

**AT A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD IN AND FOR GADSDEN COUNTY, FLORIDA ON JULY 17, 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-appeared by phone  
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 called to Order at 6:00 p.m., 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**

Chair Holt asked if there were any amendments to the Agenda.

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

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY CHAIR HOLT, THE BOARD VOTED 3-2 TO APPROVE THE AGENDA AS PRESENTED. COMMISSIONER HINSON AND COMMISSIONER MORGAN OPPOSED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**CONSENT**

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

- 1. Approval of Minutes**
  - a. June 5, 2018 Regular Meeting**
  - b. June 19, 2018 Regular Meeting**
- 2. Ratification Memo**
- 3. Approval and Signatures for Satisfaction of Special Assessment Lien –SHIP Foreclosure Prevention Program**

**ITEMS PULLED FOR DISCUSSION**

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

Mary Helena Allen, 61 Clearwater Street, Quincy, FL - CW Roberts Mining Issue

Debra Chatham, 6277 Flat Creek Road, Quincy, FL – CBOR

Marian Lasley, 5 Dante Court, Quincy, FL

#### **PUBLIC HEARINGS**

**4. Public Hearing-Legislative-Consideration of Adoption of Ordinance 2018-005 for the Amendment of Chapters 1 and 7 of the Land Development Code, specifically regarding the Citizen’s Bill of Rights (LDR 2018-01)**

Mrs. Jackson introduced the above item and said this was a legislative public hearing to adopt Ordinance 2018-005 for the amendment of Chapter 1, Administration and Enforcement and Chapter 7, Development Orders, Development Permits, and Development Agreements of the Land Development Code, to amend the Citizen’s Bill of Rights and move it from Chapter 7 to Chapter 1.

**Allara Gutcher, The Planning Collaborative**, appeared before the Board and gave a brief synopsis of the item. She reminded the Board that this item required a 4-1 vote in order to pass.

Chair Holt announced this was a Public Hearing and asked if there were any comments from the public.

**Marian Lasley, 5 Dante Court, Quincy, FL**, appeared before the Board. She said she was looking at the Alternate Ordinance and the concept of the exemption and the overlay areas was not presented to the Planning Board and they had not heard this. She added as she understood the changes to the Land Development Code and the Comprehensive Plan should go through the Planning Board first. She said she would like for them to consider that the Board Variance be included in the criteria for the oversight for the CBOR.

**Debra Chatham, 6277 Flat Creek Road, Quincy, FL**, appeared before the Board. She said she had been reading and liked the Number 4 item, but wanted to make them mindful of something she saw on Facebook. She said this was about the family splitting and they needed to go back to their constituents because she had not heard one up there say they were not interested in the family rights when they went to split the parcels.

Chair Holt asked for Board discussion.

Ms. Gutcher reappeared before the Board. Chair Holt asked if the Alternate Ordinance needed to go back to the Planning Commission. Ms. Gutcher said they had the discussion after the workshop on June 21<sup>st</sup> and asked if Mr. Weiss wanted to discuss the procedure.

Mr. Weiss explained any amendment to the Comprehensive Plan had to go to the Planning Commission and then to the County Commission. He said the standard when an Ordinance had to go back through the entire process was if there was a change to the nature of the Ordinance. He said if something different was put into the Ordinance when it came to the County Commission than when it went to the Planning Commissioner was different; it needed to go through the whole process. For something like this, the whole Ordinance was considered by the Planning Commission and thought their recommendation was to remove the super majority vote all together. He said he did not think it was a legal impediment and was the discretion to this Board if the Board

thought it should have gone through them, they could make the decision to send it back. He said he did not think it changed the nature of the Ordinance that they would be required to go back through.

Chair Holt said a workshop was held and suggestions were made and put into the document and she further explained.

Commissioner Morgan asked Ms. Gutcher if the existing ordinance in place regarding Chapter 1 and 7 was impeding growth at the interchanges and she said she was not sure anyone could answer that question.

Chair Holt said she was for economic growth and businesses were not coming because water, sewer, electric, etc. was not at the interchanges.

Commissioner Morgan said he agreed if water and sewer was needed at the interchanges, the County needed to do whatever was necessary to make that happen.

Commissioner Viegbesie said a question that came to mind was an issue a citizen raised, the perception of what the CBOR was. He said as written, did it apply to individual family property owners who wanted to change their own property land use.

