AT A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD IN AND FOR GADSDEN COUNTY, FLORIDA ON FERUARY 18, 2020 AT 6:00 P.M., THE FOLLOWING PROCEEDING WAS HAD, VIZ:

Present: Dr. Anthony "Dr. V" Viegbesie, Chair, District 2 Brenda Holt, Vice Chair, District 4 Eric Hinson, District 1 Gene Morgan, District 3 Sherrie Taylor, District 5-appeared by phone Wesley Hall, Interim 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 6:03 p.m. Rev. Matthew Bryant, St. John AME Church, gave the Invocation and led in the Pledge of Allegiance.

Commissioner Morgan arrived at 6:04

AMENDMENTS AND APPROVAL OF AGENDA

Mr. Hall said he would like to add Item 9a under Consent-Approval to award RFP No. 19-19 Rebid to Provide Professional Emergency Management Contractual Services on a Continuing Service Contract.

Mr. Weiss asked to pull Item 6 for discussion.

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

AWARDS, PRESENTATIONS AND APPEARANCES

1. Java Medical Group

Mr. Hall said the group was not able to make the meeting for the presentation.

(They then went to Item 10 and Commissioner Morgan pointed out Citizens Requesting to be Heard)

CONSENT

- 2. Ratification Memo
- 3. Resolution in Support of the St. Hebron Road Sidewalk Project
- 4. Approval of Resolution No. 2020-005 Amending the State Housing Initiatives Partnership Program (SHIP) Local Housing Assistance Plan for FY (s) 2020-2021, 2021-2022, 2022-2023
- 5. Old Federal Road SCOP-Bid Award

- 6. Old Federal Road SCOP-CEI Task Order Pulled for Discussion
- 7. Fairbanks Ferry Road SCOP-Professional Services
- 8. Approval of the E911 Rural County Grant Application for E911 System and MapSAG Annual Support and Maintenance
- 9. ESO Electronic Patient Health Record Software License Agreement and Business Associates Addendum
- 9a. Approval to ward RFP No. 19-19 Rebid to Provide Professional Emergency Management Contractual Services on a Continuing Service Contract

ITEMS PULLED FOR DISCUSSION

6. Old Federal Road SCOP-CEI Task Order

Mr. Weiss said he had concerns and raised his concerns with the Public Works Director and Administrator. Currently there is a prohibition against using the same engineer for CEI services that also designs the project. Dewberry designed the project and the task order is for them to provide CEI services. He said his understanding and the response to his concern was at the time this particular SCOP agreement was entered into, there was no prohibition and the engineer could provide both design services and CEI services. But because there was currently that prohibition and that particular contract does incorporate existing provisions of law, he had concerns about potentials for jeopardizing funding for the project. He said he has been told by the Administrator, Public Works, and engineer that what DOT has told them was it was OK because they were operating under the old rules. He said to get something in writing from the District Secretary saying such and they have not been able to get that. He said that was his concern and they could proceed as they saw fit but he wanted to caution them against doing that because he did not want to jeopardize funding for the project.

Chair Viegbesie said he thought they needed to listen to their legal counsel and his legal opinion on some of the things they were doing.

Commissioner Morgan thanked him. He asked if there would be an issue if they tabled the item for clarification and waited to receive the written letter per his suggestion. Mr. Weiss said he would have to defer to the Administrator, Public Works Director or engineer on that. Commissioner Morgan said if not an issue tabling, he recommended they do that. Chair Viegbesie pointed out that the next meeting would be the second meeting in March.

Justin Ford, Dewberry, appeared before the Board. He said he did not believe there would be any impact, the contractor was ready and willing to get started. He said the rule has changed three different times and the way DOT has always operated, when the grant was awarded, they operated under the rules it was awarded at that time. If they want to get additional clarification, he would be glad to coordinate with DOT and would be no problem.

Commissioner Morgan said based on that information, he made a motion to approve option 1.

COMMISSIONER MORGAN MADE A MOTION TO APPROVE OPTION 1.

Commissioner Holt wanted to offer another motion if this did not pass.

