

**AT A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD IN AND FOR GADSDEN COUNTY, FLORIDA ON MAY 7, 2019 AT 6:00 P.M., THE FOLLOWING PROCEEDING WAS HAD, VIZ:**

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

**INVOCATION, PLEDGE OF ALLEGIANCE**

Chair Viegbesie called the meeting to Order at 6:00 p.m.

**Elder Ronald McCloud, St. John COGIC, Quincy, FL** appeared before the Board and gave the Invocation.

*Commissioner Hinson arrived at 6:03 p.m.*

Chair Viegbesie then led in the Pledge of Allegiance to the U. S. Flag.

**AMENDMENTS AND APPROVAL OF AGENDA**

Mrs. Jackson asked to pull Item 14 from the Agenda.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY CHAIR VIEGBESIE, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**CONSENT**

**COMMISSIONER MOLT MADE A MOTION TO APPROVE THE CONSENT AGENDA. MR. WEISS HAD A COMMENT.**

Mr. Weiss said with respect to Item 4, it was not clear to him if this was authorization to execute all the loan documents associated with the loan or for general approval of the term sheet. He said if it was approval of the term sheet, he felt that was ok, if it was for approval to execute the loan documents, he would like to review them first. Mrs. Jackson said it was approval for just the term sheet and they had not received any loan documents yet.

**CHAIR VIEGBESIE MADE THE SECOND TO THE MOTION. COMMISSIONER TAYLOR HAD A QUESTION ABOUT ITEM 5.**

Commissioner Taylor said previously the Board had asked approved that the representative represents the districts and she has not seen any updated documents. She added that she was willing to go along with the appointment tonight.

**CHAIR VIEGBESIE CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.**

1. **Approval of Minutes**
  - a. **April 2, 2019-Regular Meeting**
2. **Ratification Memo**
3. **Midway Building Official Services**
4. **Approval to Accept Construction Loan with Centennial Bank for Completing the Requirements for USDA**
5. **Appointments to the Gadsden County Planning Commission**
6. **CDBG Housing Rehabilitation Grant-Amendment Request No. 1**
7. **Approval to Dispose of Old Electronic Devices**

**ITEMS PULLED FOR DISCUSSION**

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

Chair Viegbesie asked if there was anyone that wished to speak on non-agenda items and there were none.

Auburn Ford, 249 Peters Road, Midway, FL 32343, Item 10

Stephany Wood, 875 Sadberry Road, Quincy, FL 32351 Item 9

Sam Palmer, 1225 Berry Street, Quincy, FL 32351

**PUBLIC HEARINGS**

8. **Public Hearing-Adoption of Ordinance 2019-06, an Ordinance of the BOCC amending Section 74-1 of the Gadsden County Code of Ordinances, to include emergency medical services operations and capital expenditures as an authorized use of the discretionary sales surtax proceeds levied pursuant to Section 212.055(3), Florida Statutes, for Fiscal Year 2018-19 (from October 1, 2018 through September 30, 2019);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 adoption of an Ordinance amending Section 74-1 of the Gadsden County Code of Ordinances to include emergency Medical Services operations and capital expenditures as an authorized use of the discretionary sales surtax levied pursuant to Section 212.055(3), Florida Statutes, for Fiscal Year 2018-19.

Chair Viegbesie announced this was a public hearing and asked if anyone wished to speak in favor or opposition to this item and there was no-one.

Commissioner Taylor had a question and said at a previous meeting there was discussion and knew they had discussed using discretionary funds for certifying EMS workers as firefighters. She asked if they were looking specifically at the discretionary surtax.

Mrs. Jackson said that was correct, however, during the budget season it was discussed to address the shortfall in EMS this year and they would divide the discretionary surtax three ways and was approved by the Board. It was then brought back as an Agenda Item for some reason and was voted down. She said the Clerk appeared before the Board, spoke about that and said they originally approved it and they needed to revisit this because that was the way he was balancing the budget. She said this was two part because at the last meeting there was a Resolution passed to make the EMS Department "Fire Safety" so they are dual certified to do both and now there was no two departments anymore, only one department where the staff could either get on a fire truck or get on an ambulance and provide service. Commissioner Taylor said she knew the discretionary fund was also being used to balance the budget and now they would be moving those funds into the Fire fund, so which department would no longer have access or was there a surplus.

Mrs. Jackson said instead of it being divided three ways, it will be split two ways, as it has always been with half going to Public Works and the other half going to Fire Safety as there was no longer a fire department or EMS Department.

Mr. Weiss pointed out the way the Ordinance was drafted, only authorized the use of funds for EMS services operations and capital expenditures for FY 18/19 and has an automatic sunset provision. If funds were intended to be used beyond 18/19, he did not think they should be limited to fiscal year 18/19 and should include EMS services indefinitely. Mr. Weiss said they could vote tonight to get rid of the sunset. Chair Viegbesie said if it was the will of the Board, they could revise that and make it a part of the operating procedure.

