Deborah Mennis, Assistant County Attorney
Marcella Blocker, Deputy Clerk

INVOCATION, PLEDGE OF ALLEGIANCE

Chair Holt called the meeting to order at 6:00 p.m.

Commissioner Taylor arrived at this juncture of the meeting.

Chair Holt asked everyone to stand for a moment of silence and then led in the Pledge of Allegiance to the U.S. Flag.

AMENDMENTS AND APPROVAL OF AGENDA

Chair Holt asked for any amendments or for approval of the Agenda.

Commissioner Morgan said he would like to add discussion of the County Administrator contract.

COMMISSIONER MORGAN MADE A MOTION TO ADD DISCUSSION AND ACTION OF THE COUNTY ADMINISTRATOR'S CONTRACT AND MOTION FAILED FOR LACK OF SECOND.

COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED AND COMMISSIONER TAYLOR MADE THE SECOND. THE BOARD VOTED 3-1 BY VOICE VOTE TO APPROVE. COMMISSIONER MORGAN OPPOSED.

AWARDS, PRESENTATIONS AND APPEARANCES

None

CONSENT

COMMISSIONER MORGAN MADE A MOTION TO APPROVE THE CONSENT AGENDA AND SECOND MADE BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.

- 1. Approval of Minutes**
 - a. May 15, 2018 Regular Meeting**
- 2. Ratification Memo**
- 3. Approval of the Lease Agreement between Gadsden County BOCC and the Gadsden County Development Council**

ITEMS PULLED FOR DISCUSSION

None

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

Nancy Linnan, Esq., Carlton Fields Law Firm, 215 S. Monroe Street, Tallahassee, FL Item 4

Brian P. Schreiber, Anderson Columbia, 871 NW Guerdon St., Lake City, FL 32055, Item 4

Dwayne Smith, 3137 Atwater Road, Chattahoochee, FL 32324, appeared before the Board. He said his family has owned property since 1943 and there is a problem with a Caucasian family that lives behind them and said they were totally racist. He said they are arguing about an easement road and the family recently called the County to grade the road. He said the road was not their property and he showed a map of the property to the Commissioners and further explained. He further stated they should find out who owned the property before sending equipment out.

Commissioner Taylor stepped out at this juncture of the meeting.

Mr. Smith provided copies of signs that have been placed by him on his property and a sign the Hastings' have placed on their property.

Commissioner Taylor returned at this juncture of the meeting.

Chair Holt advised him the Board could not take action on this matter and Mr. Smith said he wanted to bring this before them before work crews were sent out again and advised them to know whose property they were going to before they go there.

Teran Smith, 3137 Atwater Road, Chattahoochee, FL 32324, appeared before the Board, and said his brother said everything eloquently and this was still an on-going situation and explained the latest incident.

Commissioner Hinson appeared at this juncture of this meeting.

Alan Dust, 477 Scotland Road, Quincy, FL, appeared before the Board. He said he previously appeared before the Board, voiced his concerns, gave a copy of what was written to the Deputy Clerk and said nothing had happened since the meeting.

Chair Holt explained they asked that he meet with the Manager because her job was to place items on the Agenda. He asked the purpose for giving his statement and assumed the Administrator would contact him for a meeting. Chair Holt asked if the two could meet and he said he would be happy to and Mrs. Jackson said she would contact him Thursday. Chair Holt asked that he give his contact information to Mr. Morris.

Eugene Sherman, 660 Sheline Drive, Havana, FL 32333 representing the Lake Yvette Homeowners Association, appeared before Board. He said in 2014 the County paved the west side and they got fire hydrants. He said the east side roads remain unpaved and the "natives are getting restless". He said they were In need of more hydrants on the east side and a road was

paved a few years ago it created a run-off problem that is impacting the lake.

PUBLIC HEARINGS

4. Public Hearing-(Quasi-Judicial)-Midway Business Park Preliminary Plat (MSD-2018-02)

Mrs. Jackson introduced the above item and said it was a quasi-judicial hearing for approval of the Midway Business Park Subdivision Preliminary Plat.

Jill Jeglie, Senior Planner, appeared before the Board and was sworn in by the Deputy Clerk. She gave a description of the item and said the Planning Commission recommended this for approval by a vote of 7-0. She said they have taken steps to protect the gopher tortoises and the required 50' buffer has been labeled adjacent to the wetlands. She said a Citizens participation meeting was held in 2016 prior to beginning the new application process.

Commissioner Taylor returned at this juncture of the meeting.

Ms. Jeglie listed the options and said the recommendation was option 1.

Chair Holt announced this was a quasi-judicial hearing and public was welcomed to speak.

Nancy Linnan, Esq., Carlton Fields Law Firm, 215 S. Monroe Street, Tallahassee, FL appeared before the board. She explained Brian Schreiber was in charge of all large projects with Anderson Columbia and he was now actively involved with the project.

