

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FL ON JUNE 18, 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
Brenda Holt, District 4
Arthur Lawson, Interim County Administrator
Nicholas Thomas, Clerk of Court
David Weiss, County Attorney
Marcella Blocker, Deputy Clerk

INVOCATION, PLEDGE OF ALLEGIANCE

Chair Viegbesie welcomed everyone and called the meeting to Order at 6:00 p.m. and asked everyone to mute their cell phones.

Vivian G. Grant, Director of Evangelism for the Florida Conference of the African Methodist Episcopal Church appeared and gave the Invocation. He then led in the Pledge of Allegiance to the U. S. Flag.

AMENDMENTS AND APPROVAL OF AGENDA

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

Mr. Lawson said there was one amendment and asked to add a Resolution for Bell Road authorizing the Chair to sign a supplemental Agreement that was approved at the June 4th Meeting and it could be added as Item 14a.

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

AWARDS, PRESENTATIONS AND APPEARANCES

CONSENT

COMMISSIONER HOLT MADE A MOTION TO APPROVE THE CONSENT AGENDA AND COMMISSIONER MORGAN MADE THE SECOND WITH A QUESTION AND WANTED TO PULL ITEM 3 FOR CLARIFICATION.

Chair Viegbesie asked if an item could be pulled and Mr. Weiss clarified it could be pulled for discussion but not pulled from the Agenda.

COMMISSIONER HOLT AMENDED HER MOTION TO APPROVE THE CONSENT AGENDA AS AMENDED AND COMMISSIONER MORGAN AMENDED HIS SECOND AND THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE.

- 1. Ratification Memo**
- 2. Approval of Minutes**

a. May 14, 2019-Special Meeting

- 3. Ratification of Fleet Invoices**
- 4. Approval to Renew the Standard Contract between the State of Florida, Department of Revenue and the GCBOCC**
- 5. Re-Appointment to the Circuit 2 Alliance Community Action Team (Franklin, Gadsden, Jefferson, Leon, Liberty and Wakulla)**
- 6. Re-Appointment to the CareerSource Capital Region Board**

ITEMS PULLED FOR DISCUSSION

3. Ratification of Fleet Invoices

Commissioner Morgan asked for clarification on the invoices and knew the fiscal impact would come from that department but was not sure of the exact amount. Mr. Lawson explained the procurement policy required when equipment repairs exceed the \$5,000 threshold, and all did, the policy required them to bring them before the Board for ratification.

COMMISSIONER MORGAN MADE A MOTION TO APPROVE AND COMMISSIONER HOLT MADE THE SECOND, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE.

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

Justin Ford, Dewberry/Preble Rish

Priester L. Harrison, 410 Cedar Road, Chattahoochee, FL-Violation of Florida Statutes immediately following Hurricane Michael.

Chair Viegbesie reminded Mr. Harrison to be mindful to not exceed much more than the time limit of three minutes.

Mr. Harrison appeared before the Board and provided a packet to the Commissioners and explained his concerns. He said since the hurricane he had been to the GC Inspection Office four different times on the same issues; thought he was filling out an official complaint form but found out there was no such official complaint form. He explained he was a master electrician from Chattahoochee and was an electrical contractor in Gadsden County for a number of years and had always had the highest regard for the Electrical Department until Hurricane Michael. He explained residents were being connected without inspections being done. He shared with them several pictures of electrical violations. He explained several visits he had made and the conversations he had with the Building/Planning Department. He told Ms. Lex if the new Inspector did not want to do his job he would not have a problem with reporting him to the Department of Business and Professional Regulations and they did not play. In conclusion, he told the Commissioners that he had shown them the unprofessionalism of their employee and his unwillingness to fix a dangerous situation that was not only a violation of the NEC but a life safety violation. He asked why would he act this way, was he incompetent, being paid off or did he have his employers' permission. He then told them the ball was in their court.

Commissioner Taylor arrived at 6:26 p.m.

Chair Viegbesie thanked him and recommended that he meet with the Interim County Administrator and said he would be working with that Department that he had issues with. He added that honestly he did not think anyone on the Commission or anyone in the County wanted them to have another hurricane like what we had.

Mr. Harrison thanked him and said he did not know any of the people that the pictures were taken of and had no play in it besides electrical safety. He said every weekend since the hurricane, he has seen roofers come in on Friday and be completed by Sunday afternoons knowing that there was no inspection but he was not here to complain about that because a leaking roof would not kill someone whereas a lack of electrical inspections would.