Commissioner Holt said the discretionary tax would be used for safety for fire and EMS and asked how that would affect the Quincy operation. Mrs. Jackson stated that would not affect them at all. She then asked the Attorney if he drafted the ordinance and he said yes. She asked why he drafted it for fiscal year 18/19 and he stated that was what he was told to do and found out afterward the intent was to be used beyond that and was why he made the suggestion that if that was the intent, it should be indefinite and there be no limitation on it.

Commissioner Hinson said there was a 4-0 vote last time and he had reservations afterward and wanted to rescind his vote from last time based on that so they could have a workshop. Chair Viegbesie said he did not understand what he was talking about with this item.

Mr. Weiss said at that meeting there was a Resolution proposed to merge Fire and EMS and authorize EMS to be recognized as a Fire Safety Department.

Commissioner Taylor said earlier it was said discretionary tax could only be used for Safety. Mr. Weiss said it could be used for any public purpose but has to be determined by the Board and has to be an extraordinary vote. He said the only had only four commissioners and meant all four would have to vote for it to amend the ordinance. She asked if the tax could be used for (inaudible) services as well as fire protection and Mr. Weiss said yes if they include that in the

Ordinance. He said with respect to EMS, it was only for fiscal year 2018/19. Commissioner Taylor said she would have to concur with Commissioner Hinson. She said she wanted to see where the dollars were moved from in the budget because originally they were not utilized in this particular department. She said she knew the hospital was using a portion of the discretionary tax and Mrs. Jackson said they still are. Commissioner Taylor said she understood Public Works was also using those funds. Mrs. Jackson said she was talking about two different taxes. This was the gas tax and that had always been divided two ways: between Public Works and the Fire Department.

Mr. Weiss stated this was not a gas tax but was a sales tax; this was a ½ cent discretionary sales surtax.

Commissioner Holt said this tax was originally used as the old jail tax to build the jail.

**COMMISSIONER HOLT MADE A MOTION FOR APPROVAL AND CHAIR VIEGBESIE MADE THE SECOND. MR. WEISS HAD A QUESTION.**

Mr. Weiss asked for clarification purposes if this would be with limitation for fiscal year 2018/19 or without. Chair Viegbesie said his understand was it was without.

**CHAIR VIEGBESIE CALLED FOR THE VOTE. THE BOARD VOTED 2-2 BY VOICE VOTE. MOTION DID NOT PASS.**

**9. Public Hearing-Legislative-Ordinance 2019-002, Allen’s Excavation Large Scale Comprehensive Plan Future Land Use Map Amendment (LSPA 2019-01)**

Mrs. Jackson introduced the above item and said it was a request to adopt Ordinance 2019-002, a Large Scale Comprehensive Plan Future Land Use Map (FLUM) amendment to change the land use category from Agriculture 3 (AG-3) to Mining on property that was owned by Allen’s Excavation.

**Suzanne Lex, Growth Management Director**, appeared before the board to discuss this item. She said DEO reviewed and no comments or objections were raised. She said they request that the Board adopt this comprehensive plan land use amendment.

Chair Viegbesie asked to hear from the public.

**Stephany Wood, 875 Sadberry Road, Quincy, FL 32351**, appeared before the Board. She said the week she signed on her new home they received a letter that they wanted to change from Ag-3 to Mining.

*Commissioner Taylor stepped out at 6:28 p.m.*

She added that they have well water and was already having to double-filter the water and if they expand and mess up the water, what were they supposed to do.

*Commissioner Taylor returned at 6:29 p.m.*

She further explained she had a son that was born with hypoplastic left heart and was stable for now but was easily distracted and this would increase the noise in their area and the loud noise could send him into cardiac arrest. She said 90%-95% of the people on the road was opposed to

the expansion.

**Elva Peppers, Florida Environmental & Land Services, Inc.**, representing the applicant appeared before the Board. She wanted to make it clear this was not an expansion. She added they would be going deeper but was not an expansion. She said this would be used as a private pit and they do not sell to public. She said there was not that much activity at this particular location.

Stephany Wood reappeared before the Board. She said it did say the land was previously owned by Allen already but from what she was reading, there would be an expansion and they were not currently mining because it was not zoned for mining, it was zoned for Ag 3.

Suzanne Lex reappeared before the Board. She said historically, when it was approved Ag 3 allowed mining and since then they have changed the land use so Mining has become its own category. She added this was a grandfathered in use, they have permits that go back into the 90's; the permits were just approved by DEP and was extended until 2044 and the intent of the amendment was to bring it into conformity with the land use plan. Mrs. Wood said she was ok with this.

**COMMISSIONER HOLT MADE A MOTION FOR APPROVAL AND COMMISSIONER HINSON MADE THE SECOND. COMMISSIONER TAYLOR HAD A QUESTION.**

Commissioner Taylor said there had been no mining in the area for some time but was now trying to reactivate.

Elva Peppers reappeared. She said they do actively mine occasionally and if there was no activity after a certain time, they have to start reclamation.

Ms. Lex said this would bring them into compliance.

Commissioner Taylor said she was uncomfortable moving forward with additional mining.

**CHAIR VIEGBESIE CALLED FOR THE VOTE.**

Mrs. Weiss reminded them this was a comp plan amendment and needed to be unanimous of the board members present.

