

**AT A WORKSHOP OF THE BUILDING DEPARTMENT
HELD IN AND FOR GADSDEN COUNTY, FLORIDA ON
JANUARY 21, 2020 AT 4:00 P.M., THE FOLLOWING
PROCEEDING WAS HAD, VIZ;**

Present: **Dr. Anthony “Dr. V” Viegbesie, Chair, District 2**
 Brenda Holt, District 4, Vice Chair
 Eric Hinson, District 1
 Gene Morgan, District 3
 Sherrie Taylor, District 5
 Wesley Hall, Interim County Administrator
 David Weiss, County Attorney
 Marcella Blocker, Deputy Clerk

GENERAL BUSINESS

Chairman Viegbesie welcomed everyone to the workshop and called it to order at 4:04 p.m.

1. Welcome

2. Overview of the Building Department

Al Smythe, Building Official, appeared before the Board and gave an overview since the last workshop. He had a hand-out and it showed what Gretna, Quincy and Gadsden County what was taken in for fees as well as Inspections, CO’s and Permits issued in November and December. Since the last workshop, a new employee was added, Ms. Paige Elliott, and she had been working very closely with Olivia and significant changes were made to the Building Department’s link on Gadsden County’s web site. He stated it was now completely independent and the applicable forms now included the entire list of private provider forms. He stated everything was accessible as well as there was now a link to fill out applicable forms for the Code Enforcement. There was still a lag with inspection requests with the separate jurisdictions, that being the City of Quincy, and also Gretna. He explained they made the request to either one of the minor jurisdictions and they in turn made a request to them and it was done that way to track what happens. If Mr. Smythe could get them on board he would want to make changes to the website where you make an inspection and it would have a drop down as to if you were in Gretna or Quincy and make the same notification at the same time they receive it so they could streamline it. He said they made another Inspector position since the last meeting. The additional Inspector had greatly improved the efficiency of meeting inspections that were called in. Through some guidance they had established a survey that could be taken at the Building Department. Aside from suggestions for more organization and stream lining the permits feature, which was being worked on, other suggestions were a better candy dish. Aside from open discussion, Mr. Smythe asked if there were questions from the BOCC.

General Discussion

Sherrie Taylor appeared at 4:07 p.m.

Commissioner Holt asked out of 100 in Quincy in November and 65 in December was any of these overlapping or new. Mr. Smythe answered they were new.

Commissioner Holt asked if he was doing inspections in Greensboro or Havana. Mr. Smythe said those two jurisdictions were counted as Gadsden County. The reason you see a break for Quincy and Gretna were our Independent jurisdictions. He stated he still operated as the Building Official but they had a quasi building department when they received permits, anything requiring Mr. Smythe's review, on a weekly /bi-weekly basis was brought to him and he reviewed and there was a little bit of delay with it going back. This was something he was attempting to streamline not only in the inspections but he needed to get Quincy and Gretna on board. There were 47 in November for Quincy and 49 in December within city limits that were not on the table in the handout. (page 1)

Those would go in through the City of Quincy and then he would be notified. He stated that he knew there was room for improvement but wanted to get an existing jurisdiction to operate in the same manner as they do. He stated Chattahoochee was 100% us although they had their version of a planning and zoning, they didn't have a substation of a building department, meaning all their permitting was done through us. If something was being constructed they would get a letter from their version of a Zoning Department.

Chair Viegbesie asked if the cities had their own autonomous permitting bodies and they could approve the construction of anything without influence from the County.

Mr. Smythe said no, approving the construction, if he was referring to zoning yes, but if referring to building he didn't need to review an air conditioner change-out, a water heater change-out or a reroof. It was limited and only certain documentation that was required by the State, however, a single family dwelling, a new house, if it was in the City of Quincy the plans would go to the City of Quincy, they would approve their version of what the County had in Planning and Zoning but the plans were still transferred and reviewed by us.