CHAIR VIEGBESIE SAID IF NO SECOND, MOTION DIED FOR LACK OF SECOND.

COMMISSIONER HOLT MADE A MOTION TO APPROVE OPTION 1 CONTINGENT ON LETTER FROM DOT AND COMMISSIONER MORGAN MADE THE SECOND. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.

Mr. Weiss said he felt it was his job to point this out the concerns and did not want to delay this job.

Commissioner Holt said Item 7 was also the same road and project and asked if there were any concerns and Mr. Weiss said there were no issues with that item.

Chair Viegbesie asked if the Agenda had been approved, it was said they approved the pulled and added item.

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

Chair Viegbesie announced the Speaker Request Forms were for an Agenda Item (Hospital) with the exception of one for economic development.

Alan Keesee, 6598 Lake Pisgah Dr., Tallahassee, FL 32309

Angril (Shane) Bozeman, POB 2403, Havana, FL

Dr. Christopher Tidwell, 300 S. Duval St., Tallahassee, FL

Pastor Charles Colston, 7095 Bainbridge Highway, Quincy, FL 32352, appeared before the Board concerning economic development. He was concerned with the fact there were too many young people to counsel because of the lack of opportunity. He asked if a training school could be developed to get the young people off the street to give them an opportunity at life.

Commissioner Hinson said this was some of the same sentiments he had.

Chair Viegbesie suggested the Pastor schedule a meeting with the Administrator and then individually with the Commissioners.

Commissioner Holt said they needed to schedule a workshop with the School Board, CareerSource, the County, the Cities and Armory to look at a 5-year plan to sit down together and work on this.

Shelanda Shaw Nivas Pandit, MD, hospital Lisa Tzanakis, 405 E. Carolina Street, Tallahassee, FL, CRMC lease

PUBLIC HEARINGS

GENERAL BUSINESS

10. Lease between Gadsden County and Capital Regional Medical Center and Related Agreements

Mr. Hall introduced the above item and said it sought decisions regarding an Amended Lease between GCBOCC and CRMC with the existing hospital. A decision was also sought regarding the proposed Indigent Care Payment Agreement and Transportation Service Agreement.

Chair Viegbesie said they would recognize all the speakers and this item would be voted up or down tonight.

Pastor Colston re-appeared before the Board. He said he had heard too many times if this hospital had not been here, people would not have made it and having this hospital was important.

Bishop Willie C. Green, 296 Bradwell Road, Quincy, FL, appeared before the Board. He said several of his concerns had been addressed. He applauded the Committee and the Commission for the outstanding job they had done from the first proposal that was on the table. He said however, he asked if they had met the requirements of the Referendum the citizens requested. He asked why the four beds were still on non-operational status, the same as they were on the original contract. What would it bring to bring them into operational status? He asked with the 35-mile rule in place, could there ever be a hospital in place. If not, have the citizens been defrauded.

Angril (Shane) Bozeman, POB 2403, Havana, FL-she yielded her time to Bishop Green.

Lisa Tzanakis, 405 E. Carolina St., Tallahassee, FL appeared before the Board on behalf of the hospital. She said the access that the ER provided for their constituents was something they have heard has saved lives and some were in the room.

Dr. Christopher Tidwell, 300 S. Duval St., Tallahassee, FL appeared before the Board and spoke on behalf of the hospital. He said he was the Medical Director for the ER Capital, for Gadsden and for Southwood and when they open the new facility at Lake Jackson. He said he was happy and proud to be here.

Nivas Pandit, M.D., Cardiology, appeared before the Board and spoke on behalf of the Hospital. He said he loves what he does and is passionate about his job.

Darlene Price, 3211 Tallavana Trail, Havana, FL, Clinical Manager at Gadsden ER, appeared before the Board and spoke on behalf of the hospital. She asked that the Commissioners sign the contract on behalf of her and her staff, who would like to have consistency and would like to know they had a job come tomorrow.

Alan Keesee, 6598 Lake Pisgah Dr., Tallahassee, FL 32309 appeared before the Board and spoke on behalf of the Hospital. He said they have been proud to serve Gadsden County and wanted to look forward to a partnership for another 15 years and wanted nothing more than to benefit. He said they were proud of the quality and of what they have provided.