Commissioner Holt asked Ms. Lex if this was approved years ago and was told yes. She then asked what legal standing they had if this was not approved and she said no, the use for mining would continue and was governed by DEP. Commissioner Holt said they had the right to mine anyway and they were trying to make the map compliant with the use of the property.

**CHAIR VIEGBESIE CALLED FOR A ROLL CALL VOTE.**

<b>COMMISSIONER HOLT</b>	<b>YES</b>
<b>COMMISSIONER HINSON</b>	<b>YES</b>
<b>COMMISSIONER TAYLOR</b>	<b>NO</b>
<b>CHAIR VIEGBESIE</b>	<b>YES</b>

**THE VOTE WAS 3-1, MOTION FAILED.**

**GENERAL BUSINESS**

**10. CDBG Housing Rehabilitation-Bid Awards and Recommendations**

Mrs. Jackson introduced the above item and said it was for approval to award Bid 19-05 for the CDBG Housing Rehabilitation Project to the selected contractors and for authorization for the Chair to execute all necessary documents.

**Auburn Ford, 249 Peters Road, Midway, FL 32343** appeared before the Board. He said he had concerns with the process because it hinted at racism and favoritism. He said the County bid out some CDBG jobs and on February 21, 2019 there was a pre-bid conference. He said he arrived at the site right behind Mr. Jay Mosely, who is a sub-contractor that works with Andy Easton, the Grant Consultant. He said he had a history with Mr. Mosely, in 2007 he did a job with Mr. Mosely, who was also the consultant of that project. He explained the circumstances of the conversation with Mr. Mosely and the process of the bid. Mr. Ford said he was low bidder on all 5 bids but Mr. Mosely made a recommendation that because Mr. Ford did not completely fill out the bid sheets, it was a “job killer”. Mr. Ford admitted he did not completely fill out the sheet, but others did not as well.

*Commissioner Taylor stepped out at 6:47 p.m.*

Commissioner Holt asked if there was a deadline on this and Mrs. Jackson responded yes and no. She explained the grant was received four years ago and there was a deadline as to when the grant will terminate and she was unsure what that date was. She said she had a chance to speak with Mr. Ford today. She said at the last meeting she recognized the Consultant was on the original scoring committee and she took it back and had staff score it and this was the results of that.

Commissioner Holt asked if there were someone present that could let her know the deadline.

Ms. Lex appeared before the Board and said under the State fiscal year, they needed to get the contracts executed and approved by June 30<sup>th</sup> so they could still have that money available.

Commissioner Holt said she thought it would be best to bring this item back. Mrs. Jackson explained this was a little bit different because CDBG approves this all the way through.

*Commissioner Taylor returned at 6:49 p.m.*

Commissioner Holt asked the attorney if he has seen Mr. Ford’s written complaint and he said no.

Mr. Weiss said he would like to defer to the consultant, he was being paid to look at these things and all he knew was allegations have been raised. He said the bid documents did state they have to be itemized on submitted bid forms or they would be rejected. He said he was unsure if the Board could ignore that.

**Jay Mosely, Government Services Group**, was present and appeared before the Board. He said bids were reviewed and recommendations were made inconsistent with CDBG rules and their adopted Housing Assistance plan and he said he stood by his recommendations; they reviewed

them closely and had some things he wanted to clarify.

*Commissioner Taylor stepped out at 6:53 p.m.*

He said Mr. Ford accused him of being a racist and he assured them he was not; the gentleman that fired him from the two projects in Wakulla County was Ezron McDaniels, who is a black man, and his claim of racism had no basis and the accusations made him very angry. He added that his office is not in Orlando, he works out of Gainesville, however he primarily worked in the central part of the State and was SHIP administrator for Taylor, Wakulla and Jefferson County.

*Commissioner Taylor returned at 6:54 p.m.*

Mr. Mosely stated strongly again he was not a racist.

Commissioner Holt asked Mr. Ford his other concerns. Mr. Ford said it was stated at the start that he was wasting his time.

Commissioner Holt said they could either discuss this now or at another meeting because she had other questions.

Commissioner Hinson asked Mr. Mosely if he made the comment that Mr. Ford would not get the job. Mr. Mosely said he did make a comment, they were standing alone at the side of the house and he asked if he was sure he wanted to spend his whole day there because he was more than likely wasting his time and knew for certain his quality of work and knew his basic attitude and that he was fired with cause from two jobs in Wakulla County.

Commissioner Hinson asked if that was legal and Mr. Weiss said one option they had was to reject all bids and rebid this item. He said if they had questions as to whether this was fair that might be the thing to do. He said this was something he had not been involved in and would defer to the consultant.

Commissioner Hinson said he highlighted some areas and said by looking at the item, it was impossible for him to get the contract because he had to do the right thing by making sure all the steps were followed. He said he would say he was disqualified because the itemized statement was not there.

Chair Viegbesie said in order to avoid the issue of bias, his understanding was this bid was actually bid as ran by staff and not the consultant. Mrs. Jackson said when she became aware of it, she pulled the item. She said if it was the direction of the Board to reject, she asked that they table this so as not to lose the grant.

