

AT AN EMERGENCY MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON MAY 15, 2020 AT 1:00
P.M., THE FOLLOWING PROCEEDING WAS HAD, VIZ:

Present: Dr. Anthony “Dr. V” Viegbesie, Chairman, District 2
Brenda Holt, Vice-Chair, District 4
Gene Morgan, District 3
Dr. Henry Grant, Interim County Administrator
Clayton Knowles, County Attorney
Beth Bruner, Deputy Clerk

Absent: Sherrie Taylor, District 5
Eric Hinson, District 1

This meeting was had over audio/conference call during the COVID-19 shutdown.

INVOCATION AND PLEDGE OF ALLEGIANCE

Chairman Viegbesie welcomed everyone and called the meeting to order at 1:06 p.m. He then led with prayer followed by the Pledge of Allegiance to the U.S. Flag.

Mr. Hall requested to add item 3 to the Agenda for approval for the purchase of masks.

Citizens Requesting to be Heard (3-Minute Limit)

Due to COVID-19 and the efforts of the Gadsden County Board of County Commissioners to continue the practice of social distancing, Commissioners want to continue to hear from citizens under the Citizens Requesting to be Heard section of the agenda.

If citizens have any questions, comments, or concerns, please email

CitizensToBeHeard@gadscencountyfl.gov and anticipate receiving a response within 48 hours.

The Board of County Commissioners would like to thank everyone for their patience and flexibility during this time.

None were had

GENERAL BUSINESS

1. COVID-19 Resolution 2020-021 Update

(Henry Grant, PhD., Interim County Administrator)

Mr. Knowles gave an update and stated there were a few changes. He said the most significant changes were mask usage from mandatory to strongly recommend, advocate and encourage. (Section Q) Mandatory places for wearing a mask were grocery stores, pharmacies and restaurants. (patrons and staff) Clarification was added to Section B for Religious activities and language added to section D. He further stated the County was reopening barber shops and beauty salons and in Section G, there was an alteration of the curfew to 12am-5am. He said

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there may be more alterations made at the Tuesday meeting depending on the Governor's orders.

Chair Viegbesie said changes from the Governor could change the County Resolution on Tuesday.

Commissioner Holt said she would like an update on cases before voting, knowing there was one death.

Chairman Viegbesie said there were 140 positive cases and one death. (69-year-old) At this point, 478 citizens had been tested.

Commissioner Holt said one death and the positive cases was not evidence to her to not have a mandatory mask. People were getting used to wearing a mask and she asked if the State suggestion was to not require mask.

Mr. Knowles said no, the State had made no rule about masks at all.

Commissioner Holt said a hairdresser would be in your face and asked if the employees at the hairdresser had to wear a mask and Mr. Knowles said not to his knowledge. She said it was not logical to take away mandatory mask usage especially since children would be getting haircuts too and that could possibly infect children and that would increase the possible infection if schools opened back up in the fall. Even if the Governor said all the businesses could open, they do not say the BOCC could not require masks, she would like to keep the mask mandate.

Chairman Viegbesie said as of today the County had a 12.8% positivity rate, which was down since the 18.1% from a week ago. He said the County was Improving, and he thought as the positivity rate increased, citizens were getting used to the mask and were strongly encouraged to use a mask. People can have self-discipline to wear a mask. The curfew was also changed from 12am-5am.

Commissioner Holt said the percentage decrease could be due to the mandatory mask. She said isolation would have taken 14 days and that was not to mention the virus stayed on a hard surface for three days. The fastest way for the virus to travel, she said, was through the air and a mask was the only protection since there was no vaccine or treatment. She stated she felt the mandatory mask should stay in place. She was not betting on the fact that everyone was good willed. She stated society was getting used to masks and masks were working. She wanted to see the mandate stay. The one death was a co-worker and friend to Commissioner Holt. She further stated the mask mandate may be inconvenient but it was working. She asked the attorney if the BOCC could still vote with only three Commissioners.

Mr. Knowles said three was a quorum and they could vote.

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Commissioner Holt stated she was going down fighting and still believed and thought it was in the best interest of Gadsden County to keep the mandatory mask usage.

Chairman Viegbesie said at the last meeting he presented the Wall Street Journal from May 4, 2020 that said Florida “dodged a bullet” because of local government and the requirements they had in place. He stated people become creatures of habit and hoped citizens would do the right thing if approved.

Commissioner Holt asked if the percentage went up would an Emergency Resolution come back to the Board.

Mr. Knowles stated changes would have to be made in accordance to what the Governor was doing. He asked Commissioner Holt if she wanted the Resolution amended to reflect barber shops and beauty salons to wear a mask in their establishment and told her she could motion that change.

Commissioner Holt asked if the Board could wait until Tuesday to vote on the new Resolution. Chairman Viegbesie said they could not wait because the Statute required the Board to have a Resolution every seven days.

Commissioner Holt asked why not just keep the Resolution how it was and change it Tuesday when the BOCC knew what the Governor was going to do.

