

AT AN EMERGENCY MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FL ON SEPTEMBER 25, 2020 AT
10:00 AM, 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 - Not Present
Gene Morgan, District 3 - appeared remotely
Sherrie Taylor, District 5 - appeared remotely
Dr. Henry Grant, Interim County Administrator
Clayton Knowles, County Attorney
Marcella Blocker, Deputy Clerk

INVOCATION, PLEDGE OF ALLEGIANCE

Chair Viegbesie welcomed everyone at 10:04 a.m. and called the meeting to order. He asked that heads be bowed for a moment of silence and then led in the Pledge of Allegiance to the U. S. Flag.

Amendments and Approval of Agenda

COMMISSIONER HOLT MADE A MOTION TO APPROVE THE AGENDA AND COMMISSIONER MORGAN MADE THE SECOND WITH A QUESTION.

Commissioner Morgan wanted to confirm that the email box had been checked and they had all emails that had been received. Dr. Grant said yes.

CHAIR VIEGBESIE CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGENDA AS PRESENTED.

Awards, Presentations and Appearances

CONSENT

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.

Dr. V read aloud the COVID-19 statement.

Shelia Shellman

Chair Viegbesie read aloud the email.

“Taxpayers’ representation We the people have had enough of the closed door sessions you are required by the Sunshine Law to meet with the Taxpayers IN PERSON no more locking us out of the meeting s You took an oath to uphold and protect our rights and these Mask Rules are a

direct Violation to existing State and Federal Law. Constitutional Rights are not suspended because some elected officials force us into a state of emergency~ Mandating Masks is an unlawful direct violation to the security And protection to the individual freedoms of our Citizens found in Chapter 760 Florida Legislation. Youre recent votes by Elected officials in Gadsden County with the threat of punishment to its citizens for not wearing the mask hereby violates this Statute and violates state and federal law which explicitly protects Citizens that are unable to wear a mask mased on race, Color, sex, pregnancy, religion, national origin, age, handicap or otherwise.

- (1) Sections 760.01-760.11 and 509.092 shall be cited as the "Florida Civil Rights Act of 1992."
- (2) The general purposes of the Florida Civil Rights Act of 1992 are to secure for all individuals within the state status and thereby to protect their interest in personal dignity.

760.08 Discrimination in places of public accommodation. -All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation, as defined in this chapter, without discrimination or segregation on the ground of race, color, national origin, sex, handicap, familial status or religion.

END THE COUNTY MASK MANDATE AND UPHOLD AND HONOR YOUR OATH TO THE CONSTITUTION AND TO WE THE PEOPLE"

Perry Henry

Chair Viegbesie read aloud Ms. Henry's email:
"Re: RESOLUTION NO, 20-48

I respectfully request that Gadsden County remove the 9 pm Curfew.

Gadsden County's COVID 19 positivity rates continue to fall. Gadsden County's positivity rates are trending well below 10%. (1)

Gadsden County's Hospitalization rates continue to fall and the regional healthcare network is not currently overstressed due to COVID 19 Patients. (2)

Gadsden County is the only County with a 9 pm Curfew in the State. Even Miami-Dade has relaxed their curfew to 11 pm. (3)

College Football games in prime time do not end until after Curfew. For residents to watch a 7:30 Football Game at a restaurant or with friends requires a curfew violation. (4)

High School Football games do not end until after Curfew. (5)

Last Week Governor DeSantis and DBPR allowed Bar's to Reopen throughout the State
DBPR Emergency Order 2010-10, issued 9/10/2020, rescinds Emergency Order 2010-09, as amended, as of 12:01 a.m. on 9/14/2020.

Beginning Monday, September 14, 2020, bars and other alcoholic beverage vendors may resume sales and service of alcoholic beverages for consumption on the premises in accordance with the operating parameters for Phase 2 of Florida's Safe. Smart. Step-by-Step Plan for Recovery as established in Executive Order 20-139
For information and guidance for Department of Business and Professional Regulation stakeholders and regulated businesses, please visit the DBPR Emergency Information Page (6).

Governor DeSantis has indicated that reopening restaurants to 100% seated capacity will be coming soon. (7)

Farmworkers and shift workers need the County to be open after 9 pm.

Restaurants and retail need the county to be open after 9 pm.