Commissioner Holt said to Mr. Mosely, as a contractor he was an extension of the Board and no comments should be made like what was made.

Mr. Weiss asked Mr. Mosely if delaying this would cause an issue with grant and if he could explain the CDBG process because he knew there were a lot of regulations.

Mr. Mosely said any delay in awarding bids would impact the CDBG, especially right now. He said

to answer the attorney on their requirements for bidding, they do a stringent approval process based on the Housing Assistance Plan which was developed to meet all the Community Development Block Grant requirements and the plan was submitted to the Department of Economic Opportunity and there were nineteen specific areas that it had to meet to qualify. He said the houses were bid in accordance to the housing assistance plan and in his 25 year history; the Department has never rejected any of his bidding.

Chair Viegbesie said timing was an issue and whether this item was pulled, returned and brought back, asked about the bid prices being itemized and Mr. Mosely stated that was a very specific requirement because their Housing Assistance Plan required them to only pay 40% when at 60% completion and when at 80% when at 100% completion and could pay the final 20% after all punch list items and paperwork were received. He added if he did not have an itemized list, there was no way for him to calculate the percentage and he would be in violation of any rules in the Housing Assistance Plan because he could not calculate 60% when he did not have a number to calculate from.

Commissioner Holt asked Mrs. Jackson the timeline and she said she would make a call tomorrow. She added that the only two options were to vote for it the way it was presented or to reject the bids.

Commissioner Hinson said the issue was this happened prior to Mr. Mosely saying anything and he wanted to be fair. He said he wanted to look at policy and in his humble opinion, Mr. Mosely's heart was right, they should cancel all bids like the attorney suggested earlier and put other people there that that was not around the people making those decisions.

Mr. Mosely said if he was going to be accused of being biased, it was with his previous work history with Mr. Ford and the way he treated two homeowners in Wakulla County, they both fired him. If he's going to be accused of being biased, he thought Mr. Ford should be also because he accused him and he made statements tonight against him that were unconscionable.

Commissioner Taylor said she agreed with Commissioner Hinson and disclosed that Mr. Ford called her on this issue. She said everything said tonight was said in a public meeting and could be open for litigation on either side. She asked that this matter be streamlined and get this back before them as soon as possible and have another set of people tabulate the bids. She said the other issue she had was Mr. Ford stated there was another application that also had blanks and all she was trying to do was at the end of the day make sure things were done right.

Chair Viegbesie asked if it was his understanding from the Board that all bids submitted be thrown out and this should be rebid to allow for corrections or if bids submitted should be re-tabulated by a different body.

Commissioner Holt asked to speak with Ms. Lex because she wanted to make sure they met the deadline.

Ms. Lex reappeared before the Board and said she would try to streamline and make this happen as quickly as possible but they would have to go back to the beginning and follow the State and Federal rules. She said she made her decision solely on the bid criteria. She said they will reach out to their partners and ask for every consideration and wanted to be transparent and fair and



will move with great speed to get these projects rebid.

Commissioner Holt said if Mrs. Jackson and Ms. Lex see they will not make the deadline, they were to call an emergency meeting. Mr. Weiss said they may have constraints in terms of State and Federal regulations.

Chair Viegbesie asked if the Federal and State application process was the same as their own procurement policy and Ms. Lex said their procurement policy consistent with those requirements.

Commissioner Taylor said time was there if the deadline was June 30<sup>th</sup> and they needed to have this done between the third meeting and the last of June. Mrs. Jackson said she has had experience with CDBG grants and they do things slightly different from the County.

Commissioner Taylor said she was ready to call the question.

Commissioner Hinson said they could advertise in the Tallahassee Democrat.

Commissioner Taylor said to move the question.

**CHAIR VIEGBESIE CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE.  
COMMISSIONER HOLT POINTED OUT THERE WAS NO SECOND.**

Commissioner Holt said her motion was to table. Chair Viegbesie said the motion they carried was to move the question. Commissioner Taylor said tabling the item was not the correct language; the question should be to re-bid.

**COMMISSIONER HOLT MADE A MOTION TO REBID AND COMMISSIONER HINSON MADE THE SECOND.**

Mr. Weiss said it depended on what the Board wanted to do, if it was the will of the Board to reject all bids and rebid then that should be the motion. If the will was to table, that would be a motion, but recognize if they tabled it, it would have to come back at a later date to take action on it.

**COMMISSIONER TAYLOR SAID HER MOTION WAS TO REBID AND BRING THIS BACK WITHIN THE TIMELINE AND SHE SUPPORTED COMMISSIONER HOLT'S MOTION.**

**CHAIR VIEGBESIE CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE.**

**11. Lease between Gadsden County and CRMC**

Mrs. Jackson introduced the above item and said it was seeking guidance regarding the ongoing discussions between the County and Capital Regional Medical Center (CRMC) regarding the lease for the hospital space.

