

AT AN EMERGENCY MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON AUGUST 28, 2020 AT 10:00 A.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-appeared remotely
Gene Morgan, District 3-appeared remotely
Sherrie Taylor, District 5
Dr. Henry Grant, Interim County Administrator
Clayton Knowles, County Attorney
Marcella Blocker, Deputy Clerk

INVOCATION, PLEDGE OF ALLEGIANCE

Chair Viegbesie called the meeting to order at 10:03 a.m., asked for a moment of silence and led in the Pledge of Allegiance to the U. S. Flag.

APPROVAL OF THE AGENDA

COMMISSIONER HOLT MADE A MOTION TO APPROVE AND CHAIR VIEGBESIE MADE THE SECOND. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE. COMMISSIONER HINSON WAS NOT PRESENT.

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@gadsdencountyfl.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.

Chair Viegbesie read aloud the COVID-19 statement.

CONSENT

1. Approval of the Supplemental Contract with Great America Financial Services

Dr. Grant introduced the above item. Chair Viegbesie asked the will of the Board.

COMMISSIONER MORGAN MADE A MOTION TO APPROVE AND CHAIR VIEGBESIE MADE THE SECOND. COMMISSIONER TAYLOR HAD A QUESTION.

Commissioner Taylor asked for more information regarding this item and what it was about. Dr. Grant said it was an existing contract for copiers and a supplemental contract for a Canon plotter to fulfill the Gov-Easy system.

Commissioner Taylor asked if there was a fiscal impact and Dr. Grant said yes. She stated it never should have been under Consent if it had a fiscal impact. He said it was not a new contract just a supplemental to an existing contract and will increase \$227. 70/month for 5 years. Commissioner

Taylor said she wanted to make sure that the amount did not exceed their Procurement amount and was a supplement to an existing contract. Commissioner Taylor said it would impact the budget to the tune of \$227/monthly.

Commissioner Holt said the contract was not for 60 months, just for the remaining months of the contract.

CHAIR VIEGBESIE CALLED FOR THE VOTE.

COMMISSIONER HINSON	NOT PRESENT
COMMISSIONER TAYLOR	NO
COMMISSIONER MORGAN	YES
COMMISSIONER HOLT	YES
CHAIR VIEGBESIE	YES

MOTION PASSED 3-1

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GENERAL BUSINESS

2. Discussion Regarding the Gadsden County Schools Athletic Programs as it Relates to the COVID-19 Resolution

Dr. Grant introduced the above item.

Mr. Knowles further explained the item. He said there were requests from both the Gadsden County schools and Robert F. Munroe to try to hold football activities and they reached out to Florida High School Athletic Association (FHSAA), Robert F. Munroe and Gadsden County School as to what they were attempting to do with regard to starting football back up. He said what they proposed to do was put something in the Resolution that would reflect what the Commission did today. He said the three options would be:

- Approve football in its current form as would happen in any non-Covid year;
- Not approve at all; and
- Approve with some or all guidelines and recommendations that have been promulgated by the different organizations and schools.

He added he thought the guidelines also dealt with practices, games, fans, concessions, and the whole gamut they would be doing to facilitate football.

Chair Viegbesie said if Administrator had no comments, he would recognize anyone who wished to speak.

Commissioner Holt said any approval here would set a precedence; football was not an emergency; there is a pandemic, and their job was health, safety, and welfare. She did not think this was something to put children into until they made sure that there was something that could help them. She said she was not voting for this. Animals will put small ones behind them to defend them and that was what they should do in this case.

Commissioner Taylor said she would like to hear from the Athletic Director.

Commissioner Morgan said in looking over the guidelines and safety precautions that were submitted and appreciated the information, they needed to remember that the capacity of the ballgames would not be filled at 100%. He said it would be more at 15-20% and people would have plenty of room to socially distance and have masks on. He felt it was important that they allow the athletes and the community to participate in if they chose to do so.

Master Sargent Charles Roberts, Athletic Director, Gadsden County School Board, remotely appeared before the Board. He said they sent in the numerous stipulations provided by FHSAA Sports Medicine Advisory Committee as well as the National Federation of High School Sports. He explained it laid out plans for social distancing on sidelines, they were working on plans for the concession stand, as well as visiting fans and home fans. He said by the next Wednesday, the stadium bleachers would be marked with “x’s”

Commissioner Taylor said she would like the Gadsden County Health Department to look at this plan. She added she did not want to take sports away if they could put protective measures in place.