Brian P. Schreiber, Anderson Columbia, 871 NW Guerdon St., Lake City, FL 32055, appeared before the Board and was sworn in by the Deputy Clerk and said they would be happy to answer any questions the Board might have.

Chair Holt asked if anyone wanted to speak in favor or in opposition of this project and there was no-one.

COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE OPTION 1 AND COMMISSIONER MORGAN MADE THE SECOND. COMMISSIONER TAYLOR HAD QUESTIONS.

Commissioner Taylor said that area was heavily residential and asked if citizens were aware of this and this was the same road Four Star Freightliner was locating on and was a small road. Commissioner Taylor said if Commissioner Hinson was OK, then she was OK.

Commissioner Hinson said that was a great question for the Administrator and he knew there were concerns about development and was great point by the Commissioner.

Mrs. Jackson said a CBOR meeting was held on September 14, 2016 and no-one was in attendance.

Ms. Linnan re-appeared before the Board and said there were two CBOR meetings held and no-one appeared at them. She said she appeared before Midway in January 2017 to achieve the agreement that allowed the County to plat a portion of the Midway property and the City commission was concerned about big trucks leaving their site turning left onto Brickyard Road because of the number of residents and children and was the reason why they had the County put

a sign and when leaving the site, they have to turn right to head toward Highway 90. She said there would be a small portion that would be heavy industrial but toward the apartments would be light industrial.

Commissioner Hinson said this was a serious issue for a lot of people in the community and he asked if this needed to be a super majority vote.

Ms. Jeglie re-appeared before the Board and said major subdivisions were required to have a super majority vote and each meeting was advertised in the papers with a map, a map was attached in the mail outs, signs were posted and there was a map attachment in the report in their packet.

Commissioner Hinson thanked her for being so detailed and thanked everyone for their patience. He said Commissioner Taylor brought up a great point about more trucks on the road. He said the County just put \$1 Million on the road. He said they wanted the business but in five years they would need new roads. Chair Holt said that was mentioned at the last meeting and Anderson Columbia was willing to support legislation regarding the maintenance and improvements to the roads.

Commissioner Morgan asked Ms. Jeglie if the current use allowed for heavy and light industrial use and she responded yes. He said she indicated there was already some infrastructure in place and she said yes. He said once everything was approved, they would go through a final inspection and they all had to meet the requirements the County put in place and she said yes. He said he understood the concern on the roads there but remembered a separate conversation that was not included in this and was not what he heard in the motion nor his second but was something they needed to look at in the future and prepare and budget for it.

Commissioner Taylor said they all could agree there was some land use stipulations in place, but could also agree the maps were old and a lot of upgrades have not been done. She said in Midway, houses were going up and the map had not been updated to reflect the growth.

Commissioner Hinson asked if the County has looked into the area and from his viewpoint, there may be things they were privy to that he was not and asked if there were any other developments going on in the area. Mrs. Jackson said she did not know of any, the biggest concern she heard was the trucks going into the residential area and they made it where they have to turn right and the road was built to handle the trucks.

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

GENERAL BUSINESS

5. Approval of Engineering Consulting Services for Gadsden County

Mrs. Jackson introduced the above item and said it was for Board approval of one or more engineering firm(s) to provide engineering consulting services for the County.

COMMISSIONER MORGAN MADE A MOTION FOR APPROVAL OF OPTION 1 AND SECOND MADE BY COMMISSIONER VIEGBESIE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

Commissioner Hinson said he had a question before they moved on. He disclosed he had lunch with Dewberry last week and was unaware this was on the Agenda and told him he could not discuss the item. He said last year they had ranked someone else #1 and Dewberry #2; he asked what happened to the first group. Mrs. Jackson said she was unsure what happened to that group but there were seven proposals and they were all listed.

Chair Holt said she had called for the vote and had gotten ayes and had not called for no's yet and asked if there were any no's and no-one said anything.

6. Approval of Public Works Mosquito Control Budget FY2018-19

Mrs. Jackson introduced the above item and said it was for approval of the required submission of documents for matching funds from Department of Agriculture and Consumer Services.

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

7. Re-Appointment to the Career Source Capital Region Board

Mrs. Jackson introduced the above item and said it was for reappointment to the CareerSource Capital Region Board.

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

8. Cell Phone Policy

Mrs. Jackson introduced the above item and said it was for Board approval of the proposed County Cellular Phones and Tablets Policy Number 18-03.

COMMISSIONER MORGAN MADE A MOTION TO APPROVE OPTION 1 AND SECOND MADE BY COMMISSIONER VIEGBESIE. COMMISSIONER HINSON ASKED A QUESTION.

Commissioner Hinson asked what was so significant about this.

Mrs. Jackson said some things stayed the same and some changed and she explained.