**Mike Glazer, Assistant County Attorney**, appeared before the Board. He said there was a joint meeting with the hospital Board and CRMC and began discussions with them. He added they were working on a lease to bring back before the Board and there was no vote tonight, but to get thoughts. He said the current payment of the ½ cent sales tax from Gadsden County to CRMC

would terminate and would return approximately \$600,000 a year to Gadsden County. CRMC would, under current discussions, take over all of the requirements for equipping the hospital and said most of the equipment was nearing end of life and under the current lease, it would be up to Gadsden County to pay for the replacement, but with the discussions they have had, CRMC would take over all those responsibilities.

Commissioner Holt asked to see the changes that they were discussing. Mr. Glazer asked if the Commissioners had the red-line or the current lease. He said he looked before coming over and noticed the red-line copy was not in the Board package.

Commissioner Hinson said as a matter of fairness, constituents look at the items on the website as well and thought they should table this item because he believed in transparency and this should be tabled and brought back before the Board in two weeks.

Commissioner Holt said the last date to give a response back for the non-renewal was June 30<sup>th</sup> and she wanted to hear what they were proposing.

Mr. Glazer said they realized the June 30 deadline was there and he has discussed that with CRMC's counsel. He said this was a complicated lease and they have agreed to extend the deadline if needed. He added while they need to move as quickly as possible, the deadline was not an obstacle.

Chair Viegbesie said in being fair to the citizens, if they were willing to extend the deadline, he would rather allow citizens and interested parties to come before them at the next meeting.

Commissioner Holt said she was not asking for vote, she wanted to see what they were offering.

**COMMISSIONER HINSON MADE A MOTION TO TABLE THIS ITEM UNTIL ALL INFORMATION WAS RECEIVED AND COMMISSIONER TAYLOR MADE THE SECOND WITH A STATEMENT.**

Commissioner Taylor said she concurred the meeting should be a special meeting and did not think they needed to put the lease agreement on a regular meeting Agenda and asked Commissioner Hinson to amend his motion and Commissioner Hinson said he was fine with that.

Commissioner Holt stated they needed to hear from the citizens.

**Sam Palmer, 1225 Berry Street, Quincy, FL** appeared before the Board. He said he received a red-line copy of the lease proposal and he had concerns. He said in reading it, it suggested that the hospital board not be involved at all and he felt since they were the advisor to the Board they should be involved. He also did not think they needed to be in a long-term contract with them. He recommended the hospital board get back involved and if the contract was so good they wanted a 20 year contract, why not a 5 year contract.

Chair Viegbesie said this item would be tabled but was unaware that one of the items was for GHI to not be involved any longer.

**CHAIR VIEGBESIE CALLED FOR THE VOTE. THE BOARD VOTED 3-1 BY VOICE VOTE. COMMISSIONER HOLT OPPOSED.**

**12. Approval of Extension of Contract No. 21831 for the William M. Inman Agriculture Center Funding for New Gadsden County Extension Office**

Mrs. Jackson introduced the above item and said it was for approval of an amendment of the original contract No. 21831 signed in June 2017.

Commissioner Taylor asked for the history and Mrs. Jackson explained.

**COMMISSIONER TAYLOR MADE THE MOTION TO APPROVE AND COMMISSIONER HOLT MADE THE SECOND. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**13. Approval of Agreement with Cintas**

Mrs. Jackson introduced the above item and said it was for approval of the Agreement with Cintas.

**COMMISSIONER TAYLOR MADE A MOTION TO APPROVE AND COMMISSIONER HOLT MADE THE SECOND. COMMISSIONER HINSON HAD A QUESTION.**

Commissioner Hinson asked if they were going to bid this item and Mrs. Jackson explained when there is a State or Federal contract the rates were cheaper and they did not have to bid.

**CHAIR VIEGBESIE CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE.**

**14. Cheryl W. Blanchard (Parcel ID No. 3-05-2N-5W-0000-00444-0200) Code Enforcement**

Pulled

**15. Approval of the County Social Media Policy Number 19-01**

Mrs. Jackson introduced the above item and said it was for approval of the proposed County Social Media Policy Number 19-01 and said there had previously been no policy regarding this.

**COMMISSIONER HOLT MADE THE MOTION TO APPROVE AND CHAIR VIEGBESIE MADE THE SECOND. THE BOARD VOTED 2-2. COMMISSIONER HINSON AND COMMISSIONER TAYLOR OPPOSED.**

Mrs. Jackson explained this did not apply to staff personal; there were several departments that have a social media page such as the library.

**COMMISSIONER TAYLOR AND COMMISSIONER HINSON WITHDREW THEIR NO VOTES. THE BOARD APPROVED THIS ITEM 4-0.**

**16. Approval of Crown Castle-Tower Site**

Mrs. Jackson introduced the above item and said it was for Board approval of Crown Castle's tower site for Gadsden County's radio equipment.

**COMMISSIONER HOLT MADE A MOTION TO APPROVE OPTION 1 AND CHAIR VIEGBESIE MADE THE SECOND.**

Mr. Weiss said he sent some proposed revisions and identified some changes he wanted to make

and the Tower owners said no and he said it was now up to the Board if they wanted to take it or leave it.

Commissioner Holt said it was almost hurricane season and they needed the towers and generators for communication.