Kendall Weeks, RFM Athletic Director, deferred to Dr. Adam Gaffey, RFM Headmaster, who appeared remotely. Like Gadsden High, he said they would be including athletic face masks and believed it would keep players very safe.

Chair Viegbesie said Commissioner Taylor requested to hear from the Health Department and no one was present.

Stacey Hannigan, Gadsden County Health Department, appeared remotely and was attempting to get Dr. Adrian Cooksey on the line.

Chair Viegbesie said he was in support of kids playing sports but wanted to make sure protection was in place. He added he did not want to see any environment that would cause anyone to contract the disease and take it home to ones that were at home. He asked how the schools would maintain social distancing from the excitement after a wonderful play was made.

Master Sgt. Roberts asked to respond. He said they planned on hiring five additional deputies to help ensure social distancing.

Adam Gaffey asked to respond as well. He said they were having extensive conversations with the other schools and making their policies very clear to them. Also, if at any time the school

officials felt rules were not being followed, they would go to the referees and have the game forfeited.

Mr. Knowles asked regarding the curfew; would they be able to respond to the curfew as currently set?

Master Sgt. Roberts said no, as it was currently set unless they changed the time of the game; as most games were scheduled to start around 7:00 – 7:30 p.m.

Mr. Gaffey said RFM had been monitoring the temperature index in the afternoons and they had been ok and did not think there would be a problem in having the games start earlier to they could be completed by the curfew.

Commissioner Morgan said he believed the curfew should not begin until Midnight and asked they change that, and the problem would be solved.

Chair Viegbesie said he was going to raise that concern. Until they see all safety measures taken, he was not leaning toward this. He asked Master Sgt. Roberts, was this something the school districts could ensure and guarantee it would be in place and he responded yes. Chair Viegbesie said if that was a part of the policy, then he would vote for it.

Commissioner Taylor said her support hinged on the opinion from the Health Department and a Hold Harmless Agreement put in place from the Attorney and the Board having an opportunity after it had been reviewed by both the attorney and the Health Department, place some stipulations within the guidelines as well. She said it sounded like both schools have done their due diligence to make sure students were safe. She further stated she wanted a written opinion from the Health Director.

Chair Viegbesie said he hoped both Master Sgt. Roberts and Mr. Gaffey understood that he decided to call the emergency meeting because of this item. He said it was not an item that they could put anything in place and the Chair sign. He informed everyone that the Resolution was reviewed and renewed every Friday by law. He further stated that even if it were approved today, if any violations were noticed, it would be revised on the next Friday. They would be reviewing this every Friday as long as there was a State of Emergency was in place.

Commissioner Holt said the CDC had made statements that were controversial throughout the Country about the spread and the testing for the virus. The testing the day before would not do that much good, the testing would need to be done the day of the game. She further stated the children did not need to be placed in this position; they could play football next year.

Commissioner Taylor asked the attorney with regards to a Hold Harmless agreement with the two schools, was that something valid that he would recommend and could be respected by the Courts?

Mr. Knowles responded that their legislative decisions as a body were protected under legislative immunity and if they made a decision based on their own, personal feelings, he did not think the County would be liable for that and they, individually, would be liable for that. He further stated that could be explored as an added stop-gap measure, certainly if the schools signed it and they

had competent counsel, felt the Court would uphold it. He said that did nit mean they would be totally immune from a lawsuit; someone could always file a lawsuit. He also stated it would be good to have that added in as added protection.

Commissioner Taylor said this was a “double sword”, they had to consider the health issues; they were responsible and had to make sure they made sound judgement when it came to public safety. That was why they were asking for the different measures to be put in. She stated they knew the kids would have to return to school, she preferred virtual, but was not what they had. She said she was going to support this because she wanted to meet somewhat in the middle for the students, the kids don’t have a voice.

Commissioner Morgan said he would go back to what the attorney said, anyone can file a lawsuit at any time. He said they had to allow kids to experience as much normalcy in their life as possible.

Chair Viegbesie said the attorney gave his legal opinion on this item. This Resolution was something that comes up every week for review. He asked the will of the Board.

Commissioner Holt said they had not heard from the Health Department.