Commissioner Morgan said he thought the mandate was not necessary because it could not effectively be enforced. He stated he was in favor of discontinuing the mandate for masks. In addition, he asked how people would wear a mask at a restaurant and eat. He thought staff wearing a mask was fine. His suggestion was to remove restaurants from the mask mandate. Commissioner Morgan then asked about church service limits.

Mr. Knowles said the Board could amend the Resolution to provide clarity. A motion could be made to tailor specific ideas presented.

Commissioner Morgan said he was not asking to alter the Resolution today, beside take off restaurants, and asked again for more clarity for churches.

Mr. Knowles stated churches were not regulated by the County, they were just asking churches maintain social distancing. He further stated the Governor was considering going to a religious service essential.

Chairman Viegbesie repeated Gadsden County had no limitations in place on places of worship as long as they were maintaining social distancing.

Commissioner Morgan asked if there was a limitation of 10 or more people?

Mr. Knowles said no, there were no limitation on churches.

Commissioner Morgan asked to remove restaurants from the face mask mandate.

Commissioner Holt asked if 6 feet distancing was still a thing.

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Chairman Viegbesie stated he was aware that, last Monday, a mask was mandatory in the White House. Using the positivity rate, we need to give some slack to mask wearing and make it something that was encouraged.

Commissioner Holt said if you maintained six feet apart, there was no mask needed. The CDC guidelines were what she would listen to. She further stated the County needed guidelines for the public for when the BOCC takes away their only protection. Children follow what adults do, and she was concerned about that. She asked if the BOCC could install something later if this did not work, without an Emergency from the State.

Mr. Knowles said the County was in our own local State of Emergency (Statute 252.38) until the BOCC deems otherwise, even if the State was not.

Commissioner Holt said she had two calls and one person asked where the hot spots were in the County, and the other call was about race. Gadsden County, being predominately black, had a higher percentage of minorities dying, why take away the mask. She said the BOCC needed to let churches know that the virus and other germs were circulated through the ventilation systems.

Mr. Knowles stated the COVID dashboard gave the zip code of positive cases.

Chairman Viegbesie said if there was a spike, the BOCC would have to take a different action. He further stated, for now, he thought the County could slack a little and if the positivity rate increased, he would be ok to changing it back. If people decide to have block parties, that would be a problem. He stated he and his household would continue to wear a mask. He asked if the BOCC wanted to amend the Resolution to remove restaurants from the mask mandate.

COMMISSIONER MORGAN MADE A MOTION TO PASS THE RESOLUTION AS WRITTEN BUT REMOVE RESTAURANTS FROM THE MANDATORY WEARING OF MASKS WITH A SECOND FROM CHAIRMAN VIEGBESIE WITH QUESTIONS.

Commissioner Holt said she did not have questions, she wanted to add that a mask was required for hairdresser and barber shops, and asked what percentage the restaurants were going back to.

Chairman Viegbesie said 25%.

Chair Viegbesie asked Commissioner Morgan if he accepted the friendly amendment to his motion from Commissioner Holt.

Commissioner Morgan said mandates get push back and were not effectively enforced, so there was no point to have a Resolution that could, technically, not be effectively enforced. He was not in favor of the mandate for a mask anywhere.

Commissioner Holt said under Commissioner Morgan's theory, there was no reason for a curfew.

Commissioner Morgan said he was good with that.

Commissioner Holt said something needed to be in place and she was not in favor of how the Resolution was written and she would not support it. She thought the County needed mandatory masks until the percentages went down because not enough people were tested in the county to get an accurate percentage.

Commissioner Holt said her friendly amendment was to add hairdressers and barbers to the face mask mandate.

Commissioner Morgan stated he was not in favor of that addition.

THE BOARD VOTED 2-1 BY ROLL CALL VOTE TO APPROVE.

COMMISSIONER MORGAN- Y

COMMISSIONER HOLT- N

CHAIRMAN VIEGBESIE- Y

MOTION PASSED 2-1, COMMISSIONER HOLT OPPOSED

Commissioner Holt asked for a repeat of the changes to the Mandate.

Chairman Viegbesie stated to remove restaurants from where mandatory mask was required. (Sub-Section Q)

2. Proposed Resolution 2020-022 Regarding an Emergency Burn Ban

(Henry Grant, PhD., Interim County Administrator)

Dr. Grant introduced the above item and stated it was a proposed Resolution regarding an Emergency Burn Ban.

Chairman Viegbesie stated people were burning things and it was becoming dangerous. He stated this was a Burn Ban Resolution.

COMMISSIONER MORGAN MOVED TO APPROVE WITH A SECOND BY CHAIRMAN VIEGBESIE.

Commissioner Holt asked what the law was that was already in place. She stated the Game Warden told her the County never lifted the strict burn ban from Hurricane Michael.

Mr. Knowles stated if it was initiated under a State of Emergency, it could not still be in place because the BOCC had to redo a Resolution every seven days.

Commissioner Holt said people still had downed trees from Michael and if they burn, they needed to know these things. She stated the information needed to be put out to the public, and made available with the conditions.

Mr. Knowles stated there was no time frame and the County, with this Burn Ban, was regulating irresponsible burning.

Chairman Viegbesie asked Commissioner Holt if she had any Resolution or Ordinance that was instituted in Gadsden County that dealt with burn bans, or did she know of a Resolution on its own, not one that went with Hurricane Michael.

