

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON OCTOBER 1, 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-appeared by phone
 Brenda Holt, District 4
 Arthur Lawson, Interim County Administrator
 David Weiss, County Attorney
 Marcella Blocker, Deputy Clerk

INVOCATION, PLEDGE OF ALLEGIANCE

Chair Viegbesie called the meeting to order at 6:00 p.m. and asked everyone to silence their phones. He gave the Invocation and then led in the Pledge of Allegiance.

AMENDMENTS AND APPROVAL OF AGENDA

Mr. Lawson asked to pull Item 5 and Item 21.

COMMISSIONER HOLT MADE A MOTION TO APPROVE AS AMENDED AND CHAIR VIEGBESIE MADE THE SECOND. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

AWARDS, PRESENTATIONS AND APPEARANCES

None

CONSENT

Commissioner Hinson asked to pull Item 10 for discussion.

COMMISSIONER MORGAN MADE A MOTION TO APPROVE THE AGENDA WITH THE EXCEPTION OF ITEM 10 AND CHAIR VIEGBESIE MADE THE SECOND. COMMISSIONER HOLT ASKED IF THEY NEEDED TO MENTION THAT ITEM 5 WAS PULLED AND THE ATTORNEY STATED NO. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

- 1. Approval of Minutes**
 - a. June 18, 2019-Regular Meeting**
 - b. May 23, 2019-Budget Workshop**
 - c. June 30, 2019-Budget Workshop**
 - d. July 2, 2019-Regular Meeting**

- 2. Ratification Memo**

- 3. Approval of Actuary Services for 2019 and 2020 required OPEB report Optional Post Employee Benefit**

- 4. Gadsden County Sheriff’s Office Training Funding Request**

5. **Suppression Gas Systems Test and Unspect-FM200 System**
6. **Approval and Signature(s) for Satisfaction of Special Assessment Lien State Housing Initiative Partnership (SHIP) or Emergency (ER) Program**
7. **Approval and Signature for Special Assessment Liens-State Housing Initiative Partnership Program (SHIP)(Down Payment and Closing Cost Assistance Program)**
8. **Approval of Signatures for Special Assessment Liens and Rehabilitation Contract-State Housing Initiative Partnership Program**
9. **Approval of the 2020 Holiday Schedule**
- ~~10. **Approval to Extend the Agreement for Compensation and Classification Services**~~
Pulled for discussion

ITEMS PULLED FOR DISCUSSION

10. **Approval to Extend the Agreement for Compensation and Classification Services**
Commissioner Hinson asked that this item be explained. Mr. Lawson said the Board approved this item in May 2018 for the Company to do Compensation in Pay Study for the Board and when it was approved, the contract was only approved for 3 months and was not enough time to be complete. When it was invoiced, the error was noticed and should have been approved through August 31, 2019 and they need more time to complete study.

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

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

PUBLIC HEARINGS

- 11. PUBLIC HEARING-APPROVAL OF Resolution 2019-028 for FY 2019 Budget Amendments**
Mr. Lawson introduced the above item and said it was for approval of Resolution 2019-028 and for authorization for the County Administrator, Finance Director and the Senior Management & Budget Analyst to complete and execute all budget amendments necessary to adjust the Fiscal Year 2019 BICC budget.

Chair Viegbesie asked if this was for the 2019/2020 budget and Mr. Lawson explained it was for 2018/2019 budget. Chair Viegbesie announced this was a public hearing and asked if there were any questions from audience and there were none.

Commissioner Hinson had questions regarding a budget amendment for Public works. Chair Viegbesie said this was something done on paper for the last fiscal year budget and has no effect on anything right now, just to move monies around so the budget is reflected to be what meant to be.

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

GENERAL BUSINESS

12. Approval to Accept the State Funded Emergency Management Preparedness and Assistance Grant Agreement #A0055 and Federal Funded Emergency Management

Mr. Lawson introduced the above item and explained one grant was Federal and one was State.

Commissioner Holt said this was one that they approve every year.

COMMISSIONER HINSON MADE A MOTION TO APPROVE OPTION 1 AND COMMISSIONER HOLT MADE THE SECOND, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

13. CR 65 (Attapulgus Highway) SCOP Agreement

Mr. Lawson introduced the above item and said it was for approval of a SCOP project for the widening and resurfacing of CR 65 Attapulgus Highway.