Ms. Gutcher said it applied to anyone who owned property who wanted to change the map; it did not discriminate between ownership.

Commissioner Taylor said if a business did not think it worthy to come to the County to talk to the citizens, The County may not be interested in inviting them. She said Mrs. Chatham had a great point. The CBOR was there to help with large scale development and Ms. Gutcher said the way it was written today, if a property owner owned one acre of land and wanted to go from Agriculture to Rural Residential, they would have to go through this process. Commissioner Taylor said that was for changing the land, but if they were giving land to a family member and not making changes to the land use, would it affect them. Ms. Gutcher said if they were not changing the land use they would not have to go through this. Commissioner Taylor said she wanted that out there for clarity. She further stated she agreed with the Board on some of the language changes that needed to be done for clarity but did not agree at this time to change the super majority vote.

Commissioner Viegbesie said although the changes that have been made were improvements to the document and the main item that has been controversial was still there, for now he was willing to make a motion.

**COMMISSIONER VIEGBESIE MADE A MOTION FOR ADOPTION OF OPTION 1 AND CHAIR HOLT MADE THE SECOND WITH A QUESTION.**

Ms. Gutcher said Attachment 4 had the map and would be Option 3.

**COMMISSIONER VIEGBESIE AMENDED HIS MOTION TO OPTION THREE AND CHAIR HOLT AMENDED HER SECOND. COMMISSIONER MORGAN HAD A QUESTION.**

Commissioner Morgan said in the example given by Commissioner Taylor's question and Ms.

Gutcher's response, they were supporting someone that wanted to make a land use change, they would not have to notify their neighbors. Ms. Gutcher said their motion was to include the option that had the exemptions with a map to if they were outside the economic opportunity zones, they would have to go through the process if they were applying for a map amendment. Commissioner Morgan asked if they were inside, they would not and she said correct.

Commissioner Viegbesie asked for a roll call vote.

Commissioner Taylor had questions for clarity. She said she was looking at option 1 and option 3 and the difference was the attachments, attachment 1 and attachment 4. She said she wanted to make sure that she was voting correctly. She said option 1 did not include the map and Ms. Gutcher said correct. Commissioner Taylor said if it did not include the map, which meant whatever area that wanted to fall under this, they had the right to and Ms. Gutcher said outside the city limits. Commissioner Taylor said option 4 included the map and Ms. Gutcher said yes and that had restrictions, Ms. Gutcher said it had exemptions for those parcels within a mile boundary of the city limits, I-10 interchanges, Highway 27 and Highway 90. Chair Holt said around the cities, they do not have this ordinance and they do not have the CBOR and if annexed, they did not have it. She said there was only 1 interchange left at the Chattahoochee exit.

**Commissioner Viegbesie-yes**  
**Commissioner Hinson-yes**  
**Commissioner Taylor-no**  
**Commissioner Morgan no**  
**Chair Holt-yes**

**Chair Holt said item failed for lack of 4 votes.**

**COMMISSIONER TAYLOR MADE A MOTION TO APPROVE OPTION 1 AND COMMISSIONER HINSON HAD QUESTIONS AND MADE THE SECOND.**

Commissioner Hinson asked for clarity on the changes and Ms. Gutcher explained.

Chair Holt said she was not voting for option 1 because she was against the super majority vote and no county out of 38 Counties this size uses anything that required four votes to change property to what someone wanted to do.

A roll call vote was taken.

**Commissioner Viegbesie-no**  
**Commissioner Hinson-no**  
**Commissioner Taylor-yes**  
**Commissioner Morgan-yes**  
**Chair Holt-no**

**Motion failed for lack of majority.**

**5. Public Hearing-Legislative-Consideration of transmittal of LSPA 2018-02 to Amend the Traffic Circulation Element of the Comprehensive Plan**

Mrs. Jackson introduced the above item and said it was a legislative hearing to consider the transmittal of amendments to the Traffic Circulation Element of the Comprehensive Plan and renaming of the element to the Transportation Element.

Ms. Gutcher gave a brief description of the item. She said the element was last updated in 2001 and there had been many legislative changes and different types of requirements and conditions that changed since that time and they were included.

Chair Holt announced this was a public hearing and asked if there were any questions or comments.

Commissioner Viegbesie said his understanding was this was nothing but updates of the current Comp Plan to conform to the more current transportation elements of the Comp Plan with DEO and other required agencies.