Commissioner Holt continued her questioning and asked about Greensboro. She stated the County was doing all of Greensboro and Mr. Smythe answered yes. She also said Quincy took in their applicants and they process and they call us and Gretna did the same thing. He again answered yes. Commissioner Holt stated Chattahoochee did not, they just call the County direct and Mr. Smythe said except for zoning. She asked the same question regarding Midway and Mr. Smythe said that Midway was independent in its entirety. He stated that on weekends Midway had hired Roosevelt Morris and he came on weekends and handled inspections. Havana was us. The only two jurisdictions within Gadsden County that he did not do any of the fees or normal documentation was the City of Gretna and the City of Quincy. From that, the plans were required to his review and stamp of approval.

Commissioner Holt asked if they paid for that service and Mr. Smythe answered yes, there were contracts with the jurisdictions where they had a spreadsheet that was sent to them that matched to their permitting process and it showed how many inspections. As a result of plans, review inspection or letters he had to generate, there was a pay rate established by the County, based on that pay rate that was how much they were billed.

Chair Viegbesie asked if citizens of Midway understood they were permitting and building independent of the county and that the city was an autonomous body and the citizens did not to call the County Commissioner as to the problems that they had with building permits and other things since that were exclusively within the city's jurisdiction. He also asked if the citizens of Midway were informed of the fact that they did not to do that and right now the County had no say so as to their building permit and their approval, that was strictly the city.

Mr. Smythe said he could not speak for the knowledge base of the City of Midway. He could tell him that there was a little bit of growing pains when the City of Midway branched out. Chairman Viegbesie spoke to the residents of Midway who would be watching hoping they understood why there may be some glitch in the permitting process or their building restrictions that were placed upon them by the City Municipality and did not have anything to do with the County and not to bother the County Commissioner when it was something within the City Limits and Mr. Smythe agreed.

Commissioner Holt said she felt it was hard to explain to the citizens because some of the departments were semi, like in Gretna, they processed and then called the County to inspect. When the individuals see the inspector they would see the County Inspector even though they applied through the City. Same thing was happening with the City of Quincy. Chattahoochee processed (except for zoning) Midway was Independent) but Mr. Smythe inspects in Chattahoochee (except for zoning)

Mr. Smythe answered the County when it came to zoning, was only the County land. He said Chattahoochee, Gretna, Quincy and Havana, had their own version of Planning and Zoning. Commissioner Holt said Midway was independent, Greensboro and Havana was processed by us.

Commissioner Morgan appeared at 4:16 p.m.

Commissioner Holt asked if there was an uptake or down take on the number they received and that they had compared to last year or the year before for a comparison. She stated what she was trying to get was a streamline process so when they encourage businesses to come , they wanted everything zoned and ready to go because they were competing with other locations.

Commissioner Holt asked on page Two [A] 107.4 Amended construction documents where it stated "shall be" could be interpreted as "will be" and asked if the forms had been brought before the Manager to be approved. Mr. Smythe shook his head no in response.

Chairman Viegbesie asked Mr. Smythe to be clear on the statement, if Mr. Smythe approved for him a building plan and changes were made to the building plan that he approved, then he would have to resubmit an application to update the building plan reflecting the changes that had been made. Mr. Smythe answered absolutely. Commissioner Holt said that was not what she was saying. She was saying the documents that were brought in, were they presented to the Manager because the documents themselves were something new and not his process.

Commissioner Hinson appeared at 4:19 p.m.

Chairman Viegbesie explained to Commissioner Hinson that Mr. Smythe had given an overview on the Building Department and that questions were being asked regarding the Building Department. He also stated that if anyone wished to speak that they should complete the Speaker Request Form and hand to the Clerk and they would be acknowledged and be able to speak.