COMMISSIONER HOLT MADE A MOTION TO APPROVE AND COMMISSIONER HINSON MADE THE SECOND, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

14. CR 161 (Point Milligan Road) SCOP Agreement

Mr. Lawson introduced the above item and said it was for approval of a SCOP project for the widening and resurfacing of CR 161 Point Milligan Road.

COMMISSIONER HOLT MADE A MOTION TO APPROVE AND COMMISSIONER HINSON MADE THE SECOND, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

15. Department of Economic Opportunity Grant Agreement

Mr. Lawson introduced the above item and said it was for approval for a Department of Economic Opportunity Grant for repairs to Juniper Creek Road. He explained the County was awarded \$300,000 for repairs and in addition and prior to awarding the rest of the road paving money to repair the Hutchinson Ferry Bridge, they also received \$108,077.99 from Commissioner Morgan to go toward repairs of Juniper Creek Road.

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

16. Cooks Landing Road SCOP Agreement

Mr. Lawson introduced the above item and said it was for approval for the SCOP agreement for the widening and resurfacing of Cook Landing Road.

COMMISSIONER TAYLOR MADE A MOTION TO APPROVE AND COMMISSIONER HOLT MADE THE SECOND, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

17. Task Order Amendment for East Gadsden

Mr. Lawson introduced the above item and said it was for a task order amendment with Dewberry Engineering to complete an archeological assessment on East Gadsden Park & Recreational

Facilities at St. Hebron. Chair Viegbesie asked him to better explain this item. Mr. Lawson said the original task order was in the amount of \$60,000 to DPB & Associates and they were paid \$28,846.96 and left \$31,153.04 remaining in the contract. As part of the money paid, DPB was required to complete an archaeological assessment to the County and they sub-contracted this service to Archaeological Consultants, Inc. for the amount of \$4,700.00. DPB refunded the County \$4,300 and now to get the assessment, the County will need to pay \$4,700.00 to Archaeological Consultants, Inc.

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

18. Transportation Agreement between the Gadsden County BOCC and Big Bend Transit to Provide the Gadsden Connector Bus Service from October 1, 2019 through September 30, 2021

Mr. Lawson introduced the above item and said it was presented for approval of the transportation agreement between the Board and Big Bend Transit, Inc. to provide Gadsden Connector service in and around the County.

COMMISSIONER HINSON MADE A MOTION TO APPROVE OPTION 1 AND COMMISSIONER HOLT MADE THE SECOND. COMMISSIONER MORGAN HAD A QUESTION.

Commissioner Morgan asked if this was a two year agreement and asked if historically this was done on an annual basis. Mr. Lawson said he was not sure and he could get clarification from Mr. Price. Mr. Weiss said the last time this was considered it was for a two year period but was subject to funding clause in case the funds were not budgeted. Commissioner Morgan said very good.

Commissioner Hinson noted in the background of the Agenda item it stated "Gadsden County, in partnership with the Florida Department of Transportation and Big Bend Transit, Inc. received a grant to fund the Gadsden Connector, which is a weekday transit service that operates Monday through Friday and provides service between Chattahoochee, Greensboro, Gretna, Quincy, and Havana." **ALSO NOTE:** Refer to Agenda Item 18 Background Information, last paragraph also states, "That grant is unavailable now and the County must pay for this service".

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

19. Transportation Agreement between Gadsden County BOCC and Big Bend Transit to Provide the Quincy Shuttle Bus Service from October 1, 2019 through September 30, 2021

Mr. Lawson introduced the above item and said this was for the shuttle service that runs around the City of Quincy.

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

Commissioner Morgan asked if the City of Quincy had committed to participate in this as well and Mr. Lawson said no. Commissioner Morgan encouraged them to not approve this item until they have a commitment from the City and asked they think about the financial situation of the County in general and how they have approached this in the past years and could not imagine them approving this without participation from the City since their citizens were benefiting from this.

COMMISSIONER TAYLOR MADE A MOTION TO APPROVE AND COMMISSIONER HINSON MADE THE SECOND. THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE. COMMISSIONER MORGAN OPPOSED.