Commissioner Taylor asked about “to prevent an increased number of driveways that access on to high-speed roadways...” and Ms. Gutcher explained.

Commissioner Morgan asked about impact fees and she said it was not a firm commitment; it gave them the opportunity to look at in future if they wanted. He asked her to explain impact fees and she did so.

**COMMISSIONER VIEGBESIE MADE A MOTION TO ADOPT OPTION 1 AND SECOND MADE BY COMMISSIONER TAYLOR. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**6. Public Hearing-Legislative-Consideration of transmittal of LSPA 2018-003 to Amend the Conservation Element of the Comprehensive Plan**

Mrs. Jackson introduced the above item and said it was a legislative public hearing to consider the transmittal of amendments to the Conservation Element of the Comprehensive Plan to update specific policies for clarification purposes.

Mrs. Gutcher gave a brief description of this item.

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

**COMMISSIONER VIEGBESIE MADE A MOTION FOR OPTION ONE AND SECOND WAS MADE BY CHAIR HOLT. COMMISSIONER MORGAN HAD A QUESTION.**

Commissioner Morgan asked if this required a super majority vote and was told yes.

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

**7. Public Hearing-Legislative-Consideration of transmittal of LSPA 2018-005 to Amend the Comprehensive Plan by deletion of Chapter 9, Concurrency Management Element**

Mrs. Jackson introduced the above item and said this was a legislative hearing for the transmittal of LSPA 2018-05 for the amendment of the Comprehensive Plan by deletion of the Concurrency

Management Element, also known as Chapter 9.

Mrs. Gutcher gave a brief explanation of this item.

Commissioner Morgan asked her recommendation and she said to remove it from the Comprehensive Plan.

Chair Holt asked if there were any comments and there were none.

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

**8. Public Hearing-Legislative-Consideration of Transmittal of an Amendment to the Future Land Use Map for +/-284 acres from Rural Residential to Agriculture-1 of the Comprehensive Plan (LSPA 2018-06)**

Mrs. Jackson introduced the above item and said it was for consideration of an amendment by Elva Peppers, authorized agent, of the Future Land Use Map of the comprehensive Plan for approximately 284 acres from Rural Residential to Agriculture -1.

Mrs. Gutcher gave a brief explanation of this item.

**Elva Peppers, Florida Environmental Land Services**, appeared before the Board. She said some had been on the Board long enough to know this was originally the Highlands/Stoddard Amendment and the request was to down zone from Rural Residential to Ag-1 would allow a 1:1- one house per 5 acres. She said the issues she took away from the Planning Commission were 1) the test amendment, which was coming up on Item 10 and they requested that all of that be brought together but the issue was now after the amendments were originally approved, some parcels had been sold and there was no way for her applicant to bring the entire previous amendment to the Board to request approval; and 2) in the Comprehensive Plan amendment, it was required if the property was developed as a 1:1, it would require a sewage treatment plant. She said the parcels have been sold and some resold and was difficult to do that. She explained her client owned 285 acres and approximately 130 acres additional acres not owned by her client. She said in order for the 130 acres to develop on their property, they would also have to come before the Board and request an amendment to the sewer treatment plant and was not practical. She said the main reason for the amendment request was to create a property and a produce that was doable and developable. She said there was approximately 57 acres of wetlands (20% of the property). She further explained the property to the Board.

Chair Holt asked if there were any comments in favor or against the item.

**Marion Lasley, 5 Dante Court, Quincy, FL**, appeared before the Board. She said the way this property set currently, they were required to create a sewage treatment plant in addition to Talquin water and the sewage was to be taken off-site. She further stated this was originally Ag 3 and was approved to Rural Residential. She added she felt this was approximately 50% wetlands and disagreed with the 20%. She further explained this to the Board. She said if they go forward with this item, there would be 56 septic tanks there and hopefully it would be required they hook up to Talquin water and the sewage would stay off-site. She said she felt Ag-3 would be a much better use of the property.

Commissioner Taylor disclosed that she did have conversation with a property owner regarding this matter. She said her position has always been what the constituents wanted in the area. She said she was concerned with the 56 septic tanks but did not want to stifle economic growth and development and felt this needed to go back to the Planning Commission. She understood that putting in a sewer system was quite expensive.