Commissioner Morgan said he has known Mr. Harrison and he has been around Chattahoochee and been a licensed electrician for many years and knew he was not pointing fingers, he just wanted to have things taken care of and done properly and appreciated him coming tonight.

Chair Viegbesie explained he recognized Commissioner Morgan because that was his district.

Commissioner Holt said she has asked for a workshop for a follow-up of the Hurricane.

PUBLIC HEARINGS

GENERAL BUSINESS

7. CR 269 (Little Sycamore Road) SCRAP-Change Order No. 1

Mr. Lawson introduced the above item and said it was for Board approval of change order No. 1. for Little Sycamore Road SCRAP paving project to Peavy and Son Construction Company in the amount of \$13,366.00.

UPON MOTION BY COMMISSIONER MORGAN FOR OPTION ONE AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE. COMMISSIONER TAYLOR OPPOSED.

8. Barack Obama Boulevard Roundabout-Change Order No. 1

Mr. Lawson introduced the above item and said it was for approval of change order No. 1 for the Barack Obama Boulevard Roundabout for the inclusion of additional bronze lettering in the amount of \$7,225.08.

Chair Viegbesie asked if this money would come out of that District's allotment for paving and Mr. Lawson said yes.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE. COMMISSIONER TAYLOR OPPOSED.

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

Mr. Lawson introduced the above item and said it was seeking assistance in pursuing Federal

Grant Funding. He said they have had a conference call with staff outlining a work plan as to what they would offer the County. He said they indicated a six month probationary period at a cost of \$4,000 per month to do some initial developmental work for the County in terms of putting together a comprehensive plan identifying grant opportunities to address a number of needs from a grant perspective. He added as the County was considering this, there were currently no funds budgeted for this item and was why he indicated his recommendation was for Board discussion and they would have to make sure it adhered with the County's procurement policy.

Chair Viegbesie asked if they needed to consider this in the 2019/20 Budget discussion since there was no grant writer and he met this group when he was in Washington, DC for the Congressional Legislative Conference. He said he also met a number of municipalities they represented and was impressed. He said this was an approval of an action to see how they could go into a partnership with this agency and Mr. Lawson said it depended on the action the Board took tonight.

Commissioner Morgan said it sounded like this was for a federal lobbying firm to help obtain federal grant dollars and he would recommend option 3 at the appropriate time for them to consider it in the upcoming budget to find out where they could find the dollars to do it, they already have two lobbying firms on board and did not mind having that discussion during the budget season and to find where the dollars would come from. He also said they heard from the Auditors they needed to be very prudent in what they were choosing to invest and spend money on and knew there were other items that had been talked about previously and was not for spending \$48,000 of unbudgeted dollars for an additional lobbying firm at this point.

Commissioner Holt said she was always trying to go after money for the County and had no problem with researching this.

Commissioner Taylor said here they were going again spending funds that they have told citizens they did not have when it was time to fund summer programs and Senior Citizens but things continue to come up and were not budgeted dollars. She said she was not for moving forward with this but they did need to lobby and was in favor of bringing in dollars but wanted to be able to be straight forward but would not support this.

Chair Viegbesie asked the will of the Board.

Commissioner Holt said this was not to spend money they do not have but to go after money they need in order to fund programs they want to fund.

COMMISSIONER HOLT MADE A MOTION TO APPROVE THIS ITEM FOR DISCUSSION AND RESEARCH FOR THE BUDGET WORKSHOP AND DID NOT MEAN APPROVING FOR FUNDING AND COMMISSIONER MORGAN MADE THE SECOND. COMMISSIONER TAYLOR HAD A QUESTION.

Commissioner Taylor asked with regard to what Commissioner Holt said, when investing into the community, it brings resources back to the community, when investing in the children or the housing program, it was an automatic return on the investment, when going after grants and invest in the community, it was almost 100% certain return in your investment.

Commissioner Hinson said everyone made valid points and believed in going after grants, but

believed in taking care of the kids.

CHAIR VIEGBESIE CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

10. CDBG Housing Rehabilitation-Re-Bid Recommendation and Award

Mr. Lawson introduced the above item and said this was for Board approval for a bid that was re-bid for a Community Development Block Grant Housing Rehabilitation Project and to award the contract to selected contractors for rehab and new construction. He said staff was recommending approval of contractors as designated in the Agenda report.

COMMISSIONER HOLT MADE A MOTION FOR APPROVAL AND CHAIR VIEGBESIE MADE THE SECOND.

Mr. Weiss said it was not clear from the Agenda item exactly what the Staff report was and he wanted to make clear for record purposes who was to be awarded what.