Chair Viegbesie said there were no more speaker forms and the floor was now opened to the Commissioners.

> Commissioner Taylor said she hoped she could be heard clearly as she was appearing by phone. She said the new lease agreement was to have language in that was to have segway for the 4 beds for some time in the future. She said she had used the facility several times and walked away with good treatment.

> Commissioner Hinson said he had questions and asked the Administrator if he was able to research questions Bishop Green asked. Mr. Hall said he had looked into the questions but did not have any conclusions at this point.

Mike Glazer, Assistant County Attorney, appeared before the Board to address questions. He said he believed the lease did comply with the language in the ballot amendment from 2008. He also said that since the last joint meeting they have added additional language into the lease that strengthened the lease.

Commissioner Hinson asked how it complied and Mr. Glazer addressed that. Mr. Glazer said they added specific requirement for independent report they will pay for.

Commissioner Holt said on the referendum it said "included but not limited" that meant they must open the hospital; it did not mean they could do other things and substitute in there for opening the hospital.

Commissioner Morgan stepped out at 7:01 p.m.

Commissioner Holt said she was not a linguist but Dr. Green was and it said "include" and that meant you "must include what it said on the ballot and means you must open the hospital". She said that included primary care, preventative care and in-patient care. She showed a book and said it was one used in '08 for the ballot.

Commissioner Morgan returned at 7:02 p.m.

She said it had nothing to do with CRMC, the Commission changed and they decided not to do this. If going to put this in the contract, they need a way to see step by step how it is going to work. Citizens want to see exactly what they voted for; they voted for beds and did not get beds. She asked Mr. Glazer to step back up to the mike. She said some people had the impression that without the Critical Care designation the hospital could never open and asked if it was stated in the recent meeting. Mr. Glazer said that was not the case. She said they went to several Courts and got the rural designation back for the hospital. She said she called ACHA today, first thing she asked about was the swing bed part. The 10 swing beds would pay for the other 15. She said this item needed to be tabled because this board has never done what they were told to do. She said they had not had one workshop when they were looking at healthcare. She felt it should be tabled until the Board came up with a plan. She said they have been paying into this for 11 years and should have had a plan in 11 years.

Commissioner Morgan said he was going to take a different approach from Commissioner Holt.

Commissioner Holt stepped out at 7:15 p.m.

Commissioner Morgan continued and said this would make an impact to citizens. They have spent many hours to get to the point they were at this evening. He said he wished they could have 25 beds but the fact was the current market would not support it. He said if people came to Chattahoochee where he lived, you could have the best fired seafood without having to drive to the coast, fried chicken, could go to WD's, Northside, Rutabaga's Café and wished they could have an Outback Steakhouse and he said he liked Cracker barrel and Red Lobster and a lot of other restaurants but the fact was there was not a market in Chattahoochee or in Quincy that would support that type of restaurant. He said he used that as an analogy because one of the most important things they could do regarding healthcare was to offer a sustainable, working solution and that was what they had currently. It offered quality care.

Commissioner Holt returned at 7:16 p.m.

Commissioner Morgan said they may have the best hospital for one year, but it would not last. He said they needed to have something that offered them an option for growth and they had that and to Bishop Green's point, they needed to meet the legal obligations that were set forth in what they were subjected to from the Referendum. He said he has asked multiple attorneys and all have said they have met their legal obligations. He added he hoped in the days ahead, they were allowed to add a 25-bed hospital, if the market allowed for it. He said their responsibility was to provide something that provided quality care that was sustainable and affordable and he has been a patient there and they did a great job. He said at the appropriate time he thought Commissioner Taylor wanted to make a motion and he would make the second.

Commissioner Hinson said he noticed they kept referring to this as a hospital and it scared him because it was an emergency room. He said he had a cousin that died there. He did not want to play politics. He said no-one ever eluded to fact it was an emergency room, if so, he would resign from the BOCC.

Commissioner Taylor called the question.

Chair Viegbesie said he could not call while a Commissioner was speaking.