Elva Peppers reappeared before the Board. Commissioner Taylor asked about the text information that was not available to the Planning Commissioner and Ms. Peppers said it was. Commissioner Taylor asked what was not available that they wanted that she now had and Ms. Peppers said the plan had not changed. Commissioner Taylor said she understood it was impossible to change the parcels that had been sold already and Ms. Peppers said the other issue was regarding the septic tanks. Ms. Peppers said 56 was the maximum that would be allowed on the parcels and was less of an impact than a 200 lot subdivision that would include roadways, stormwater treatments, etc. She added that the sewage would be processed on site. Commissioner Taylor said she wanted to see nice houses, it would help the tax base, but they had to have smart growth and development. She said she wanted to support it and it mirrored what was there and she would probably end up supporting it.

Chair Holt asked if there were any more comments.

Commissioner Viegbesie said his concern was the super majority of the Planning Commissioners and he has concerns with how they decided. He felt this should be tabled, go back to them but also heard there was nothing else the applicant would be able to provide to persuade their minds. He said he was concerned with the options they had on this item.

Commissioner Taylor asked the majority of homes at the lake, if they were septic or sewer and was told septic; there were no sewer lines that run to the lake.

Commissioner Taylor asked the costs to the developer to put in the necessary sewer and they did not know. Commissioner Taylor asked with 56 septic tanks, what was the major concern. Ms. Gutcher said she was not sure if she could answer that question, it was not a part of the study analysis.

Chair Holt said she looked at the package plan and the number of lots already sold reduced the package plan.

Commissioner Viegbesie asked what the elevation of the developable part of the 5 acres to the wetlands and how would the drain field impact the wetlands. Ms. Peppers said as part of this project, they could look as the floodplain and there about 90 acres of the property was in the flood zone and they would not be building inside the flood zone. She said that constituted 32% of the property would not be developable.

**UPON MOTION BY COMMISSIONER TAYLOR FOR APPROVAL AND SECOND BY CHAIR HOLT, THE BOARD VOTED 2-2. COMMISSIONER MORGAN AND COMMISSIONER VIEGBESIE OPPOSED. MOTION FAILED FOR LACK OF SUPER MAJORITY.**

**9. Public Hearing-Legislative-Consideration of Transmittal of an Amendment of the Future Land Use**

**Map for +/- 145 acres from Agriculture 3 to Conservation and Mining of the Comprehensive Plan (LSPA 2018-07)**

Mrs. Jackson introduced the above item and said it was for consideration of an amendment by Elva Peppers, authorized agent, of the Future Land Use Map of the Comprehensive Plan for approximately +/-145.5 acres from Agriculture-3 to Conservation and Mining.

Ms. Gutcher gave a brief explanation of this item and said the Planning Commission recommended a 6-1 vote to transmit this item.

Chair Holt announced this was a Public Hearing asked if there was anyone that wished to speak in favor of this item.

**Bob Flowers, President of CW Roberts**, appeared before Board and said he appreciated the Board's time in listening to the issue. He said they had been working on their due diligence to bring this request before the Board to change the zoning.

Elva Peppers appeared before the board and gave a brief description to Board and presented a map. She said the mining started in 1994, was not a new area of mining and was approved a long time ago; there were nearby mines located on Sadberry Road across the street. She said Gopher tortoises were on the property and will be relocated before site development. She also said DEP permits and monitors the mining projects annually.

Commissioner Holt asked if anyone else was in favor of the project and wanted to speak and there was no-one.

**Mary Helena Allen, 61 Clearwater Street, Quincy, FL** appeared before the Board and spoke in opposition of this project. She said she was very concerned about the additional trucks on the highway. She said the sand mining strips the filters and allows for direct run-off and pollution. She said there was a community meeting regarding this issue and the concern was the restoration of the mining areas and what would be done to fill in after the sand was removed. She further stated the County has incredible natural resources and was concerned if approved it would be like the train was leaving the station and they would have a difficult time stopping it because it would imply that the commission was in favor of the mining and would be difficult to have it reversed at a later time.

**Ed Allen** appeared before the Board in opposition of this matter. He said the CW Roberts was not the Chuck Roberts they knew, he was not local but out of Alabama; and pays equipment taxes in Bristol where it was registered. He said he has been there for 22 years and had been no mining for 22 years. He said the number 1 goal of the Comp Plan was to protect the property rights of the citizens. He said building sand pits was not protecting the property rights. He said there were five sand pits and each one was capable of producing 18-26 truckloads per hour. He held up and wanted to put in public record the Geological Society of America and read the first paragraph and asked that it be put in the record.