Mrs. Jackson said for clarity, this was for the new communication system and if they did not use these tower sites, they would have to have an engineer to reroute everything and would be responsible for purchasing towers because there were only so many in the County.

Commissioner Hinson said they may need to look at this before making a decision.

Mrs. Weiss said one thing was there was no termination clause for non-appropriation.

Commissioner Holt said she hesitated to not vote for this because of hurricane weather approaching and they did not have the money to build a tower. She said there was a termination date and could give them enough time to come up with money to build one tower and look at the costs to reroute the technology lines.

Commissioner Hinson said he may be wrong, but he thought they (communications company) were funding all the towers and now they were saying the County was funding the towers and they need to look at the initial contract. He said he would like to see the contracts and the Minutes.

Commissioner Taylor said they have to have the towers and she said she had to support this because of the emergency and nature.

**CHAIR VIEGBESIE CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

Commissioner Taylor said she recommended they direct the Administrator to start looking for funding.

**17. Approval of SBA Tower IX LLC Tower Site**

Mrs. Jackson introduced the above item and said it was for approval of SBA Towers IX, LLC's tower site for Gadsden County's radio equipment.

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

**18. Approval of American Tower Corporation Tower Site**

Mrs. Jackson introduced the above item and said it was for approval of American Tower Corporation's tower site for Gadsden County's radio equipment.

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

**19. The Carabetta Companies-Tax Abatement Request**

Mrs. Jackson introduced the above item and said it was regarding the Carabetta Companies' tax abatement request. She stated they were seeking a ten (10) year tax abatement of approximately \$39,000 per year for a total of \$390,000.

**Bill Stetson, Senior Vice President**, appeared before the Board. He thanked them for enlightening him on cell towers. He said he had buildings with cell towers in them and had companies such as Crown Castle come along and want to pay them a fortune to buy the leases they have on the towers and he now understands why.

He said they were owners, developers and managers of over 10,000 units of affordable housing units. He said they plan on acquiring Parkview Manor and Parkview Garden apartments so they could assure both the community and residents of the buildings that they will remain affordable and safe, decent housing for the long-term future. He said they were before the Board seeking \$39,000 year tax abatement so they could go back to HUD and show the local community was behind them and was hoping to receive a higher portion of the rent from HUD.

*Chair Viegbesie stepped out at 8:23 p.m.*

Mr. Stetson said there were repairs that were needed at the apartments and they envision using residents and will do some training and will also try to contract with local contractors as much as possible. He said they also plan to develop a homeownership program. He said their goal was to restore both developments to a long-lasting, safe, decent and affordable housing.

*Chair Viegbesie returned at 8:26 p.m.*

Gary Lacey appeared before the Board. He said they wanted to partner with local non-profits and create a platform for any tenants that were able to get to the point of buying a new house and give them all the tools needed to do that.

Commissioner Taylor asked if the apartment complex had been acquired and he said no, it was under contract.

Commissioner Taylor said she thought she heard that a portion of the \$800,000 would be through increasing the rents and Mr. Stetson said no, increasing the rent paid by the federal government and that meant a resident paid 30% of their adjusted monthly income up to the contract rent and HUD paid the balance of the contract rent. Mr. Stetson explained they entered into a contract to acquire the two developments some time ago and the rent on a federal project such as this is set by the government based on the mortgage payments and the operating costs and comparable rents. He explained that the Section 8 rental program required residents to pay 30% of their adjusted monthly income, not of the rent. Commissioner Taylor asked about the \$39,000 and what the County was doing with that money now.

Mrs. Jackson said the County was not currently getting it and that amount was based on the new adjusted value. Mr. Stetson said he had to go to HUD with a commitment that showed the City and County was behind the renovation to the project.

Mr. Weiss wanted to understand what was being requested tonight. He said there was a Statute, §196.1995, that allowed Counties to adopt an Ordinance the provided for ad valorem tax

exemption and the County did so in 2015. He explained both the Statute and Ordinance was very specific as to what types of businesses may qualify and what the qualifications were. He said the County Ordinance was limited as to what types of new businesses qualify and did not think that under their Ordinance this particular business would qualify. He said they were limited to basically manufacturing for a new business or expansion of an existing business. He further stated the process for this for tax abatement is an application form issued by the Department of Revenue. He said that had to be completed and had to come before the Board and then they consider the items that were on the form and make a determination and it had to go to the Property Appraiser to see if it qualified as well. He said he did not think they had before them tonight the information and form they would need to take action and was not sure if they could grant this based on their Ordinance and felt this needed further vetting.

**Lila Jaber, Gunster**, appeared before the board to explain. She thanked the Board for their commitment in allowing her the opportunity to find companies and located Carabetta and get them focused on affordable housing opportunity in the County. She said they felt the least impact to the County was a Tax Abatement over a ten year period of time. She explained Carabetta had to be able to show HUD they came to the County and City to receive the endorsement that the locals supported the affordable housing project. She said they were looking for a letter from the County that stated they were willing to do the tax abatement because they wanted the project in this County. She said she would work with the Board on how to get there but hoped the Board would get behind this and make a commitment for a 10 year tax abatement and if they ever had to modify that, work on details or if she had to see the Department of Revenue along with the County in the form of a partnership, she was willing to do that.