Commissioner Hinson thanked them for patience, would feel better, personally, if they did 5 years and that would show they were 100% behind them and everything was fine with the whole contract.

Commissioner Holt said there was no plan to continue on to achieve what the ballot said. If there was a plan in the document, she said she would have found it and said they could not reach the goal of putting in what the citizens voted for in this document, it was not there. She said she was in no hurry to vote on this tonight. She asked Mr. Glazer to address that.

Mr. Glazer reappeared before the Board to address Commissioner Holt's questions. He said there are plans for reports that are specified in the contract.

Commissioner Holt said this was political cannibalism; if they were to look at it and look logically; she asked when the contract ended. Mr. Glazer said June 2020; if no action is taken, it rolled over for 5 years. She said she could not support this. She said it was very difficult to bring companies here when they have no hospital.

Chair Viegbesie said he spoke with Java and his discussion with them was part of the analysis of his position. He read below aloud to be entered for the record.

FACTS:

- 1. The amount collected thus far since the inception of the ½ cent indigent sale tax? = \$15.4M -\$6.8M (DEBT SERVICES) = \$8.82M
- The estimated cost for procuring the initial equipment and facilities preparedness required to establish a full 4 active beds capacity Rural Healthcare Facility? = \$5M-\$7M with the barest basic minimum amenities
- 3. The annual revenues collected from the ½ cent sales tax? =\$.88M (After Debt Services)
- 4. The estimated bare minimum annual cost for operating a small rural 4active beds hospital= \$750,000 per month =\$9M annually
- 5. Was a thorough cost/benefit analysis conducted to ascertain the estimated cost of establishing and operating a 4-25 beds full services hospital versus the projected revenues that will be generated when the language of the initiative was been developed and promoted for the ½ cent sales tax initiative before the ballot referendum? I DO NOT KNOW. I WAS NOT HERE AT THAT TIME.
- 6. As an economist, I am not sure if the possibilities of viably operating the advertised sized hospital facility promised was compared with the projected revenues generated from the ½ cent tax before it was communicated to the citizens?

I am sure that the intent of the drafter of the ballot initiative May have drafted the language in the ballot initiative promised a lofty, great-hearted, ambitious and magnanimous goal. Please know that the drafter of the ballot initiative were humans and ALL humans do make mistakes; unless you are a narcissist.

We MUST think of the possibilities that, just maybe, the humans that drafted and developed the ballot initiative for the 1/2 cent sales tax, which was overwhelmingly approved by the voters, may have promised a service that cannot be provided under the fiscal conditions considered.

Commissioners, I think that we owe the citizens of this County the morally human aa well as the elected public official constitutional obligation to do what is for the best interest of the citizens.

There is no one on this Commission that do want a fully operating hospital in Gadsden County.

In my honest opinion, the best interest of our citizens, right now, is ensuring that they have access to the best possible healthcare services that we can afford and provide with the limited resources we currently have.

The citizens of this county have ALL rights to demand what they were promised and that was full-service hospital.

Now that we know better, it is our responsibility to accept our errors in judgements when those promises were made and let's work on what will make the citizens close to whole until we can make them whole by establishing a self-sustaining Hospital.

This ballot initiative was drafted prior to the enactment of the Affordable Healthcare Act, Physician Owned Healthcare Operations were possible and after the passage of the Affordable Healthcare Physician Owned Healthcare Operations are no longer permitted in this nation.

The operation of a hospital includes the provision of ALL aspects of operations: * Pharmacy

- * Specialists (Doctors, Nurses, Custodial Service Providers, Security, dietary/kitchen, etc, etc
- * Emergency Service
- * Medical Surgical Services
- * Diagnostic Equipment for CT Scans, MRI, X-Rays etc
- * Lab work Facilities and specialists
- * Therapists: Physical, Respiratory, clinical and so on

This the way I see it right now,

There is no doubt that every Commissioners here sincerely desire a hospital established here in Gadsden County.

I am going to strongly suggest that we take a path that will enable us provide the citizens of this county access to some healthcare services rather than that which will give them none at all.