"The abstract from the non-mechanical de-watering of the regional Florida Aquifer System. The regional Florida aquifer system has been de-watered and otherwise altered extensively throughout much of Florida and Coastal Georgia by ground water pumpage (mining). An increased threat to the crust aquifer system is structural



mining of aquifer formations primarily to reduce fertilizers, titanium products, construction materials and food supplements. These excavations often include mechanical de-watering to facilitate shallow and deep extractions of aquifer formations. All include reduced aquifer levels, de-watering of the aquifer system and altered hydro? at the surrounding and excavated pits due to increased void, space and evaporated loss (non-mechanical de-watering). Only mechanical de-watering is considered by regulatory agencies through excavation and application for structural mining of the aquifer system. Despite the ? data, open pits resulting from these excavations increase the ? subsurface reservoirs that create new and enhanced sources of water in areas where natural ground water supplements have been depleted.”

He read two more items aloud.

He said it was a known fact that sand pits destroy the aquifer. He said there were too many sand pits there as it was and no more were needed.

Elva Peppers reappeared before the Board to address his comments. She reminded the Board there would be a vegetative buffer, not a wall. She said the Friends of Talquin hired someone to test the water and it came back clean.

Bob Flowers reappeared before the Board and said if the equipment was being utilized in Gadsden County at the end of the year, the taxes were forwarded to Gadsden County or wherever they were working.

**Amy Allen, 268 Chinquapin Way, Quincy, FL**, appeared before the Board and spoke in opposition to this item. She said she grew up here and wanted it safe for her children and grandchildren.

Chair Holt asked for Commissioner comments.

Commissioner Viegbesie disclosed he had met with representatives of CW Roberts and toured the plant with Clyde Collins. He said he now had questions and concerns and would like the applicant to address. He said he was a strong proponent for economic development but not at the expense of citizens.

1. They know that excessive mining has potential to cause the degradation of nearby rivers and waterways.
2. What provisions have been made to prevent excessive mining leading to potential leading to riverbank erosions and possibly landslides.
3. What are the provisions made that excessive mining would not result in the destruction of the aquatic and riparian habitats through large changes in the channels of methodology.
4. What provisions are made regarding the extra vehicle traffic which would have negative impact on the environment and citizens' safety on the throughways.

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

Elva Peppers reappeared before the board to address the questions.

*Commissioner Morgan reappeared at this juncture of the meeting.*

1. Dividing the property into conservation offers real permanent protection and there would not be encroachment into those areas where the wetlands are. She said the riverbank was included and the way the property ran, there was a slope. She said the mining would not occur down to the wetlands. She added as part of the FDEP permitting, all the cleared property for mining have to be graded so the water went into the pit or stormwater ponds, which was required. She also addressed his other questions.

Bob Flowers reappeared before the Board and said upon the final site plan; they will confer with FDOT to allow them to dictate the ingress/egress to the pit.

Commissioner Viegbesie asked how craters created impact private and public property surrounding properties would and if anything was in place to mitigate craters on the surrounding properties. Ms. Peppers said the private property surrounding the property is timberland and there was a large buffer. She said there was not an expected impact on the adjacent property.

Commissioner Taylor said there was a meeting hosted at a local restaurant at the lake and some of Commissioner Viegbesie's questions were asked. She said Ms. Allen was correct in that she supports the mining going in but not without considering some of the concerns of the citizens and addressing them. She said they came up with several things; one being the ingress/egress and one things asked for was turn lanes. She said CW Roberts was concerned with the costs but said they would look into it and come up with a design that would eliminate some of the issues and concerns. She also said CW Roberts has agreed to put a vegetative buffer so the operations could not be seen from the highway. She said the citizens wanted assurance the aquifer would not be polluted and there has not been one study showing where what CW Roberts was doing hampered the aquifer.

Commissioner Morgan disclosed the he had spoken with Kent Sefer (sp), attorney for CW Roberts. He asked Ms. Gutcher about the tract of the transmission of this amendment, if the Board approved it, what happened next.