Commissioner Holt asked if the four visits that would be made to the sites were only on new construction. Mr. Smythe said he thought clarification was needed on what she was speaking about first on third party inspections. He said referring to that, (FL Statute 553.791 Alternative

inspections) so that the County was well aware, that was something coming in. He stated he had certain guidelines to regulate third party inspectors, not can, "**SHALL**". He stated he did not have to audit third party inspectors but what was being referred to was the "four times for any given private provider" could be audited up to four times a year. Commissioner Holt stated she did not have that information. Mr. Smythe said he did not realize that third party would be discussed. He said they had one 3rd party operator for Gadsden County. He told Commissioner Holt that after their conversation, he made sure it was placed on the website. He stated that if you go to the website and click on the Building Department, there was a separate section that had all the required forms for 3rd party inspectors. Referring to an audit, Mr. Smythe said it was a check up on what the third-party provider was doing. Commissioner asked if the 4 inspections were done on one project then could any more be done that year. Mr. Smythe replied he could not and that he could only do 4 audits per year per third party provider. Commissioner Holt asked if he inspected and there was no longer a concern, how were those four different from the other inspections that he would do. Mr. Smythe answered regarding how the statute read, if he was going to a job site with a third party provider, he would prefer to call it an audit. He stated he was a "by the code person"; if he conducted an audit (4 per contractor per year) an inspection was different. Commissioner Holt asked if he contacted the contractors before he went. Mr. Smythe said he had not done an audit this year that was not a requirement. She then asked if he notified them when he was going to do an inspection. He stated for an inspection, not an audit. He stated there have been requests to be notified and that was one positive attribute of the Building Department starting up an inspection line. The inspection line enabled them to: 1) Contact the individual because they would leave a phone number; 2) if there was an issue he was able to take a picture and email it back to them and streamline that they were there and show them what was wrong and if he was asked to notify them, he did.

Chairman Viegbesie asked what happened with the rest of the year if in 2 months an Inspector had used his 4 audits. Mr. Smythe answered third party meant that an inspector possessing the necessary licenses, if they wanted to do plan review, they would have the necessary plan review licenses; if they just wanted to do inspections on a single-family dwelling, they would be a single-family dwelling inspector. There was no cap on audits until July 2019 nor was there anything about permit fees. Now the industry standard was \$200. To help the Commissioners to better understand the rules he gave an example saying "Mr. Chairman, you are a Contractor and you elected to utilize a third-party provider, you go to the third-party provider and he insures all your construction documents were accurate. He stamps "Reviewed for code compliance" and signs them. Now you come to the Building Department. The Building Department, A single family dwelling around \$1500 for a house. We don't charge you \$1500 we charge you \$200 to store your documents for the statutory requirement of 10 years. You now have very specific guidelines as to your third-party inspector. He notifies me 48 hours or the day before to insure we are aware he is going to do the inspection. He then completes the inspection, post his findings on the job site and then he must notify us of the results. He will do that for every inspection. Upon the final inspection he will generate a report that will have certain verbiage and legal language. The report will then be notarized and then the third party provider gives it to the person seeking the inspection. You go to the Building Official with your documentation he reviews it and your CO would be issued."

Chairman Viegbesie asked when this policy started. Mr. Smythe said the forms in the original statute originated 15 years ago but many departments and agencies did not follow the statute 100% meaning they would audit you and charge you full price for the permit, as was with many

jurisdictions, and audit you accordingly. An abuse of that power led to House Bill 7304 being signed into law by the Governor last July, which established additional guidelines covering the audits. Now it is clear and says "I charge you, the contractor or the fee owner, for utilizing a third party provider a reasonable amount for what it costs the building department to intake your documents, store them for 10 years as well as issue your CO and then assure destruction of those legal documents upon the Statutory date."

Chairman Viegbesie wanted to make sure the point was understood and gave an example. He said, "if I were to be a contractor, just because I had been doing things the way I have been doing them for three years did not mean that I could continue to do them that way if the laws changed."

Chairman Viegbesie stated he thought the Building Department needed to take time to educate the citizens who apply and give them an update of the changes so the feeling of frustration and the lack of caring did not come from the citizens who were coming because they had done things one way in the past and now the law had changed. Chairman Viegbesie addressed the citizens saying the legislature was now in session, there was no telling what was going to come at the end of 60 days and that would impact the way things were done here in the County. He wanted the citizens to understand the causes of some of the changes that now begin to impede what they were used to doing in the past.

Mr. Smythe said he believed it had somewhat been addressed (speaking as a licensed contractor) and stated every even year contractors to go through dozens of hours of continued education, that was a state law requirement. The contractor upon dealing with the citizens and homeowners should be knowledgeable enough to be able to speak with the homeowners. The homeowner permits require more time. He added he has to spend a lot more time educating homeowner permits.