- 20. Transportation Agreement between the Gadsden County BOCC and Big Bend Transit to Provide for the Continuation of Gadsden Express Services from October 1, 2019 through September 2021**
Mr. Lawson introduced the above item and said it was to provide the continuation of the Gadsden Express.

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

- ~~21. Appointment and Re-Appointments to the County Planning Commission for District 1, District 2, District 4, and the At Large Position~~**
Item Pulled

CLERK OF COURT

- 22. Updates**
The Clerk was not present and there were no updates.

COUNTY ADMINISTRATOR

- 23. Updates**
Mr. Lawson had a couple of reminders:

Groundbreaking for the AG center was to be held on Friday, October 4th at 10:00 a.m.;

Monday, October 7th the Local Delegation will be here at 5:00 p.m. in Chambers;

Tuesday, October 15th starting at 2:00 p.m., they would start interviews for County Administrator candidates.

Chair Viegbesie asked where they were with the CRMC contract. Mr. Lawson said at this point Mr. Glazer sent previous comments to the attorney for CRMC and was waiting to get their feedback before scheduling another meeting with GHI. Mr. Weiss said they will need to extend the Notice of Non-Renewal date and it will be on the next Agenda for another short extension.

Commissioner Holt said to the Attorney she was contacted by another hospital organization and they were interested in offering their services but they know they were in middle of negotiations. He said he did not know if they would want part of building or the whole building and asked if she could pass along information. She said she would get the information to him or Mr. Lawson.

Commissioner Taylor asked about a memo that was sent out about contacting Department Heads requesting certain services from different department heads and asked if he was asking Commissioners to forego talking to the Administrative Assistant and the Special Projects Coordinator as well and he said no.

COUNTY ATTORNEY

24. Updates

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

Commissioner Taylor said she was curious about the RFP they were to put out (for Attorney contract) and Mr. Lawson said he did not have a specific time. She said the current contract matures in February and thought instructions were given.

She said there was one other thing, there were various lawsuits she was hearing about. Would there be an opportunity to have a shade meeting so it could be discussed. Mr. Weiss said usually his office does not handle the litigation, it is referred out by the insurance carrier and he is notified. In terms of the shade meeting, he would not be the one to participate; the appointed council would be the one that would have more information and be able to discuss strategy. He added until they were at the point to discuss negotiations and strategies, they were not allowed to have shade meetings.

Chair Viegbesie said with that understanding, he suggested they put together as soon as they possibly could the information so the Commissioners would know where they were within the limit of the law.

Commissioner Hinson said know because with Item 11, a settlement was reached and they did not have anything to do with it and was quite interesting they never had that shade meeting.

Commissioner Holt said normally if the Association handled it, she never remembered it coming back before them.

Commissioner Hinson said also on a separate note, in another situation where they went to trial, how could they go to trial without coming to the Board first and the Board knowing anything about it.

Mr. Weiss said when the County makes a claim under the policy and they appoint counsel, FAC has control over the litigation and the County gives that up. He tends to think if there is going to be a settlement agreement, the Chair would be the one to sign the Agreement but he is not the one to handle the case. Mr. Weiss said if something was to be approved by the County; it should be approved by this Board.

Commissioner Taylor said this payout to this individual, was it legally done? Mr. Weiss said under the terms of their insurance policy, if a claim is made that is covered and accepted by the carrier, there is a clause that they have control over the litigation, that was under the policy and he was making the point if there was a settlement agreement on behalf of the Commissioners, the Board should be the one to approve it even if the money was being paid through the insurance carrier. Commissioner Taylor said she heard what he said but it was muddy. She heard him say FAC has the authority to settle, then she heard him say anytime there is a lawsuit and a payout was involved, the County Commissioners should be made aware or have some input and in this case, there was a lawsuit, there was a payout, the suit was against Gadsden County but the Board was not involved because it was a FAC decision. She said she used the word "shenanigans" because

the Board should have had a “bite of this apple”. She said if they need to put some kind of language in the policy so they are given the opportunity, whether their input was worth anything or not, they still need to be made aware, and have some say-so on the settlement.