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

COUNTY ADMINISTRATOR

9. Update on Various Board Requests

Mrs. Jackson said there was a monthly report from all the Departments before them. Also a Capital Projects Update document. She said there was a request for a Proclamation from the Health Department recognizing the 2018 Health Symposium on July 11th at 9:00.

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

Mrs. Jackson gave a list of upcoming meetings and important dates:

Gadsden County Board of County Commissioners
July 3, 2018-Regular Meeting

July 16th at 6:00 will be the Summer Youth banquet;
July 10th will be the Budget workshop starting at 5:00 p.m.;
July 23rd will be the GHI Board meeting at 5:00; and
July 26th will be the Tower workshop at 5:00 p.m.

Commissioner Morgan thanked her for the update from the different departments and said it would be nice to get it prior to the meetings in case they had questions. He said he brought up at the last meeting about looking at fire department equipment and their needs and asked if that had happened and Mrs. Jackson said they were in the process now and it was started last week. He asked who was included and she said Andre Walker was involved in the inventory. He said there were issues at the Library and asked if they were being addressed and Mrs. Jackson said yes.

Commissioner Viegbesie suggested they follow up on: 1) bringing IBTS folks here to help with Emergency Management and asked that they request they come make a presentation to the Commission and bring Emergency Management people here; 2) What happens when a Sheriff's Vehicle, ambulance or Fire truck was in an accident and asked about insurance coverage and passed a brochure to the Manager and asked she follow up on that; 3) He said at the last FAC meeting there were three graduating categories: the CCC, ACC and the CGE. He said the CGE was for county workers to help understand how County Government worked.

COUNTY ATTORNEY

10. Update on Various Legal Issues

Deborah Mennis said there were no updates.

CLERK OF COURTS

11. Updates

DISCUSSION ITEMS BY COMMISSIONERS

12. Report and Discussion of Public Issues

Commissioner Eric Hinson, District 1

Commissioner Hinson thanked Ms. Mennis for coming.

He said he had a Pastor call him this weekend and had a good friend pass away and they were dealing with CRMC and EMS. He said EMS was called and it was requested he be transported to Tallahassee and was taken to Quincy instead because it was closer. He said the family was outraged and he died at the Quincy hospital. He said when the family arrived at the door they were told by an officer he had passed away and they needed to contact the funeral home and they didn't hear it from the doctor. Then the officer asked them to leave.

Commissioner Morgan stepped out at this juncture of meeting.

Commissioner Hinson asked if there was a score card or rating card regarding the hospital.

Commissioner Morgan returned at this juncture of the meeting.

He said there was a need for a hospital but they should do what they were supposed to do.

Chair Holt asked if he wanted the Manager to check on this and he said yes.

Citizens Bill Of Rights

He said he was curious, if they had four show up for the meeting and need a super majority vote, could they make the vote and was told yes, that all four had to be for the item.

He said he wanted to recognize the National Hook-up of Black Women.

UPON MOTION BY COMMISSIONER HINSON FOR A PROCLAMATION FOR THE NATIONAL HOOK-UP OF BLACK WOMEN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

He also asked to recognize Janice Maxwell and said every year she goes from Chattahoochee to Havana in the summer to make sure the mentally and physically disadvantaged students were OK.

UPON MOTION BY COMMISSIONER HINSON FOR A RESOLUTION FOR JANICE MAXWELL AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS MATTER.

Commissioner Gene Morgan, District 3

Commissioner Morgan welcomed Ms. Mennis back and wished the Board a happy 4th of July and invited them to the Greensboro and Chattahoochee fireworks.

County Administrator Position

He said they needed to make a decision on who was to fill that position, he appreciated the efforts Mrs. Jackson has made in her interim position and he would support her to be the full-time County Administrator but they needed the position filled permanently.

Commissioner Sherrie Taylor, District 5

Commissioner Taylor wished everyone a happy 4th.

Commissioner Morgan left the meeting at this juncture.

She said regarding the Summer Youth program, there were a few students that were selected but were unable to attend the Orientation and therefore was not able to participate in the Summer Program and she felt it was unfair. She felt this could be corrected tonight and they were in their third week.

Mrs. Jackson said she did not feel they should be penalized and did instruct Staff going forward all dates needed to be a part of the application when orientation would be held and they had to be there if they wanted to participate in the program.

Commissioner Hinson said he also had received phone calls because arrangements had been made for one student to go to 4H camp and money had been paid and the following week went on vacation with the family. He said he did not understand why children were being punished that

wanted to work.

Chair Holt said one way to solve this was to go back to CareerSource, they were the professional organization and was good at it.