Commissioner Holt said it was only for Hurricane Michael. She stated Forestry told her there was still a Burn Ban in place and it had not been lifted.

CHAIR VIEGBESIE CALLED FOR A ROLL CALL VOTE.

COMMISSIONER MORGAN-Y

COMMISSIONER HOLT- Y

CHAIRMAN VIEGBESIE- Y

MOTION PASSED 3-0 THE BOARD VOTED 3-0 BY ROLL CALL VOTE TO APPROVE.

3. Mask Purchase

(Henry Grant, PhD., Interim County Administrator)

Dr. Grant stated on May 8th, a discussion was had about purchasing additional masks for each district and it was not voted on. There needed to be a vote to purchase masks, 5000 for the districts and 1000 for the Constitutional officers.

Chairman Viegbesie said 1000 to each district (5 Districts) to go to voters and voter's family members in each district. 1000 would be for the Constitutionals and would go to the Courthouse for people who came without a mask. He added Hurricane season was 2 weeks away, if a hurricane came with COVID still in force, the County did not want to scramble for masks. He suggested to add another 1000 masks to go to reserve and suggested to order 7000 masks unless opposed.

Commissioner Holt stated the Constitutionals had their own budget and could get \$2,000 and buy masks for their offices. Dr. Grant he said he would check with the Constitutionals and see if they wanted to purchase masks too. Commissioner Holt stated she thought the County needed 1000 for employees at the Commission Building and Road and Bridge. She further stated 1000 was not enough for reserve with the Hurricane season coming. She suggested 5000 masks for reserve and have Constitutionals order their own.

Captain Collins appeared before the board and said 1000 is grossly too low. He said there were over 800 in the shelters during Hurricane Michael. He stated a minimum of 5000 was needed.

Commissioner Holt asked about long term use inside with the masks. She stated the County was going to have the Special Needs Shelter and it was a totally different animal. She asked if the masks the BOCC were buying would work for people who had congestive problems. She further stated people with Special needs would need to be put in a separate shelter. She also stated the virus was airborne and the ventilation system should be considered when looking at the types of masks that went to special needs. Commissioner Holt asked for 5000 masks for the County and 5000 for the Special Needs Shelter.

COMMISSIONER HOLT MADE A MOTION TO ORDER 10,000 MASKS WITH A SECOND BY CHAIRMAN VIEGBESIE.

Commissioner Morgan asked what the funding source and fiscal impact were.

Chairman Viegbesie said the Emergency expenditure and the BOCC had completed the application for reimbursement for COVID-19 expenditures. Everything spent during the COVID-19 Emergency, could be filed for reimbursement through FEMA. He stated that he had a conversation with Mr. Price and understood the money was coming from the Emergency money the County already had (\$300,000 from FEMA) and would take a loan to meet this emergency and when the County files for reimbursement, the Emergency Fund taken from would be replenished.

Mr. Price said he was working with Finance on the proper funding source and would take out of the fund the Chair had spoke about and the fiscal impact of 10,000 masks was \$12,500.

Commissioner Morgan stated he was not in favor of purchasing masks for the Constitutional Officers. He further stated the BOCC needed to keep in mind there was going to be a lot of needs moving forward and would be fine with ordering 5000.

Commissioner Holt asked Captain Collins if the cost given was an accurate number.

Captain Collins said yes, for the level 2 mask she was wearing. He was wearing a KN-95 and special needs kids need KN-95 and they cost 3 times as much as the others.

Commissioner Holt asked to call the motion.

Commissioner Morgan asked if masks for Constitutionals were included and he was told no by Chairman Viegbesie.

Dr. Cooksey stated the Health Department had purchased N95 masks for those who would be in the Special Needs Shelter. She further stated they had about 1000 that were going into reserve

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and they were looking at purchasing for the general public shelter. She stated they had ordered 10,000 already.

Commissioner Morgan stated by what Dr. Cooksey just explained, there were enough masks.

CHAIRMAN VIEGBESIE CALLED FOR THE VOTE WHICH WAS TAKEN BY ROLL CALL.

COMMISSIONER MORGAN- N
COMMISSIONER HOLT- Y
CHAIR VIEGBESIE-Y

MOTION PASSED 2-1 COMMISSIONER MORGAN OPPOSED

Chairman Viegbesie stated with the 5000 masks getting purchased for reserve, the rest of the money should be split to have additional masks for special needs. He further stated Hurricane season was coming and people were preparing.

Commissioner Holt said the only shelter issue was the BOCC needed to look at getting that facility at Stevens School in order to use as overflow as a Special Needs Shelter. She also said she had asked for funding on the Federal level. Her final statement was the virus was not going anywhere and people would have to be located at a separate location if they had the virus.

WITH NO FURTHER BUSINESS TO BE HAD, CHAIRMAN VIEGBESIE ADJOURNED THE MEETING AT 2:21 P.M.

GADSDEN COUNTY, FLORIDA

ANTHONY O. VIEGBESIE, PH.D., Chairman

ATTEST:

NICHOLAS THOMAS, Clerk