Commissioner Taylor stepped out at 4:32 p.m.

Chairman Viegbesie asked, if he was acting as his own contractor, was there anything easy to understand in the language that was available to the citizens so they could know and understand what the new update and minimum requirements were.

Commissioner Taylor returned at 4:33 p.m.

Mr. Smythe answered yes, in order to be a homeowner/builder, there was a homeowner affidavit (Statute 49.103) that states not only does the fee owner, the homeowner/ contractor, know all the criteria that you would need to construct as well as an area that you swear you have knowledge of the code and you have access to the code. When someone had questions his staff sets up meetings with him. He stated his two permanent administrative staff handled his calendar and schedule meetings starting at 9 until 11 and there was a gap. Mr. Smythe said he spent a lot of time assisting to prevent what would happen in the field. When he reviewed plans, he stated he treated them like he was the contractor with the notes he put on them and things he knows the inspectors would look for. He did not want the conflict and he did not want failure. That failure just means that instead of 15 for the day, now there were 16 because they have to come back for that one. It did not benefit anyone and he could assure the time he spent was with the homeowner contractors was phenomenal.

Commissioner Holt requested to hear from the public. Chairman Viegbesie responded that he would like to give the fellow Commissioners an opportunity to make a comment or ask a question before the speakers were recognized.

Commissioner Taylor said Mr. Smythe mentioned earlier that notifying contractors was something he may or may not do depending on what they placed on the application. He said yes, on the inspection request. She asked if any other inspectors had ever gone out in Gadsden County.

Mr. Smythe answered yes, there were two other inspectors. She asked if they sometimes inspect the same site and he answered yes. She asked had there ever been a case where an inspector had gone out, agreed on a particular project, gave the nod to the contractor and then because you did not call the contractor in for your inspection, you then reversed the decision of the inspector that made the initial nod. She said her understanding was that had happened on occasion when the contractors gotten the go-ahead on a project from a previous inspector but because he did not notify the contractor when he went out so the contractor could say Inspector number 1 gave the nod and agreed on the particular project and they moved on from there. She said her point was if that was happening, and he knew it was because they called their Commissioners. She stated she thought it should be routine whether it was requested or not that a contractor be there when the inspector was, it should be routine and should be put as a mandate.

Mr. Smythe said that would probably not be an option and added for them to imagine the inspector's role...Commissioner Taylor interjected and spoke to Mr. Hall, Interim County Administrator saying "That needs to be put in there." She stated the reason she said that was because no two people were alike and she thought it should be mandatory that a contractor was on-site because we (Commissioners) wanted to make sure that the contractors were there. She said she believed it would help the contractors as well as the inspectors so they could have a dialog.

Chairman Viegbesie stated if there were standardized criteria that had been used to evaluate the contractors in what they were doing, then it did not really matter who goes. If an inspector goes and inspects a project that had already been inspected to make sure standards were met, Inspector number 2 should be asking how Inspector number 1 gave the ok for what number 2 did not give an ok on. No matter who goes behind who, they should be operating from the same point of view.

Commissioner Taylor said there was a standardized inspection but two people could read the same sentence and then interpret it differently. She stated she was trying to get to a point where it was not redundant and where they no longer had frustrated contractors who been given the nod to move on by another inspector and then made to go back by another inspector. Commissioner Taylor spoke directly at Mr. Smythe telling him "Here is my thing with you, I respect your knowledge. I think you are a very bright guy, but in a small rural county like this you have to be able to give, you've got to be able to figure out where your gray areas are so you could build a rapport with your contractors. That is what we are trying to do. If you do not grow, then you will be no more if you don't grow. Right now half of your contractors are seeing less and less opportunities to grow." She stated she told someone yesterday that Mr. Smythe was

making sure these were sound buildings and houses, but the way he presented it had to be worked on. A lot are going to come up in a minute and are going to say that they are doing things they feel are tedious. She was sure he heard that before to which Mr. Smythe replied not the word tedious and Commissioner said that was the description to her.