Mr. Weiss said he was not trying to promote or not promote this project, he was only saying there was a standardized statutory process that had to be followed. He said he thought the Board could vote for a Letter of Support for the project but did not think they could vote and say they were going to provide 10 year tax abatement right now.

Mr. Lacey reappeared before the Board asked Mr. Weiss to look into the Ordinance. He said he had looked at it and was positive there was two ways it could be done; an Economic Development project or a low-income or affordable housing project, or he thought that was in there.

Mr. Weiss said he was happy to look into this if it was the will of the Board, but he was saying tonight, based on what they had before them, that they could make a vote to absolutely do this tax abatement.

Commissioner Holt said she just left Pascagoula, MS where they have a ship building yard and that community gave tax abatement and did all of this. She said they need to look at the ordinance and if they need to change it, they need to change it. She said tax abatements were standard. She asked the attorney what the best remedy was. She asked if an option could be to include this under the emergency meeting on the towers. He said they could take look and determine whether or not it would qualify under their existing ordinance. He said they also had an Economic Development Grant Ordinance that could be another potential possibility. He said he was unsure if their Ordinance would allow an abatement as it currently existed. He said the first step was an application on the Department of Revenue form that has to be reviewed for specific information that was set forth in the Statute and in the Ordinance. Commissioner Holt said everything he said could be done in a day except for the Ordinance.

Commissioner Hinson said he was in support of this but in all fairness, whoever was representing the Board, whether the Chamber or GCDC, they need to make sure they do what they were supposed to do before they bring anyone to the Board.

Ms. Jaber asked them to give her a few days for a chance to make this better.

**COMMISSIONER TAYLOR MADE A MOTION TO PLACE THIS ON THE AGENDA FOR THE FIRST MEETING IN JUNE AND THEM DO THE LEGWORK THEY NEED TO DO AND COME BACK AND COMMISSIONER HINSON MADE A SECOND WITH A QUESTION.**

Commissioner Hinson asked if they could give a Letter of Support and Commissioner Taylor said she had no problem with that. Mr. Weiss said letter of support for the project and to consider the tax abatement or exemption.

**CHAIR VIEGBESIE CALLED FOR THE VOTE AND ASKED IF IT WOULD INCLUDE A LETTER OF INTENT TO SUPPORT THE PROJECT AND SHE SAID YES. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE.**

**20. Contract Extension for Security Guard Services**

Mrs. Jackson introduced the item and said it was for an extension of the Security Guard Services. She said the Board approved the agreement on February 26, 2018 with a termination date of September 30, 2018. Clyde Collins, previous Gadsden County Building Official, exercised the provision of Section 1.b. approving IFW Security LLC to provide security services for special events, BCC Meetings, Tourist Development Council and Planning Commission Meetings. At that time, IFW verbally agreed with Mr. Collins that the evening rate would be minimum of \$80.00 for all time worked up to first 4 hours and additional times billed at \$20 an hour or quarter fraction thereof.

*Commissioner Holt stepped out 9:07 p.m.*

She added there was no fiscal impact for this as it had been budgeted.

Mrs. Jackson read aloud the options and said the County Administrator's recommendation was Option 4.

*Commissioner Holt returned at 9:09 p.m.*

**COMMISSIONER HINSON MADE A MOTION TO APPROVE OPTION 2 AND COMMISSIONER HOLT HAD A QUESTION.**

Commissioner Holt asked Mrs. Jackson why her recommendation was for option 4. Mrs. Jackson stated, it was an arrangement previously arranged with the former building official and IFW Security. She added that IFW previously conceded to the price that was ok'd by the Building Official, however she said she would like for them to be paid for the time before now when they were billing at the agreed upon amount retroactively but moving forward at \$16.00 an hour but still getting them a four hour minimum as previously agreed to. She added they were amenable to it. Commissioner Holt asked what Commissioner Hinson's motion was and he stated it was for Option 2. Commissioner Holt asked Mrs. Jackson on the difference; why she did not choose option

2. She responded because it was an additional \$4.00 an hour whereas they agreed to do \$16.00 an hour and a 4 hour minimum. Commissioner Holt asked if they had other security companies and Mrs. Jackson said yes. Commissioner Holt asked if they have a contract and Mrs. Jackson said they were doing month to month but this is the one and did not know why, but the Clerk's office wanted them to approve a month to month.

**COMMISSIONER HOLT SECONDED COMMISSIONER HINSON'S MOTION. CHAIR VIEGBESIE SAID THERE WAS A MOTION TO APPROVE OPTION TWO AND CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**21. Approval of Tourism Recovery Grant Program for Hurricane Michael Agreement with VISIT FLORIDA**

Mrs. Jackson introduced the above item and said it was for approval of the Tourism Recovery Grant Program for Hurricane Michael Agreement with VISIT FLORIDA®.

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

**22. Approval of Federal Funding Action Plan for Gadsden County and Congressional Partners**

Mrs. Jackson introduced the above item and said this was seeking assistance in pursuing Federal Grant Funding. She added that the funds would come from what was budgeted for the grant writer position.