None of our surrounding counties have a curfew. Leon, Wakulla, Franklin, Liberty, Gulf, Calhoun, Jackson, Seminole, Decatur and Grady Counties are all open with no curfew.

We can safely reopen Gadsden County together.

Thank you for your time and consideration.”

GENERAL BUSINESS

1. Gadsden County Public Meetings Citizens Access Guidelines

Dr. Grant introduced the above item and read the analysis aloud.

Commissioner Holt asked how this complied to anything the Governor may have said. Mr. Knowles explained he had not responded to any guidelines; it was really up to the Board. Commissioner Holt said as long as it was legal, she had no problem. She said she did have a concern they were not addressing the public hearings.

Commissioner Morgan said he did not disagree with Commissioner Holt's comments, he did not know why they could not open to public meetings as long as they followed guidelines.

Chair Viegbesie said in the analysis provided by the Administrator, it also included for regular meetings to the Reopening plan that has been submitted.

Commissioner Taylor said she had no questions at this time, she was hearing they were ready to open to a minimum and had no problem as long as they followed CDC guidelines.

COMMISSIONER HOLT MADE A MOTION TO APPROVE AND CHAIR VIEGBESIE MADE THE SECOND.

Commissioner Morgan had a question; was it his understanding they would be opening all public meetings as long as they follow CDC guidelines. Chair Viegbesie said no, they would be following County guidelines. Chair Viegbesie then read aloud the County Public Meetings guidelines. Commissioner Morgan said his specific question was if they were limited to CDC guidelines as to

the number of people allowed in any given place at a particular time. Commissioner Morgan recommended to increase that up to 25 citizens properly spread out. Chair Viegbesie responded that in looking at the room, he did not know how they could fit up to 25 citizens.

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

MOTION PASSED 3-1

2. Approval of COVID-19 Resolution 2020-054

Dr. Grant introduced the above item and stated it was for approval of the COVID 19 Resolution 2020-054.

Mr. Knowles said there were no substantial changes and the concerns were masks and the curfew. He said one issue that was brought up last week was the Suwannee River Area Council Wallwood Boy Scout Reservation COVID-19 Plan Overview. He also stated he did not have a lot of information but the Governor stated he was going to preempt them on restaurant related restrictions. He said he also spoke with Col. Collins and they were not in favor of removing or changing the curfew and having it stay as currently is.

Chair Viegbesie said hearing this, depending on what the Governor said, sometime in the future, the only part they may need to change in the Resolution would be Section G, which was the section regarding Restaurants and Bars. Mr. Knowles stated without seeing anything issued by the Governor, he would not know until he received same.

Chair Viegbesie said they revisit the Resolution every week and up to 7 days to meet if there is preemption and/or anything that would suggest an amendment or revision. Also Col. Collins was in opposition of changing the curfew because of the number of gatherings and shootings that had occurred.

Commissioner Holt said live in Florida and would do what the Governor says. She asked if he preempted what they were doing, would they have to have another meeting or could they meet next Friday as they normally would? Mr. Knowles stated the only change he say that might be made was restaurants.

Chair Viegbesie asked if the Governor preempted the restaurant capacity, would the resolution need to be re-written?

Mr. Knowles said once an Order was issued and it was preempted, they would take it out. He further stated the moment they received an Order from DBPR or from the Governor, it would preempt whatever was in the County's Resolution.

Chair Viegbesie said when the Governor preempts something, unless it was specific to one county, it pertained to all counties within Florida.

COMMISSIONER MORGAN MADE A MOTION TO APPROVE THE RESOLUTION AS PRESENTED WITH CHANGING THE MANDATE ON MASKS TO STRONGLY RECOMMEND AND ELIMINATE THE CURFEW. MOTION DIED FOR LACK OF SECOND.

Commissioner Holt asked if they could say "Move approval contingent upon any preemptions from the Governor"?

Mr. Knowles said they could do and for clarity, they could take that out.

Commissioner Holt said to not take it out, just do what we were going to do.

COMMISSIONER HOLT MADE A MOTION FOR APPROVAL OF THE RESOLUTION AS IS CONTINGENT ON THE GOVERNOR'S PREEMPTIVE STATEMENT. COMMISSIONER TAYLOR SAID SHE AGREED WITH THAT.