Mr. Lawson said there were two recommendations, one was for Ford Consultants for one rehab and second, to Florida Housing for a rehab and two demolitions and a replacement home. He asked if he needed to know the specific names of the applicants and he said only if needed. He said he said he knew there were five different projects and understood one was getting two and one was getting three and did not know if it needed to be specifically in the motion or if this was all that was needed, it was fine.

Commissioner Morgan said his question was regarding staff recommendations because there was a vendor there that had zero satisfactory references and he did not understand how they could recommend that person to do any work.

Commissioner Holt said they were not to state the homeowner's name or address.

Commissioner Hinson asked the Administrator if the Staff sent the attorney the agenda item before the meeting and Mr. Lawson said all the Agendas were sent out prior to the meeting.

Suzanne Lex appeared before the Board. She said this item was brought before them previously and there was a problem with professional conduct of one of their consultants and they brought it forward and felt they could defend it. She said however the Board made the decision to put it out for re-bid. She said they were able to keep the money and while they had an unsatisfactory recommendation, she decided to allow the contractor an opportunity to perform with very strict guidelines to insure that they meet the deadlines because she did not want to be challenged.

Chair Viegbesie said if he was hearing correctly, the concern of Commissioner Morgan was the lack of satisfactory references from Ford Construction and asked how they would meet that with regard to the regard to the reward they were giving to them.

Ms. Lex said DEO had very tight requirements and had provided an extension and revised some of the terms of the contract regarding reporting and accountability and they will also hold the same accountability to the contractors and with Ford Construction, the references were unsatisfactory, however there was no formal complaint with the Division of Business and Professional Regulation regarding the performance of the contractor and that also had some weight as far as her

evaluation of this. She also added that primarily she did not want to lose the money.

Commissioner Hinson said he disclosed last time his conversation and was not sure if he talked to anyone again but may have. Commissioner Taylor said likewise.

CHAIR VIEGBESIE CALLED FOR THE VOTE. THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE. COMMISSIONER MORGAN OPPOSED.

11. Approval of the Memorandum of Agreement between GCBOCC and the United Way of Big Bend

Mr. Lawson introduced the above item and said this was for Board approval for the Chair to sign/execute a Memorandum of Understanding with the United Way of Big Bend and allowed the United Way of Big Bend to provide financial assistance to residents that were impacted by Hurricane Michael.

Commissioner Morgan stepped out 6:57 p.m.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE.

Katrina Roland, President of United Way of the Big Bend, appeared before the Board and said they would like to partner with Gadsden County for A Day of Doing and was told that it had to be approved.

Beth Phillips, Gadsden County's Representative for United Way, appeared before the Board.

Commissioner Morgan returned at 6:58 p.m.

Ms. Phillips said she was proud to be here. She spoke to Sonya Burns and Wesley Hall and wanted to have a Day of Doing and have volunteers go to residents' yards and clean them that do not have a way to do it.

Commissioner Hinson asked for the information.

Commissioner Holt said she referred someone to Ms. Burns to contact them.

12. SHIP Housing Rehabilitation Bid 19-01 Approval and Award

Mr. Lawson introduced the above item and said it was in conjunction with the previous item. He said this was recommended to award three contractors the bids to several homes. He added that the homes sustained damage from the hurricane that came in over the SHIP budget and will partner with United Way to leverage the funds to assist in getting the homes completed.

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

13. Approval of Settlement and Release in the Price v. Gadsden County

Mr. Lawson introduced the above item and said it was for approval of the Settlement Agreement and Release in resolution of Price v. Gadsden County alleging violations of the Americans with Disabilities Act.

Mr. Weiss said the lawsuit had been settled and this was a dismissal with prejudice upon execution of the Settlement Agreement and Release.

Commissioner Morgan asked how this would impact the County moving forward with litigation. Mr. Weiss said one, it would not prevent the County from being sued by a different plaintiff but made sure to put in the Settlement Agreement that these particular attorneys could not solicit any additional clients or could not sue the County on behalf of additional clients and this particular plaintiff could not solicit additional persons for any lawsuit. He said the only thing they could do to prevent any future lawsuits was make sure they were 100% compliant.

Chair Viegbesie said during the FAC conference in Orlando, he met a group that was a website and ADA compliant group for Florida Counties and they work websites and knowing they had this issue with this lawsuit and there was an investigative reporting shown and these groups going around the country and measuring handicapped parking spaces, handrails, etc., he talked with their representative and received information and then provided it to the Interim County Administrator and suggested he bring that group before the body for a presentation.