**COMMISSIONER HOLT MADE THE MOTION TO APPROVE AND CHAIR VIEGBESIE MADE THE SECOND. COMMISSIONER TAYLOR HAD A COMMENT.**

Commissioner Taylor said being very realistic, they jumped out with regards to legislature in Tallahassee and felt they should have done their own research. She said there was another pot of money to go after but that was for competitive projects and she wanted to talk to some of the other people that were out there in the legislative arena to make sure these people were who they needed to move forward.

Chair Viegbesie said he has talked with this group and thought they needed to consider this; it was only a six month trial period.

Commissioner Taylor said she was not in opposition of this she just did not have enough information at this time.

**CHAIR VIEGBESIE CALLED FOR THE VOTE. THE BOARD VOTED 2-2 BY VOICE VOTE. COMMISSIONER HINSON AND COMMISSIONER TAYLOR OPPOSED. MOTION FAILED.**

**23. Crown Castle Tower Professional Services Task Order**

Mrs. Jackson introduced the above item and said it was for approval to execute a Task Order with Dewberry to provide professional services for the Crown Castle Co-Locate site for Gadsden County acting by and through its Commission.

**COMMISSIONER TAYLOR MADE A MOTION TO APPROVE AND COMMISSIONER HINSON MADE THE SECOND. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE.**



**24. Recess BOCC Meeting for a Private Attorney Client Session**

The Board recessed at 9:22 p.m. and a private Attorney-Client meeting.

**25. Reconvene BOCC Board Meeting**

The Board reconvened the meeting at 9:44 p.m.

*Commissioner Taylor left the meeting.*

**26. Discussion and Action on Increasing the Summer Youth Program from \$50,000.00 to \$132,250 in the FY 18-19 Budget**

Mrs. Jackson introduced the above item and said it was for discussion and action increasing the Summer Youth Program from \$50,000 to \$132,250 in the FY 18/19 Budget using the General Fund Balance.

**COMMISSIONER HINSON MADE A MOTION TO TABLE THIS ITEM UNTIL THE NEXT MEETING AND COMMISSIONER HOLT MADE THE SECOND. THE BOARD VOTED 3-0 BY VOICE VOTE TO APPROVE TABLING THIS ITEM.**

**CLERK OF COURT**

**27. Updates**

**COUNTY ADMINISTRATOR**

**28 Updates**

Mrs. Jackson said the bell will ring at the Courthouse on May 30<sup>th</sup> and will be completely fixed.

There is a new privacy fence that has been placed around the AC unit in the back of the County Administrator's building.

Pressure washing has started on the building today.

They are tentatively planning a Safety Day in Gadsden County for June 1<sup>st</sup>.

**COUNTY ATTORNEY**

**29. Updates**

Mr. Weiss said regarding the Facebook Live issue, he has done research and understood there is an option on Facebook that will allow the closed caption to be turned on but the concern had been the accuracy. He thought they would be ADA compliant if they turned on the Closed Captioning even if it did not capture everything with 100% accuracy and it was up to the Commissioners as to how important they thought it was on how accurate it was.

Commissioner Holt said to run it on a trial basis.

**DISCUSSION ITEMS BY COMMISSIONERS**

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

**Commissioner Eric Hinson, District 1**

Commissioner Hinson reminded them the Biz Crawl would be Saturday at the Courthouse Square from 10:00-3:00 p.m.

**Commissioner Gene Morgan, District 3**

**Commissioner Brenda Holt, District 4**

Commissioner Holt said regarding her appoints to the Planning Council, a couple of people asked her if there was any movement in County and what the County's goal was and they turned her down.

She said when an item requires a super majority vote; she asked that it be placed in narrative and it was seen by everyone.

She asked that they look back at local preference because they were not giving a preference to local contractors and could be a problem.

She said they needed to look at improvements on their side of the street, the City was doing improvements across the street and she said there was a concern with people hanging out and about the safety.

Mrs. Jackson said within the next 30 days they will be putting energy lighting there so it will not be so comfortable for people to hang out there.

She added that they needed our side of sidewalk up to standards.

**Commissioner Sherrie Taylor Vice-Chair, District 5**

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

Chair Viegbesie said they did not need to lose focus as why they were elected.

**Receipt and File**

**29. Documents**

**UPCOMING MEETINGS**

**19. May 21, 2019-Regular Meeting**

Gadsden County Board of County Commissioners  
May 7, 2019 – Regular Meeting

**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR VIEGBESIE DECLARED THE MEETING ADJOURNED AT 9:58 P.M.

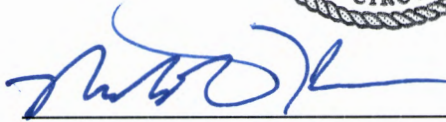
GADSDEN COUNTY, FLORIDA



\_\_\_\_\_  
ANTHONY VIEGBESIE, Chair  
Board of County Commissioners



ATTEST:



\_\_\_\_\_  
NICHOLAS THOMAS, Clerk