Chair Viegbesie asked if anyone was available for comment from the Health Department and no-one responded. Stacey Hannigan asked if they could follow back up, the School Board had called a special meeting that started at 11:00 am. Commissioner Holt said she just received a text that there were no available deputies to cover games currently.

Chair Viegbesie asked if they could table this item until Tuesday and was told yes. Chair Viegbesie asked to add this to Tuesday’s meeting and it could be incorporated into the next week’s Resolution.

COMMISSIONER TAYLOR MADE A MOTION TO TABLE THIS ITEM UNTIL TUESDAY AND CHAIR VIEGBESIE MADE THE SECOND. HE ADDED THAT MASTER SGT. ROBERTS AND MR. GAFFEY BE SURE TO HAVE SECURITY AVAILABLE TO ENSURE THE SAFETY OF THE PLAYERS AND ATTENDEES. HE CALLED FOR THE VOTE.

COMMISSIONER HINSON	NOT PRESENT
COMMISSIONER TAYLOR	YES
COMMISSIONER MORGAN	NO
COMMISSIONER HOLT	YES
CHAIR VIEGBESIE	YES

MOTION PASSED 3-1 TO TABLE

3. Approval of COVID-19 Resolution 2020-046

Dr. Grant introduced the above item.

Commissioner Taylor said she had concerns with employees tele-commuting with working from home. She asked as a general overview, they might want to look at putting something in the Resolution so employees were able to do something effectively so employees could take care of

their children and also take care of work responsibilities. She asked that they look at putting something in place in the Resolution that all means were worked out with employees so they were able to do their job effectively and be able to take care of their children and keep themselves safe and take care of the responsibilities they were being paid for,

Chair Viegbesie asked with the operation of the County, were they still in Phase 1 and allowing employees to work from home and Dr. Grant said yes.

Commissioner Holt asked if they wanted to include that or vote (on the Resolution) as it was.

Commissioner Taylor said she wanted to give the Administrator a free hand and if it could be included, it would be ideal.

Commissioner Holt said she was the total opposite on this. If they cannot reach anyone, then it was a problem.

Commissioner Taylor said the idea of answering phones pre-pandemic, she had this problem before. If someone submitted request and the request could be approved based on stipulations being put in place to ensure phones were answered, mail picked up, responses were made to the community, they should put measures in place that the requests were approved.

Chair Viegbesie said since they were policy makers and he (Administrator) was CFO, it was good for employees to understand, if granted to work remotely, they were still on the job, not to go fishing, etc. They should forward their work phones to their work cell phones so they could take care of County business during working hours. He asked the attorney if anything was in the Resolution as it was currently that recognized the re-opening plan.

Mr. Knowles said he was not sure the Resolution was the best place to address that. They did have language prior to this that dealt with the re-opening plan. The stage they were at now did not with the Resolution did not give any authority to Dr. Grant. When they were in shut-down mode, there was a little more “meat on the bone”.

Chair Viegbesie said in line of his inquiry, the concern was made pre-covid. Where people would call the offices and there was no answer. He added that since he had been on the Commission, he had seen and heard that. He further stated they needed to impress on the Administrator they need the County to run as smoothly and effectively as possible in delivering services to the citizens.

Commissioner Morgan said he was curious if they were going to discuss the Resolution.

COMMISSIONER MORGAN MADE A MOTION TO ADOPT THE RESOLUTION WITH CHANGES TO “STRONGLY RECOMMEND” AND CHANGE CURFEW TIME TO MIDNIGHT TO 5:00 A.M. MOTION DIED FOR LACK OF SECOND.

Commissioner Taylor said the attorney said something earlier about pre-phase 1. She said they were supposed to be pre-phase 1 now because they went back to the 9:00 p.m. curfew, went back to mandatory masks and the close-down. She said she was trying to get to a point; not trying to re-invent the wheel, just making sure everyone was given consideration and they help

the Administrator implement it so it was across the board and everyone was treated the same based on the rules they adopted.

COMMISSIONER HOLT MADE A MOTION TO APPROVE.

Commissioner Taylor said if they could go back to the Resolution they had in place and then asked what that was, and Mr. Knowles said basically shutdown. She asked about restaurants and asked Mr. Knowles to explain.