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

She said if the vote was to transmit, it would be packaged and put forward to DEO and several other State agencies and they have 30 days to review, if no objections to the request, BOCC would have a second public hearing and that would be with the request would be adopted. Commissioner Morgan asked if any of the agencies had questions, issues or concerns, how the applicant would respond. She explained the process. He then asked how long they saw the mining activities lasting at this site and Bob Flowers reappeared before Board and said for a number of years, possibly 15-20 years, depending on the volume of material and would be a long-term process. He said he understood this was a sensitive issue, appreciated the remarks made on both sides both for and against the transmission of the amendment, but they needed to make decisions based on good judgment for good growth and protecting the environment. He said based on this site, he had not seen any negative impact on the aquifer or the lake, has seen an organization that tried to be a good corporate partner for the County, always been someone to respond to the County if they saw a need and if they could help within their realm.

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

Chair Holt disclosed she had also met with the company but knew a lot about the project already and was also concerned about DEP, wetlands, beautification, etc.

**UPON MOTION BY COMMISSIONER TAYLOR TO APPROVE OPTION 1 AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 TO APPROVE THIS PROJECT.**

**10. Public Hearing-Legislative-Amendment of the Future Land Use Element Policy 1.5.2 and Map 1.2 of the Comprehensive Plan (LSPA 2018-08)**

Mrs. Jackson introduced the above item and said it was a text amendment of the Future Land Use Element of the Comprehensive Plan to delete text from Policy 1.5.2 and parcels from Map 1.2 by Elva Peppers and Lex Thompson, authorized agents.

Ms. Gutcher gave a brief explanation of this item and said recommended if they vote to transmit, they make it effective for the subject parcels only. She said in light of the recent vote on Item 8, it would be a complicated issue if they adopted this. She also explained if they deleted the text, septic tanks would be allowed.

Elva Peppers appeared before the Board and said the way she read the policy, there was only three parcels there and if any one of them were developed as minor subdivision, the others could not be developed. She then asked if Commissioner Hinson was still on the phone and he was not. She asked if this was a super majority vote and needed 3 or 4 votes and was told 4.

Chair Holt asked if anyone wanted to speak in favor of the item and there was no-one. Chair Holt then asked if anyone wished to speak in opposition of the item.

Marion Lasley reappeared before the Board to speak in opposition of this item and hoped the Board would not go with this item.

Commissioner Viegbesie asked if the change would be universal across the County for land use with same classification or specific to this applicant and was told would be specific to the applicant.

Ms. Gutcher said if they approved this item, it would be specific to the applicant. Commissioner Viegbesie asked her to clarify what she said if the approved this item and not the previous item and she said if they approved this change, the Rural Residential category still stood and would allow them to develop a net 1 acre parcel and they would have to withdraw the wetlands and after that, have 1 acre parcels that was not wet. Commissioner Viegbesie asked how many septic tanks they would be looking at. She said in Item 8 there was 284 acres and was wetlands; they would have to remove the wet acres and what was left would be the net density. Commissioner Viegbesie said he did not see the position of the Planning Commission. Ms. Gutcher said it was a 6-1 vote to not transmit.

Commissioner Taylor said the whole focus was economic growth and development and it was obvious this project did not meet the approval of the Planning Commission and she hoped the developer and his team does not stop and they needed to work with the Planning Commission Board. She said they needed to look at options to get septic in the area and suggested they look at USDA for grants.

Chair Holt asked about the area in yellow and was told that was a minor subdivision that was created. She said after the one minor subdivision was created; the remaining was subject to that.

**COMMISSIONER TAYLOR MADE A MOTION TO TABLE AND CHAIR HOLT MADE THE SECOND WITH A QUESTION.**

Chair Holt asked if this item was tabled would that help and Ms. Peppers asked about procedures. She said the other one failed and they would have to re-apply and start from the beginning. She said it was a lot of effort to get here and they have voted. Mr. Weiss said if it failed there would have to be a new application and tabling would save money.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 2-2. MOTION FAILED.**

Mr. Weiss said the motion failed but there could be another motion of that was the will of the Board.

Chair Holt asked if there was a certain thing the Board wanted because they were not asking for approval but to table.

Commissioner Morgan asked if Item 8 failed, that the benefit was otherwise and his motion would be to not approve it.

Chair Holt said the benefit would be to the applicant so they would not have to pay all that money again.

Commissioner Taylor said Ms. Peppers said earlier she was interested in the reason the other commissioners did not approve this and it would give them a chance to find that out and give them opportunity to readdress it.

Chair Holt said to try another motion, maybe table with a certain time.

Mr. Weiss recommended another motion but not that motion.