Commissioner Taylor said this Board never said orientation was mandatory, it said they needed to implement an orientation process and could have been done when the student returned. She asked if they were replaced by some that did not make the original cut and Mrs. Jackson said yes, there were students that qualified and did not make the original cut and were asked to work. Commissioner Taylor asked if it was found in writing that the Board approved a mandatory Orientation and Mrs. Jackson said it was verified that orientation was mandatory. She said she checked with the HR Director and spoke with someone in the Clerks' office and it was verified by them but was not in writing. She said she trusted HR and the Clerk's Office with the information. She said she would check to make sure that was the case and felt it was something the Board should re-visit. Commissioner Taylor said she did not remember it being mandatory, she recalled Chair Holt made mention of Orientation and they go through a training and she concurred with that so they were professional going on the jobsite, but that could have been conducted at a later date.

Commissioner Hinson started to speak and Chair Holt said no, Commissioner Taylor had the floor and Commissioner Taylor said she would yield. Chair Holt said no, Commissioner Viegbesie was next and at the end if Commissioner Hinson wanted to speak, he could then. Commissioner Taylor said she would end now so he would have an opportunity to speak so Commissioner Holt could get in the field.

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

Commissioner Viegbesie said he knew each and every one had heard the saying growing up "thou shalt love thy neighbor as thyself".

UPON MOTION BY COMMISSIONER VIEGBESIE THAT THE BOCC PREPARE AND PRESENT A RESOLUTION SUPPORTING NEIGHBORING FRANKLIN COUNTY ON BEHALF OF THE LIMESTONE WILDFIRE AND SYMPATHIZE WITH THEM ON THE LOSS OF LIVES LOST THUSFAR AND SECOND MADE BY CHAIR HOLT, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS MATTER.

Commissioner Brenda Holt, Chair, District 4

Chair Holt said they had talked about the summer youth program, hospital, and asked the Administrator to look into the phone system.

Commissioner Hinson said regarding the Havana Senior Citizens, last year they did not get their money, said they did and did not. He said the President made a decision to give the money back to County without getting with the Board. He wanted to make sure the BOCC gave their support to give the money back to them. Chair Holt said it had to be agendaed for money and they could bring it up at the budget workshop on Tuesday.

He said they now had to do what was right for the children and he wanted to give them a chance to work.

COMMISSIONER HINSON MADE A MOTION TO GIVE THE CHILDREN THAT WERE UNABLE TO

WORK A CHANCE TO WORK UNTIL THE END OF THE PROGRAM.

Chair Holt said in order to move money it had to be agendaed and other children were moved into the slots. She asked the Administrator if there was money left over and Mrs. Jackson said she could not speak to that. Chair Holt asked that everyone that was not accepted, were they willing to give them job.

Commissioner Hinson said the County Administrator had up to \$25,000 discretionary funds and she did not have to come to the Board for it, she could make that decision.

Commissioner Viegbesie left the meeting at this juncture.

Commissioner Hinson said he was making the motion now and Chair Holt asked what his motion was. He restated his motion.

COMMISSIONER HINSON MADE A MOTION THAT THE FIVE CHILDREN THAT WERE UNABLE TO WORK WERE ABLE TO GET A JOB AND COMMISSIONER TAYLOR MADE THE SECOND.

Chair Holt said she could not say that because they were not in a meeting where they could move money that was not agendaed. Commissioner Taylor said there was a motion on floor and Chair Holt asked if she called the question and she said yes.

Chair Holt asked for the attorney's opinion.

Mrs. Mennis said she shared the concern that the Chair had that even though the Administrator did have up to \$25,000, there was a certain amount of funding set aside for this program and now they were possibly changing the amount because there were five children that took their spots and money that was set aside for that program likely had already been used. She continued and said the Administrator indicated she was not sure there was any money left in that program and her concern was even though she had \$25,000 authority, they had already earmarked a certain amount for that program. She added that was not to say it could not be brought back at a later meeting and placed on the agenda, then the Administrator would have an opportunity to see what funds might be left in the program or the Board could vote to move additional funds into it.

CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 2-1 BY VOICE VOTE. CHAIR HOLT OPPOSED.

Chair Holt said they must follow but have to do it legally.

Commissioner Hinson said with the CBOR, he said he wrote something down that connected to everything they were about to do. He said someone else said it but he was putting it in his words, "one of the concepts that means a lot, not only in America but in Gadsden County, is *Stare Decisis*, right, that means don't overturn precedent unless there was a good reason." He said for the vote they just had, that was a good reason.

Chair Holt adjourned the meeting and left.

Receipt and File

Gadsden County Board of County Commissioners
July 3, 2018-Regular Meeting

13. Letter to Dustie Moss, Florida Department of Transportation

UPCOMING MEETINGS

July 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 7:41 P.M.

GADSDEN COUNTY, FLORIDA



BRENDA HOLT, Chair
Board of County Commissioners

ATTEST:

NICHOLAS THOMAS, Clerk