We are making progress and I am sure that one day in the not too far future this County will be able to be in a fiscal position that will sustain a hospital. Just think about this, the contract with CRMC contract have has been revised and modified about seven times, in favor of the citizens, in the short time I have become a member of the County Commission. There are two hospitals in Tallahassee and people still die in Tallahassee.

I am taking the position of continuing to work with CRMC to gradually improve the healthcare services provided to the citizens of this County until we can get to that pace where this County can re-establish and self-sustaining operation of a full fledge hospital. We must not put the citizens of this county back to those days of a dry spell in which there were no access to any kind of healthcare services.

He added for them to do what was good by the citizens of the County and provide them access to health service while working towards getting to a point where they were healthy enough financially to run a hospital themselves. He said his position was he was going to vote for the contract as long as they hold CRMC accountable for continuously improving their services to the citizens of the County.

COMMISSIONER MORGAN MADE A MOTION FOR APPROVAL OF OPTION 1 AND ASKED FOR A ROLL CALL VOTE AND COMMISSIONER TAYLOR MADE THE SECOND. COMMISSIONER HINSON HAD A QUESTION.

Commissioner Hinson said he never said his first cousin died and it was CRMC's fault. He said it was their first responsibility to take the safety and welfare of their County. He said for them to look at the Agenda Item where it states "hospital". He said they needed to change the narrative a little, they were still "echoing" it was a hospital. He said not to put everything on God or Jesus, sometimes man creates things as well.

Chair Viegbesie called for Order and said Commissioner Hinson was out of order. (The Bailiff and Security stepped forward.) Commissioner Hinson said he was going nowhere; he was a County Commissioner and by law he could not end his conversation. Chair Viegbesie said "God takes lives, I never brought God in here. Commissioner Hinson, we are going to stop this." Commissioner Morgan moved the question.

Chair Viegbesie said "Now, (inaudible) on record, 2022 I'm up for re-election. If I decide to run, you all don't vote for me (Commissioner Hinson is still talking) if this is the reason why, ok? So let us go ahead and carry this vote."

Commissioner Hinson said "...I am a Constitutional Officer. As long as I don't do nothing to violate somebody else, you can't do anything with me, ok? I haven't done anything but just hold a conversation for my citizens. That's all I'm doing."

The Bailiff told him they would maintain order and he stated he was not finished.

Commissioner Taylor asked they please call the question.

Chair Viegbesie said (while Commissioner Hinson was talking) "Please Commissioner Hinson, please..."

Commissioner Taylor "He can be removed Sir" (all the while Commissioner Hinson is talking).

Chair Viegbesie "I know he can" (Commissioner Hinson is still talking).

Commissioner Taylor "He can, he can, Mr. Chair, call the roll, please" (Commissioner Hinson is still talking.)

Commissioner Hinson "I'm just asking a simple question Mr. Chairman that, is that, I don't mind voting for this..."

Commissioner Taylor said "Please call the question."

Chair Viegbesie said "Commissioner Hinson, you have been present in every workshop that we have had. You should have raised that issue and let that revision be made before it come to this point. Let's not grandstand at this point of the meeting. Deputy Clerk, will you please..."

Commissioner Holt said she had a question.

Commissioner Taylor said "She could call the roll; she could call the roll."

Commissioner Hinson is still talking (inaudible and the Bailiff approached him) "I'm in order. I raised this question. I can go look at the minutes and the minutes clearly said that I asked the question Mr. Chairman. All I did was ask the question when he first showed up, I said can we change the it got the saying 'hospital" on there can we change from hospital to something else. I'm not going against this here. I'm just saying got to change some of the language so the people won't think it is a hospital Mr. Chair. That's all I'm just saying. That's all I'm just saying, just change it so we can make sure that people don't make mistakes going to Quincy or when they live in St. Hebron, they think it's a hospital. They know it's not a hospital, they not gonna go to Quincy, they gonna go straight to Tallahassee or they having a heart attack. You can't take these people's lives for granted. That's all I'm just saying. I apologize for representing my constituents."

Chair Viegbesie said "Thank you very much, your comment is very well taken and in future development, that will be taken into consideration when this contract is up for revision. OK, Commissioner Morgan?"