Ms. Gutcher said as far as due diligence was concerned, she thought Ms. Peppers needed an up or down vote in case they decide to challenge it.

**UPON MOTION BY COMMISSIONER MORGAN TO NOT APPROVE AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 3-1 TO APPROVE THIS ITEM. COMMISSIONER TAYLOR OPPOSED.**

**GENERAL BUSINESS**

**11. Discussion on Gadsden County's State Lobbying Services**

Mrs. Jackson introduced the above item and said it seeks Board discussion and direction regarding the County's State Lobbying Services.

Commissioner Taylor asked if this was for discussion or for it to go out for bid.

Commissioner Viegbesie said he would like to add another team to the Lawson and Associates to become more effective in lobbying. He felt with the Congressman in Washington, they were not as effective and productive. He suggested bidding this item out.

Commissioner Morgan said his recommendation was to not to go with this item based on Commissioner Viegbesie's comments. He said he also understood with budget constraints moving forward, they would not have as much to invest as they might want to.

**COMMISSIONER TAYLOR MADE A MOTION TO AGENDA THIS ITEM AT THE NEXT MEETING AND SECOND MADE BY COMMISSIONER MORGAN, THE BOARD VOTED 4-0 TO TABLE.**

**12. Discussion on Ordinance for Gadsden County Planning Commission**

Mrs. Jackson introduced the above item and said they have had issues with no quorum at the Planning Commission meetings.

Chair Holt said she heard two or three things. They were saying the BOCC was sending so many things back after they have gone through them and felt the Board should make decisions.

Commissioner Taylor said if there was no quorum, they needed to know which district has poor attendance at the meetings and look at replacements and hold orientation.

Chair Holt said some of the commissioners wanted to be able to go to workshops and it be funded.

Commissioner Morgan said he was grateful for the ones that serve.

Chair Holt said she would like this brought back with an Ordinance.

**13. Lease of Portion of Building at 349 Cone Street with North Florida Development Corporation**

Mrs. Jackson introduced the above item and it was for consideration of a lease with North Florida Development Corporation for a portion of the building located at 349 Cone Street.

Commissioner Viegbesie said this property has been on lease with this corporation in the past and Mrs. Jackson said the lease has expired and was leased for \$1.00/year and the applicant asked it be an ongoing lease. Mr. Weiss said it would be a month-to-month basis and was subject to termination with 30 days' notice by either party.

**COMMISSIONER VIEGBESIE MADE AN APPROVAL FOR OPTION 1 AND SECOND WAS MADE BY CHAIR HOLT. THE BOARD VOTED 4-0 TO APPROVE THIS ITEM.**

Caroline Ford appeared before the Board and said she shared this with the County three days a month and the County was there every day.

**14. Grant Agreement Execution for Gadsden County Election Security Grant**

Mrs. Jackson introduced the above item and said it was a request for execution of a grant award agreement between the State of Florida, Department of State, Florida Division of Elections and Gadsden County Supervisor of Elections. She said the award was for \$78,766.82 to be used in the 2018 Primary and General Federal Elections.

Chair Holt asked for a motion.

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

**COUNTY ADMINISTRATOR**

**15. Updates**

Mrs. Jackson mentioned upcoming meetings:  
July 23<sup>rd</sup> at 5:00 was the Gadsden Hospital Board meeting;  
July 26<sup>th</sup> is a special meeting for TRIM at 4:00 p.m.; and  
July 26<sup>th</sup> at 5:00 is the Tower workshop.

Commissioner Taylor asked about TRIM advertising and Mr. Weiss explained.

**CLERK OF COURT**

**16. Updates**

**COUNTY ATTORNEY**

**17. Updates**

Mr. Weiss said he had nothing to report.

**DISCUSSION ITEMS BY COMMISSIONERS**

**18. Report and Discussion of Public Issues**

**Commissioner Eric Hinson, District 1**

**Commissioner Gene Morgan, District 3**

**Commissioner Sherrie Taylor, District 5**

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

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

**Receipt and File**

**UPCOMING MEETINGS**

**August 7, 2018-Regular Meeting – 6:00 p.m.**

Gadsden County Board of County Commissioners  
July 17, 2018-Regular Meeting

**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 9:16 P.M.

GADSDEN COUNTY, FLORIDA



BRENDA HOLT, Chair  
Board of County Commissioners

ATTEST:

NICHOLAS THOMAS, Clerk