She then asked about internet cafes. Chair Viegbesie said to his understanding, in Florida they were illegal. Commissioner Taylor asked for a comment from the attorney regarding that.

Mr. Knowles said as is in the Resolution and as Chair Viegbesie has stated, they are illegal pursuant to Florida Statute and was in the hands of law enforcement. She wanted to make sure they were following the law.

Chair Viegbesie said he had the Statute that electronic gambling and internet cafes were illegal. It is a State law and the County had nothing to do with that.

Commissioner Holt said she has received calls on that; she said they could ask for an opinion from the Attorney General, otherwise they do not regulate those, to leave it alone and move on.

Mr. Bush, attorney for Boy Scouts, appeared remotely. He said Boy Scouts wanted to comply with the Resolution as it was now. At Wallwood, they have four separate camps and would comply with four separate bubbles at the 4 camps. If they move around, they would move as a bubble and would be tested constantly. He said he thought they would be complying completely.

Chair Viegbesie asked if the plan was available to the Commissioners appearing remotely. Commissioner Morgan said he had not seen it nor had Commissioner Taylor.

Chair Viegbesie asked when they were planning to have their first camp and Mr. Bush responded they were looking at the beginning of October; there would be groups of 10 at four different campsites.

Chair Viegbesie asked if they could make this plan available to the other commissioners and let them have time to review it and then take this up at next Friday's meeting, would that be too late. Mr. Bush responded no.

Commissioner Holt asked Mr. Bush if there would be COVID testing at the camp and he stated no; that responsibility was left to the parent. Parents make the decisions if the young people will attend the camp. He said they have waivers to be signed. She asked how long (days) they would be at the camp and he responded it may be an overnight trip.

Chair Viegbesie said since Mr. Bush was willing to wait until next Friday on a decision, it would give them time to review the document.

COMMISSIONER HOLT MADE A MOTION TO APPROVE WITH A CONTINGENCY STATEMENT ABOUT THE POSSIBLE REEMPTION BY THE GOVERNOR AND CHAIR VIEGBESIE MADE THE SECOND.

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

MOTION PASSED 3-1

3. Discussion of the Revised CARES Act Spending Plan to be Submitted to FDEM

Dr. Grant introduced above item and said was presented to Board for discussion of the revised CARES Act business plan and request for full allocation.

Chair Viegbesie asked if the Commissioners had this emailed to them and if they had had a chance to review it.

Commissioner Holt said there was a part in there for the Health Counsel and asked Dr. Grant if they had a chance to look at it. Dr. Grant said all health-related items were under the first line.

Darrell Cox, Integrity Recovery Manager, appeared before the Board and said all the pre-approved costs at previous meetings had not changed. They were taking the original plan with the new changes that were being implemented to receive the additional 20% in funding. He said they (FDEM) were requiring a plan and they were updating same to have the 25% allocation to show what they were going to do with the additional 20% and then the remaining 55%.

COMMISSIONER HOLT MADE A MOTION TO APPROVE AND CHAIR VIEGBESIE MADE THE SECOND.

Chair Viegbesie made a suggestion to Integrity that additional manpower be provided to Ms. Hamilton as she could not answer the phone and deal with questions and help citizens at same time. If they need assistance from staff, they would be able to provide staff.

Commissioner Taylor said she agreed and concurred, but it did not need to be at the expense of County government. Integrity needed to be responsible.

Dr. Grant said he thought that this had been addressed, but wanted to present for the record Commissioner Hinson's request for a meeting to discuss ways to make CARES Act application process easier and more simplified. Commissioner Holt said that had been addressed.

CHAIR VIEGBESIE CALLED FOR THE VOTE.

Gadsden County Board of County Commissioners
September 25, 2020-Emergency Meeting

COMMISSIONER HINSON	NOT PRESENT
COMMISSIONER TAYLOR	YES
COMMISSIONER MORGAN	HAD LEFT MEETING
COMMISSIONER HOLT	YES
CHAIR VIEGBESIE	YES

MOTION PASSED 3-0

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS NOT COME BEFORE THE BOARD, CHAIR VIEGBESIE DECLARED THE MEETING ADJOURNED AT 11:03 P.M.

GADSDEN COUNTY, FLORIDA

BRENDA A. HOLT, Chair
Board of County Commissioners

ATTEST:

NICHOLAS THOMAS, Clerk