She stated she saw his work and appreciated it but she thought they should be worked with so they could do their jobs. One guy lost some of his sub-contractors because he could not get his money because of the project that was finished, Inspectors held him up. The electrician, plumber would not do anymore work with him, through no fault of his own, it was that he could not go through the Building Inspectors department in a timely manner to pay his sub-contractors. "We to fix that, Al. We to fix that Mr. Administrator." She continued to say If we continue where we are going then you will have even worse work because you are going to get the worst of the worst coming in to do the job because your qualified contractors/sub-contractors will not come because they will be afraid they will not be getting paid on time because of the fact of having issues with some of the contractors.

Commissioner Morgan said Mr. Smythe had a tough job. He stated he knew Mr. Smythe was well rehearsed on Florida Statutes and Codes and it was very important to have someone in that position. He wanted to touch on the level of expectation presented to our customers who in many cases were tax payers that fund our offices, our staff, and Mr. Smythe. He said the County was a customer service organization. Customer service starts with the level of expectations and how the message was presented. With as busy as the Building officials office was, sometimes that could become second fiddle to actually making sure statutes were followed and inspections were completed and that was understandable. But he felt if they were to focus his staff to recognize and understand that that office was a tax payer funded office and the County was a customer service organization. He said from personal experience, after the storm, he had his roof replaced, called the County and asked for an inspection and they did. Mr. Smythe actually came and there were three different inspections that had to be done before receiving the final OK on it. He said there was a reason for going through the correct process and they need to do that. He added there were a number of issues currently with contractors and the process. They were frustrated, which will be heard.

Chairman Viegbesie asked Mr. Smythe to be seated and the speakers would be heard and if a response was needed he could come back up and respond.

Kay Todd, 111, Idaho St., Carrabelle, FL, appeared before the Board and said it was important to her that when work was done on her house, it be inspected correctly. She was thankful for Mr. Smythe, who knows the law and stands for the homeowners and was available to them.

Larry Cerro, 730 E. Brevard Street, Tallahassee, FL, appeared before the Board and said he was a Building Inspector, Contractor, Residential Contractor, Heating and Air Contractor and after the Hurricane, Ms. Lex called him and asked him to come help do some inspections because they were overwhelmed. They did not have staff and were losing their inspectors. He said he agreed to help and when he came in, Roosevelt (Morris) was leaving. When Roosevelt was leaving they had no one, no building official, no building inspector, no plans reviewer, the place was in chaos and there was a stack of inspections to do. He stated that Mr. Smythe jumped in and took over the responsibility of the sinking ship. He explained how thick the Code Books were for all the different areas and with all the inspections that were to be done in one day, it was understandable how something could get missed and when the next inspector comes in and

says something was missed it was not because he 'wants to bust his chops' it was because he had a certain liability to the homeowner that would live there after it was built. If one guy saw something the other guy did not see it was not because anybody was doing anything wrong, it was because the second guy happened to see something the first guy missed. It always happens and always would happen and that could not be eliminated. He said making the building contractor and the building inspector be there at the same time was not going to work because the contractors were not going to want it, because they had to drop everything and be there when the inspector was there and the inspector was not going to stand around and wait or to coincide his schedule because he had 15 inspections. He was driving to a lot of places and when they scheduled inspections that had to be planned and in order. If one guy was going to stand there and argue with them, it would not work. When you go and find problems, you write them down on a sheet and you put them in his box and the contractor sees them when he gets there. They could then call the inspector and ask questions or just get it fixed. He stated that if there was a question about a code, Mr. Smythe was the guy to talk to because he knew his codes. When Gadsden County hired Al, they got a gem. They got somebody that knows a whole lot. You would not find someone with his knowledge that would be able to help you like he was helping. He stated that more people were involved than the contractor. The contractor has subcontractors. It was usually the sub-contractors that made the mistakes. Your best job when you build a project was as good as your worst sub-contractor. The homeowner was who would be left holding the bag if the contractor messed up. The only person between the contractor and homeowner was the Building Inspector and he could not catch everything. If the complaint was the inspector was catching too much, you may want to re-evaluate. The contractors have to continue their education and learn a stack of books and a little educational course (pink slips on what did not pass inspection) should be welcomed. Al has taken Gadsden County from slapping sticks together to making it quality construction. When your County starts getting quality construction for everyone, the quality of life for everyone goes up. How you are viewed in the eyes of the state goes up because you are no longer looked down upon as a little hick town county. You start getting a reputation as a County that cares about their citizens. You should want to build a community that is getting better and better. This happens by enforcing the rules. Mr. Cerro stated that with Mr. Smythe the county had a real asset and they should think twice before any changes were made.