Commissioner Morgan asked the attorney if this was his recommendation (option 1) and he felt if they ended up defending this, they would spend more in attorney fees.

Commissioner Holt said this same group has sued almost every County that was in the room and they need to start putting aside money in the budget to protect themselves.

Commissioner Taylor said they send money to FAC every year and her question was if they were aware of this group, why would they not do something to eliminate their municipalities from being sued and could have saved thousands of dollars they could have used otherwise.

Chair Viegbesie said point well taken but in defense of FAC, the workshop was where the delegates gathered and heard their conversation.

Commissioner Hinson said when looking at Facebook Live, if that was not in compliance that was where a lot of this started.

Mr. Weiss said his understanding was they now had Closed Caption available on FB Live. Commissioner Hinson said before putting it out there, they need to make sure they have everything in place.

Commissioner Holt said as far as FAC, they brought experts in. She said if you watch CNN or Fox, the caption skips words and was not perfect. She suggested to bring in the IT department and let them demonstrate it at a workshop or a regular meeting

UPON A MOTION BY COMMISSIONER HOLT AND SECOND BY CHAIR VIEGBESIE, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THE SETTLEMENT AGREEMENT. COMMISSIONER HINSON OPPOSED.

14. Voting Credentials 2019 National Association of Counties (NACO) Annual Conference

Mr. Lawson introduced the above item and said it was presented to the Board to designate a

County Delegate and a County Alternate in the NACO annual election of officers and policy adoptions at the NACO Annual Conference.

COMMISSIONER HOLT MADE A MOTION TO APPROVE AND CHAIR VIEGBESIE ASKED APPROVAL OF WHAT. SHE SAID FOR PEOPLE TO ATTEND.

Chair Viegbesie explained people were going but they needed to know who would be the delegates.

COMMISSIONER MORGAN MADE A MOTION FOR CHAIR VIEGBESIE AND COMMISSIONER HOLT TO BE THE DELEGATES AND COMMISSIONER TAYLOR HAD A QUESTION.

Commissioner Taylor said she had no problem with who was going, but what they would be representing the Board on and how much latitude they would be given, were they going as elected officers or adding on conversations the Board had not approved them to do.

Commissioner Holt said there will be everything from healthcare to infrastructure and they have to have so many delegates to vote and will be things that will affect the entire country.

Chair Viegbesie said in addition to that, they as commissioners were appointed to various committees and sub-committees of FAC and he was a member of the Rural Action Caucus that look at issues in rural Counties and was a member appointed to the Agricultural and Rural Development Committee as well as President Immigration Task Force and these are issues that affect our different Counties and we get involved in conference calls and things that develop policies that NACo supports for its Counties.

Commissioner Taylor asked if Resolutions were already set before they get there and was told yes.

Commissioner Holt said everyone agrees on healthcare but not always on rural caucus issues because a lot of States do not have agriculture, etc.

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

14a. Bell Road Resolution

Mr. Lawson introduced the above item that was added to the Agenda.

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

Justin Ford, Dewberry/Preble-Rish appeared before Board. HE said at a previous meeting they approved a Supplemental Agreement with DOT where they provided additional funds for Bell Road to complete that project. They should have included a Resolution with the Agreement and failed to do so. The Resolution authorizes the chair to sign that Agreement and DOT has asked for that Resolution.

CHAIR VIEGBESIE CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

CLERK OF COURT

15. Updates

Mr. Thomas was present and wanted to remind them of the three pots of money that need to be spent. He said he forwarded them a spreadsheet a few weeks ago. One was proceeds from the Paving Fund of 2015. He said there was \$1.23 Million, Commissioner Hinson has the most left; Commissioner Viegbesie has spent his.

The second thing, the boating improvement fund, the money is received from fees, licenses, etc. and every year they ask if they are going to spend the money and he wanted to remind them there is \$112,000 in the fund that could only be used for boating improvement.

The third thing is the Dori Slosberg fund from traffic tickets and they now have \$54,571 in that account and it was restricted for driver improvement education at schools, both public and private schools.

Commissioner Holt asked if it could be used for students for a CDL training class. He answered it was for driver improvement and he thought the intent was for driver improvement at the schools for young people to get education on driving. She asked the attorney to look into that.

Commissioner Taylor said the School Board came before them and requested it. If it was restricted specifically for driver education, she was all for it.

Chair Viegbesie asked what if they schedule a joint meeting with the School Board and the County and they see how the School Board could develop a program collaboratively with the County in regards to youth driving experiences.