Commissioner Holt said FAC never comes before the Board. They even filed suit against a Manager and 2 commissioners a long time ago. They could always request updates. They cannot communicate with emails or phone calls while in litigation, which is their rules. She added that FAC insured almost all the counties of the State and it was beneficial to them because they only had to pay out the deductible. She added they could ask for a report and see what they said.

Commissioner Hinson said he thought, but was not sure, when he was on the School Board they had closed door meetings and they have had a shade meeting here in the past.

Commissioner Taylor said FAC did not serve all 67 counties and they had the right to ask and it was important that they fix it going forward and this not reoccur.

Commissioner Holt said if a case was filed and it came before the Board, Mr. Weiss would handle it.

Chair Viegbesie said they could workshop the litigation part of lawsuits.

DISCUSSION ITEMS BY COMMISSIONERS

25. Report and Discussion of Public Issues

Commissioner Eric Hinson, District 1

Commissioner Hinson thanked everyone for a wonderful meeting tonight

He asked for a Resolution for Tony Bunion, Jr., whose 7 month old child passed away few days ago.

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

He said he was glad the Board agreed to move the budget and hoped they could revisit it in a few months. He also said they have to make sure when they have the meeting with the County Administrator, it could be possible that they could be in cahoots with a business and that could mess with the integrity of the County. He said if that ever happened, it could be trouble.

Chair Viegbesie said that was one of the reasons he has asked for transparency and why he has given the number for Florida Commission on Ethics. He said for the record the number was 488-7864.

Commissioner Gene Morgan, District 3

Commissioner Morgan said he had no items.

Commissioner Brenda Holt, District 4

Commissioner Holt said the Hemp conference would be tomorrow morning and was sold out at the Turnbull Center to look at growing hemp here. She said they were looking at people that may

not be farmers but might be looking to lease out their property and this was a money crop. She said FAMU and University of Florida was doing research on this matter.

She wanted to have a workshop with the Building Inspection Department. She said builders and home owners were complaining and thought it might help to have the workshop.

Chair Viegbesie thought that was a wonderful idea.

She said the Legislative agenda; the Delegation will be in Monday. She said the problem they had last time when they came last time they did not have a list and it caused a lot of disorganization last year. She said they need to get with the Manager and get their concerns to him. She said she spoke with Senator Montford today and said one thing they discussed was the hurricane recovery.

Commissioner Sherrie Taylor Vice-Chair, District 5

Commissioner Taylor said they could use the same list from last year because they received nothing last year and all they have to do is change the date. She said that was all because they showed no unity.

She said there was a 4-1 vote on the budget and she voted for it even though it “stinks to high hell and back” and the reason was she wanted to send a balanced budget to the State and she wanted to be on the prevailing side to be able to challenge it. She said there was a \$4 Million increase and they cut Summer Youth programs and Emergency Housing. She said she was going on record saying she was talking to Constitutionals Officers about the amount they have asked for and then would be talking to the Administrator. She said when she looks at EMS for \$1 Million increase for salary certainly they could give \$100,000 back to save those programs. She said she has already started talking and getting commitments from people.

She said last year they spent \$65,000 on lobbyists and they got nothing.

She said Judge Barbara Hobbs lost her mother and asked for a Resolution.

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

SHE MADE A MOTION TO HIRE ROBERT PRESNELL AS ADMINISTRATOR AND MOTION DIED FOR LACK OF SECOND.

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

Chair Viegbesie said all he had was to inform them that on Thursday, October 24th, there would be an event held in recognition of the hard workers of Farm Share.

COMMISSIONER HOLT MADE A MOTION FOR A RESOLUTION TO RECOGNISE THE FARM SHARE WORKERS AND COMMISSIONER HINSON MADE THE SECOND. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS MOTION.

Receipt and File

Gadsden County Board of County Commission
October 1, 2019

UPCOMING MEETINGS

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR VIEGBESIE DECLARED THE MEETING ADJOURNED AT 7:23 P.M.

GADSDEN COUNTY, FLORIDA

ANTHONY VIEGBESIE, CHAIR
BOARD OF COUNTY COMMISSIONERS



ATTEST:

NICHOLAS THOMAS, Clerk