James Melvin, 25 Lager Street, Crawfordville, FL, appeared before the Board. He stated he felt compelled to come speak as a former Building Official, President of the Building Officials Association for the Region, he is a Fire Inspector, a FEMA Flood Plain Manager and a Master Code Professional (only 2 exist in North Florida). His concern was the mass mailing that went out and stated it looked like they were trying to lynch the building official because he was doing his job. He stated if contractors had a complaint they had quite a few methods of redress including filing a complaint against Mr. Smythe's license just like they could have a complaint filed against their license by homeowners. There is something called the Codebook Commentary that is part of the ICC Building Code. In that Commentary, things that may be a shade of gray for someone that has not been doing this very long, it addresses those things. A contractor that has a grievance and feels a wrong call had been made could go to the Building Official's Association and ask for an interpretation of the code. There was also a complaint venue through the Building Commission that was a binding interpretation. The Building Official **SHALL** interpret it as they give direction or he is liable to lose his building official license. He stated the Building Official job was one of the worst jobs he had because people are pulling on you from all sides and then in the middle there are people who were wanting special treatment. The building

official's job was to interpret code and enforce it, not to win a popularity contest. He needs to be professional and sometimes needs to get a little tough on people. He stated he did not think the building official was getting a fair shake at all. Any building contractor worth his salt wants a thorough inspection even if it was something he missed the first time because he was still liable, civilly and by his license, for that inspection four years later. He had never known an inspector to go out and write up a contractor out of spite. He stated it was imperative to have a good building official and not just a building official, he had to have good engines doing work for him. This County needs to make a decision if they want a good building department. The building department gets graded by the State at a national level (BEGS). They give you a grade and it went to ISO. A good building official would bring insurance rates down. He stated that having a contractor meet the inspectors would never work because most of them do not even want to go to the job to pick up the correction notice they want a phone call or they would look on-line if available. They don't want to go to the job, they send their sub-contractors. He stated he knew Mr. Smythe and he was a very competent person. He stated it was out of character to see a mass mailing from a contractor using his contacts with the builders association to try to get a consensus of opinion for anybody that had been wronged or thought they were wronged to try and air their grievance out in public.

Chairman Viegbesie stated they were learning a lot from this workshop. He stated that the last comment Mr. Melvin made regarding that this workshop was to make Mr. Smythe malignant did not come from the County. It was an individual who said it and made it look like the Building Official was being brought before the Board to be persecuted because what he had been doing was abominable and according to the contractor he had to be excommunicated from the system. That did not come from the Board and he did not believe that any member on the Board saw that message going out and he wanted to make it clear that was not the intentions of this workshop.

Commissioner Hinson was recognized and stated there were time restraints to this workshop and Roberts' Rule of Order needed to be followed and public response be narrowed down to 2-3 minutes. He also wanted to express that the public did not address a Commissioner personally.

Commissioner Holt said she asked the Manager to pull the advertisement for the meeting. She stated several people had called almost all of the Commissioners with complaints. She said she told the ones she spoke with to bring all of their people and their complaints to the workshop and they would work things out. She stated they could not wait to do this they need to take care of things internally so that new businesses could come in.