Commissioner Holt said there was a collaborative program with them, a CDL program with Four Star Freight that will start in the fall. It will hold 15 students and if they pass that program, they will start at \$52,000.

Chair Viegbesie said the Attorney will look into the use of that money and if that money could be used or if restricted.

Commissioner Hinson said he noticed they had 4-5 young folks killed in the last week or two under the age of 18 throughout the area.

COUNTY ADMINISTRATOR

16. Updates

Mr. Lawson said he had a few reminders:

The second budget workshop will be Thursday, June 20th at 4:00 p.m.

Commissioner Holt made a comment at the previous meeting when Commissioner Taylor got the Congressman on the phone to schedule him come explain how they could utilize the funds. He asked him to explain until the funds were released to the State level, there were more criteria in

terms of how they would be disbursed. He said when he received that information he would be back with the Commission.

Commissioner Taylor asked if anyone knew if the packet had been signed off on it and Chair Viegbesie said it has been signed off on but the issue was who was getting what and where it was going. She suggested they, the School Board, the five sister cities, and the Constitutionals Officers come together with a list of needed items in a unified manner and a unified vision.

Chair Viegbesie said the \$19.1 Billion was for everyone including Puerto Rico. Counties that had damage just received money from Hurricane Irma.

Commissioner Morgan stepped out at 7:49 p.m.

Commissioner Morgan returned at 7:50 p.m.

Commissioner Holt said she agreed with Commissioner Taylor. She said she has spoken with Mrs. Lex and they need to have a post-Michael workshop. She said they also need to know what to apply for from FEMA within the timeline to meet the deadline dates.

Commissioner Taylor said she thought when they know it (hurricane) is coming; why not designate a safe holding place elsewhere to hold resources.

Commissioner Taylor said she wanted to put the County Administrator's contract on the next agenda and when the Chair allowed her to speak, he opened up the meeting again officially. She asked when the contract was up renewal.

COUNTY ATTORNEY

17. Updates

Mr. Weiss said he had nothing to report but was available for questions and there was nothing.

DISCUSSION ITEMS BY COMMISSIONERS

18. Report and Discussion of Public Issues

Commissioner Eric Hinson, District 1

Commissioner Hinson said he had several phone calls; a former aid of Senator Montford posted James 1:26; one that got him was one that explained who he was. He said hopefully one day they could have dialogue on how they could help people out that need help.

He said the Clerk brought up the point that they had \$700,000 that was ear-marked to be used to repair homes, rehab them, etc. He said he knew they were hiring the right people but people needed help and they needed to make sure they had competent people on board.

He said he's been hearing things about permits and it was a monster and they need to talk about those issues. He said he knew they were without a Building Inspector for a few months and need to have a workshop regarding this.

He felt they need to have someone with Emergency Management come give them an overview of what was going on.

Commissioner Gene Morgan, District 3

Commissioner Morgan said he had no comments.

Commissioner Brenda Holt, District 4

Commissioner Holt said there was a need for more building inspectors, help for a Housing Coordinator and a Grant Writer to help bring in money, and she would be asking for that during the Budget workshop.

She said they built two houses for the homeless a few years ago and did it because of what Commissioner Hinson said; in an emergency situation they had nowhere to put people. Later the Board decided to sell them. She said they were receiving money for the development of communities and took that extra money and set it aside and built those houses.

She said she talked with Shawn Wood yesterday and during the hurricane, both hospitals in Tallahassee was full and had nowhere to go and need to look at what they need to do and have some serious negotiations with CRMC regarding this hospital.

She said the property owners are complaining about the back parking lot. She said she came by one night and the parking lot was full and a gentleman was standing on the rail on the back porch and she was concerned that someone might get hurt. She said they need to look at the situation before something happens and they get sued.

Commissioner Sherrie Taylor Vice-Chair, District 5

Commissioner Taylor said she had nothing to report.

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

Chair Viegbesie asked for a motion for a Resolution on the retirement of Vincent Moore for his retirement from the FBI after many years of service.

**COMMISSIONER TAYLOR MADE THE MOTION AND COMMISSIONER HOLT MADE THE SECOND.
THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

Receipt and File

UPCOMING MEETINGS

Gadsden County Board of County Commissioners
June 18, 2018-Regular Meeting

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR VEIGBESIE DECLARED THE MEETING ADJOURNED AT 8:16 P.M.

GADSDEN COUNTY, FLORIDA

**ANTHONY VIEGBESIE, Chair
Board of County Commissioners**

ATTEST:

NICHOLAS THOMAS, Clerk