Mr. Knowles explained there was not a meeting last week but there was a lot of concerns about restaurants and law enforcement and first responders needed a place to eat, people coming off the interstate and they did not want to hinder those businesses and so there was a small blurb added in the Resolution that drive-through, take-out, delivery and sit-down restaurants were exempted from the 9:00 p.m. timeframe.

Commissioner Taylor said he did not have the authority to do that and Mr. Knowles said the Chairman did. She responded neither did he because they had a regular meeting Board. Chair Viegbesie said in the discussion they had, and he did not think it was passed and approved yet. He further explained there was no meeting last Friday and was one reason this meeting was called because this particular item was something he felt needed to be discussed. He further stated it was done in response to citizens' concerns with business operations. If they wanted to change it before a motion was made on approving the Resolution, now was the time.

Commissioner Taylor said if there were concerns from the community about the hours the Board voted and approved, the Board was very specific.

Chair Viegbesie stepped out at 11:39 a.m.

Commissioner Taylor continued and said if there were concerns, it should have come back before the Board to discuss, that would have been proper procedure. Mr. Knowles explained power was granted in the Resolution to the Chair, if the Commission did not want that in the Resolution, it should be removed from the Resolution.

Commissioner Taylor said she felt moving forward, if there is a Board approved item, then some modification needs to be made and not one that falls detrimental to the County, then the Board should be made aware.

Chair Viegbesie returned at 11:41 p.m.

Commissioner Taylor said she did not get that particular item in her email. In the future, if the Board gives direction, it should come back to the Board before modification were made. She added she did put out before when decisions needed to be made, they should be made by the Board and not by an individual, but she did not get traction on that.

Commissioner Taylor then congratulated Mr. Knowles on the mask lawsuit and Mr. Knowles said it was still going, they filed an appeal.

Commissioner Holt asked to have the Manager to bring back a plan that he felt was feasible for him to do; they needed to make sure jobs were being done and some things could be done from home. She added they would meet Tuesday and was something he could look at in the meantime.

COMMISSIONER TAYLOR MADE A MOTION TO APPROVE THE RESOLUTION WITH NO CHANGES, MASK IN PLACE, CURFEW IN PLACE AND COMMISSIONER HOLT MADE THE SECOND WITH A QUESTION.

Commissioner Holt asked a time for eateries to close.

Chair Viegbesie said he thought the lobbies close but the drive-thru remained open. Mr. Knowles explained there were a couple of eateries by the interstate that did not have a drive-through and was some of the calls that had been received. Commissioner Holt said the sit-downs wanted to be restricted from the curfew. Commissioner Holt asked how that would affect the curfew. Mr. Knowles said what they did, there is a sentence that law enforcement has the authority to exercise legal discretion in the enforcement of the curfew. He said they were not trying to arrest or fine people, it was more for their protection. He added that the large gatherings were the problem and that was the real purpose of the curfew, not so much every person that might be out.

COMMISSIONER TAYLOR SAID SHE THOUGHT THEY SHOULD MAKE IT CLEAN AND CLEAR AND FELT IT WORKED ACROSS THE BOARD WITH REGARD TO EATERIES; DRIVE-THROUGHS OPEN TILL 11:00 PM; IN-ROOM DINING CLOSE AT 9:00; CARRY-OUT TILL 11:00; LOBBY STILL CLOSES AT 9:00; EVERYTHING ELSE IN PLACE WITH MASKS AND CURFEW AND COMMISSIONER HOLT MADE THE SECOND.

COMMISSIONER HINSON	NOT PRESENT
COMMISSIONER TAYLOR	YES
COMMISSIONER MORGAN	NO
COMMISSIONER HOLT	YES
CHAIR VIEGBESIE	YES

MOTION PASSED 3-1

Gadsden County Board of County Commissioners
August 28, 2020 – Emergency Meeting

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR VIEGBESIE DECLARED THE MEETING ADJOURNED AT 11:55 A.M.

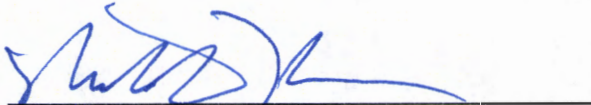
GADSDEN COUNTY, FLORIDA





BRENDA A. HOLT, Chair
Board of County Commissioners

ATTEST:



NICHOLAS THOMAS, Clerk