Commissioner Morgan moved the question.

Chair Viegbesie said there was a call to question and asked for a second.

Commissioner Taylor asked why he was able to call the question and she had been calling the question the whole night. She made the second to calling the question.

Commissioner Holt asked for an amendment to the motion to consider swing beds and put language in later.

Commissioner Taylor said to call the question.

Chair Viegbesie asked if that was a motion and Commissioner Holt said yes and he asked for a second. Commissioner Hinson made the second.

CHAIR VIEGBESIE ASKED FOR A VOICE VOTE ON THAT MOTION THE BOARD VOTED 3-2 AND MOTION FAILED. COMMISSIONERS MORGAN, TAYLOR AND CHAIR VIEGBESIE OPPOSED.

Chair Viegbesie said they would now carry the vote.

COMMISSIONER HINSON	NO
COMMISSIONER TAYLOR	YES
COMMISSIONER HOLT	NO
COMMISSIONER MORGAN	YES
CHAIR VIEGBESIE	YES

MOTION PASSED 3-2

Mr. Glazer reappeared before the Board and asked about the other contracts. It was pointed out that all three contracts were covered in Option 1 and adopted.

CLERK OF COURT

11. Updates

Mr. Thomas was present and had nothing to report.

COUNTY ADMINISTRATOR

12 Updates

Mr. Hall said the next meeting scheduled for March 3rd was cancelled and the next meeting would be March 17th.

COUNTY ATTORNEY

13. Updates

Mr. Weiss said this was his last regular meeting but he would be here for the workshop scheduled on Thursday, February 20th.

DISCUSSION ITEMS BY COMMISSIONERS

14. <u>Report and Discussion of Public Issues</u>

Commissioner Eric Hinson, District 1

Commissioner Hinson thanked the attorney for his services to the County and the Board. He said on the 29th there will be a Black History Parade and the County was sponsoring it along with the Alpha Alpha Fraternity, African-American History Committee and the City of Quincy also had jumped in on it.

Commissioner Taylor ended her phone appearance and called back to make sure the hospital vote went through.

He said on the 28th the MLK Foundation of Florida would be hosting a Black History Gala at Havana Northside Highschool at 6:00 p.m. and Ben Crump would be the keynote speaker.

Commissioner Gene Morgan, District 3

Commissioner Morgan said he had nothing to report.

Commissioner Brenda Holt, District 4

Commissioner Holt said the hospital contract would have rolled over and she was asking for another month on that item. She said she wanted the attorney for the hospital contract to be placed on the agenda.

She said she heard \$2 Million that they should be getting for the bridges and there were still other items they were looking at and hoped they could get that funding along with other funding.

Commissioner Hinson said there was a situation in Midway on MLK Blvd, the road has serious issues. He was told it was a County road and then recently told was a City road. Mr. Hall said Pam Revels was looking into it.

Commissioner Sherrie Taylor Vice-Chair, District 5

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

Chair Viegbesie said on February 14th, there was a Leadership Visionary Meeting with Chairs of municipalities and School Board to brainstorm the future of the County. There were serious conversations going on and he would be getting input from the Board as to where they want to move the County to.

He said progress was on its way and some projects are shovel-ready. He wants the Board to seriously consider retro-fitting the hospital should the need be if a hurricane or bad weather comes this way for special needs.

He suggested this body create a transportation safety committee to help explore and review the transportation and safety needs of the County. He felt it was something they needed to look into doing this to take the County into the right direction.

Commissioner Holt asked if he spoke with Congressman Lawson concerning the Stevens School project. He said he had not spoken with him.

Receipt and File

UPCOMING MEETINGS

February 20, 2020-4:00 p.m.-Private Road Workshop March 3, 2020-6:00 p.m.-Regular Meeting CANCELLED

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR VEIGBESIE DECLARED THE MEETING ADJOURNED AT 8:21 P.M.

GADSDEN COUNTY, FLORIDA

ANTHONY VIEGBESIE, CHAIR Board of County Commissioners

ATTEST:

NICHOLAS THOMAS, Clerk