Scott Kennedy, 1145 San Bonita Blvd., Quincy, FL, appeared before the Board. He said he was one of the persons that the Board had been talking about. He had a home started in 2015 and as a result of that project, he was constrained in things he could discuss because he was involved in a 4 year lawsuit and the settlement agreement he was imposed on. He read FL Statute 553.72. He stated he had a house 70% completed and as a result of the building defects that were inspected or were not inspected by the previous administration, it had to be demolished. He stated he knew of another house in Gadsden County that had to be demolished for the same reasons and another in Twin Ponds that should have been demolished but the family could not continue to fight the lawsuit and had to settle. He stated his situation was not an isolated situation. It took 3 ½ years of lawsuits and research. He stated he had to learn the building code to go to court and fight a construction defect case. He said even with the

settlement he received he was out over \$200,000 that he would never see again. He was still incurring costs from a failed inspection process in the previous Administration. He also said he was very grateful for Mr. Smythe and his co-workers. He was very courteous and professional when inspecting his new build. He believed it would be a tremendous disservice to the people that the statute says you were responsible to the consumer not the builder was who the building code was here to protect. He said to the comment of having the contractor meet the inspector, he could not get the contractor meet him, must less getting the contractor to meet the inspector. He continued saying the toll the project took on his wife and him, their finances, marriage was a lot and that things being pointed out were only minimum standards. Mr. Smythe was only enforcing minimum standards.

Chairman Viegbesie stated that with the information being given the board understands the difference between excellence and mediocrity. If excellence was what they were going for then they to be prepared to do what leads us to excellence not mediocrity.

Gene DeLuigi, 37 Lake Bluff Lane, Havana, FL, appeared before the Board. Mr. DeLuigi stated he was a homeowner and he commended Al Smythe on the job. He stated he was also in a lawsuit. He stated the shoddy workmanship was not even meeting the minimum standards. He felt there was heat against Mr. Smythe in the group (pointing towards the Commissioners). He said they did not agree with Al and that he heard the snicker from Commissioner Holt and that was not fair.

Chairman Viegbesie interrupted saying they had addressed this topic earlier that the announcement for the workshop had nothing that referred to the Building Official. Mr. DeLuigi stated the public knew why they were here.

Chairman Viegbesie stated that if anyone actually said anything different than what the advertisement was derogatory or intentionally to hurt Mr. Smythe it did not come from the County or this Board.

Mr. DeLuigi said this was a waste of time and stepped away from the podium. He said he wasn't being listened to. Chairman Viegbesie asked him not to accuse the Board of having something against Mr. Smythe.

Mr. DeLuigi said he was accusing people that were not backing Mr. Smythe who had done more than his job and that was what the Board should be doing. He stated they needed to be a team.

Connie Jones, 613 W. Washington St. Quincy, FL, appeared before the Board. She wanted to bring to their attention the things she had heard about the contractors and their complaints but the one being left out was the homeowner. The contractor was delivering substandard work. A contractor dug a hole and put cardboard under the gas water heater; another because of problems with air conditioner being hooked up wrong. Mr. Smythe found the problems and made the contractor fix them. She stated that bashing Mr. Smythe was enabling a no-good contractor that was not delivering what the homeowner was paying for. Safety was the number one issue. She stated if Mr. Smythe was not allowed to come in and do his job but allow contractors to whine and cry because they were not getting paid and they don't do their job was a disservice to Mr. Smythe. The way to make Gadsden County grow was to make the contractors do what they were supposed to do. She stated she could have pulled someone off the street to

do as bad of a job as the man did with her projects but she chose to do it the right way. To make the town grow you to hold people accountable like she was held accountable. She stated that after going through what she went through if she could find somewhere else to live she would be gone. She told they Board they need to do their job and make the contractors accountable to the citizens that pay money to live in this county.

Auburn Ford, 249 Peters Road, Midway, FL, appeared before the Board. He stated he was a resident of Gadsden County, Residential State Certified Contractor. He stated that at the first workshop he made two observations. He stated he and Mr. Smythe got off on the wrong foot but was now best of buddies. He stated he had been doing this for a long time and when a new person came in and started pointing out things that were done for a long time and then Mr. Smythe made changes, it was hard to adapt to the changes. He said Mr. Smythe educated him and they had an understanding with each other and they had moved forward. He stated that he felt Mr. Smythe was a very competent building official.

Chairman Viegbesie said he was more afraid of going to prison than dying. He did not support anything that was illegal. Things need to be done according to the law which is seeking excellence not mediocrity. He stated the only thing he was going to ask was for the building department to do the best they could to educate citizens and contractors as to the fact. He stated that the board was more responsible for the safety of the customer/homeowner not the contractor. Contractors were to build things to the safety of the homeowners and if the contractors were held to the standards of required inspection the board would not have heard all the horror stories told at that meeting.

He said to the Commissioners, when the citizen's call they need to do their due diligence and inform them as to why things were going the way they were.

Commissioner Hinson said he had an experience when a person he knew was building a home. They noticed leaks in the home. He stated in all fairness to Commissioner Taylor, she wasn't talking about contractors, she was talking about homeowners, that they couldn't move forward. He said he wasn't sure how it moved to that.

Commissioner Holt said this was one time was going to take up for Commissioner Taylor. She said she asked for this meeting and the one before. She said she met with the building inspector along with the manager last week because that was how she got her questions answered. She said they have not heard from contractors. She said if there was any contractor that wanted to speak on any issue they could speak.

Chairman Viegbesie said if there was a contractor who wanted to speak, it was announced that anyone who wanted to speak was to fill out a speaker form and there were no more speaker forms turned in.

Commissioner Holt stated that wanted to reserve her time to finish and if there were any contractors that wanted to speak on any issue that she wanted to hear from them.

Jesse Kenon appeared before the Board. He said he and Mr. Smythe had worked things out. He said he spent \$8,000 and was happy because he spent that kind of money. He stated that he had accomplished everything that Mr. Smythe wanted and they were both happy and the homeowner was happy.

Commissioner Holt asked about the independent inspectors and she was sure that people on the board had received calls from homeowners and contractors saying they could not get certain things done and they wondered what was going on. She stated when she was looking at inspections and at one time she thought there was a committee of Contractors, Homeowners and the Building Inspectors Office that met every month to look at any issues in the county. She also stated that if there were new forms and regulations that they should go before the manager first before going out to the community and workshops were to solve problems. She stated she did not agree a builder could not be at a site, unless they just did not want to be there and they should be given the opportunity. She said there was a re-build problem since the hurricane. The board was told by emergency management they would need at least 12 inspectors to recover. She said they worked one building inspector to death and that was why things were not done. She said she was not going to discount the contractor because the homeowner chose them. She stated again that the committee she spoke about should be set up. She said the Commissioners needed to know what was going on, they needed to streamline the process and should know from looking at the County's website what was required. Also, that how people were spoken to was very important in a small town.

Commissioner Holt stepped out at 5:50 p.m.

Commissioner Taylor said when she first spoke, she commended the inspector in saying the work he had done was needed so they could have quality building, however, you must speak in such a way to bring your contractors along so that your homeowners were happy. As soon as contractors do their job the homeowners could get into their home. She said to one of the gentlemen who addressed the board earlier, the County needed building, needed quality housing but they need to look at a way to make sure contractors and inspectors were talking. She stated what she saw after the contractor spoke was collaboration and thanked the Chair because before there were contractors who were at odds were now working with the Inspector.

Commissioner Holt returned at 5:53 p.m.

Commissioner Taylor hoped this was the rule now and not just an exception and that most contractors were feeling something different now.

Chairman Viegbesie stepped out at 5:53 p.m.

Commissioner Taylor said when training occurs, the contractors could not blame Mr. Smythe because they received and needed to maintain their standards. Filing complaints was time consuming and would delay a project further.

Commissioner Morgan stepped out at 5:54 p.m.

Commission Taylor told them to continue to keep working with Mr. Smythe and she only wanted positive results.

Gadsden County Planning Commission
January 21, 2020 Workshop

MOTION TO ADJOURN

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, VICE CHAIR HOLT DECLARED
THE WORKSHOP ADJOURNED AT 5:55 P.M.**

GADSDEN COUNTY, FLORIDA

**ANTHONY VIEGBESIE, CHAIR
BOARD OF COUNTY COMMISSIONERS**

ATTEST:

NICHOLAS THOMAS, CLERK