

AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON OCTOBER 20,
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 – appeared remotely
 Gene Morgan, District 3 – appeared remotely
 Sherrie Taylor, District 5
 Henry G. Grant, Interim County Administrator
 Nicholas Thomas, Clerk of Court
 Clayton Knowles, County Attorney
 Marcella Blocker, Deputy Clerk

INVOCATION, PLEDGE OF ALLEGIANCE

At 6:02 p.m. Chair Viegbesie welcomed everyone to the meeting and called it to order. He asked everyone to bow their heads for moment of silence and led in Pledge of Allegiance to the U.S. Flag.

AMENDMENTS AND APPROVAL OF AGENDA

Dr. Grant asked for approval of the Agenda with Item 7 pulled.

Commissioner Morgan asked for Item 11 to be pulled because there was a lack of adequate information.

Commissioner Taylor objected to pulling Item 7, she said they needed to entertain it with so many people dying in Gadsden County.

Chair Viegbesie said the conversation with the Sheriff's Office was that it was an action item and there were things the Board could do to enable the Sheriff's Office in getting the financial assistance they were looking for. Chair Viegbesie said the Sheriff asked for the item to be pulled.

Commissioner Taylor said she thought the Sheriff wanted a motion to be made on the item. She said the item needed to be discussed and either voted up or down. She said if the Board planned to use CARES Act money for this, it was a restricted area and could not be used for a recruitment and retention plan and this money would have to be available every year for the Sheriff's Budget.

Commissioner Hinson asked why the County Administrator was wanting to pull the item.

Chair Viegbesie said it was at the request of the Sheriff and he told him it would be pulled and discussed.

Commissioner Hinson said he had a conversation with someone before the meeting and that was not what he was told. He said he was concerned about the mass shootings and the mental health was out of hand in the County. He wanted to discuss the item. Chair Viegbesie asked the attorney for his opinion and Attorney Knowles said the vote had to be made to modify the agenda first. He said any Commissioner could vote for or against it.

CHAIR VIEGBESIE SAID, WITH ITEMS 7 AND 11 BEING PULLED, ALL IN FAVOR OF THE AMENDMENT TO THE AGENDA, SHOW BY THE SOUND OF A VOTE, AND ASKED THE DEPUTY CLERK TO CALL THE ROLL.

THE BOARD VOTED 4-1 BY ROLL CALL VOTE TO APPROVE THE AGENDA WITH ITEMS 7 AND 11 PULLED.

COMMISSIONER HINSON	Y
COMMISSIONER TAYLOR	N
COMMISSIONER HOLT	Y
COMMISSIONER MORGAN	Y
CHAIR VIEGBESIE	Y

AWARDS, PRESENTATIONS AND APPEARANCES

Special Recognition of Sherrie D. Taylor, District 5 Commissioner

Dr. Grant introduced the above item.

Chair Viegbesie said the Board had a token of appreciation and recognition. He stepped to the front and read aloud the plaque and presented it to Commissioner Taylor.

Commissioner Taylor said 10 months ago she decided it was time to step aside. She said the passion she used to have as a community servant had started to dwindle and God had given her another direction, which was working with people with disabilities. She stated she had some great times and had made a lot of great things happen for the County and she was grateful for the opportunity to have served with the Board. She wanted to say to the County and the citizens, "we are in trouble, we need to pray and pray hard." She asked the Board put the people of the County first when making decisions.

Commissioner Holt said to Commissioner Taylor, she appreciated what she had done and asked for an applause.

Commissioner Hinson thanked Commissioner Taylor for her efforts for the citizens of District 5 and the County. He thought she should get credit for roads and being passionate for kids and the safety in Gadsden County. He said she also helped get the Social Security Administration Office into Gadsden County. He said there was a list of things she had accomplished and her heart was with the kids.

Commissioner Morgan said he remembered when they were both sworn in back in 2008. He said people were always asking her for help and she had a genuine interest for the County and it was appreciated.

Phoenix Claims Consulting

Dr. Grant introduced the above item.

Mark D. Glover, PCA, appeared before the Board to give his presentation. He said he had worked on behalf of policyholders and had settled thousands of claims in the State of Florida.

Ryan Risten, Co-Owner, appeared remotely and gave an overview of the company. He said their company was the most experienced disaster recovery company in the area with 30 plus years of experience and they provided solutions to insurance claims.

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Mr. Glover said they worked with the public sector and have been selected by various government agencies. He said the primary issues were:

1. Costs projections
2. Catastrophe response; post storm duties

Chris Scarlett, Co-Owner, appeared remotely and said he wanted to discuss the heart and soul after a disaster. He said by hiring third-party consultants, it would ultimately get increased recovery response. Mr. Scarlett said it was not that anyone did anything wrong, they just did not know what they did not know. He stated having people on your side with experience was helpful.

In closing, Mr. Glover said they worked on 100% on contingency and there were no costs to the County. He said if funds were not recovered there was no cost and if something was found, there would be discussion about what percentage of that would be owed. He said working with Phoenix Claims Consulting would give the County experts to get exactly what was owed.

Chair Viegbesie thanked them for the presentation.

CONSENT

COMMISSIONER MORGAN MADE A MOTION TO APPROVE THE CONSENT AGENDA WITH A SECOND FROM COMMISSIONER HOLT

THE BOARD VOTED 5-0 BY ROLL CALL VOTE TO APPROVE.

COMMISSIONER HINSON	Y
COMMISSIONER TAYLOR	Y
COMMISSIONER HOLT	Y
COMMISSIONER MORGAN	Y
CHAIR VIEGBESIE	Y

1. Ratification Memo
2.
 - a. July 7, 2020-Regular Meeting
 - b. July 17, 2020-Emergency Meeting
 - c. July 23, 2020-Second Budget Workshop
 - d. August 4, 2020-Regular Meeting
 - e. August 5, 2020-Special Workshop/Special Meeting
 - f. August 7, 2020-Emergency Meeting
 - g. August 12, 2020-Special CARES Act Meeting
 - h. August 14, 2020-Emergency Meeting
 - i. September 1, 2020-Regular Meeting
 - j. September 8, 2020-FY 2020/2021 Budget Workshop
 - k. September 10, 2020-First Budget Public Hearing
 - l. September 21, 2020-Final Budget Public Hearing

ITEMS PULLED FOR DISCUSSION

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

Due to COVID-19 and the efforts of 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.

Chair Viegbesie said he did not have any emails and said if anyone wanted to speak, they should notify the County Administrator's Office before attending the meeting and would be asked to follow the County Public Meeting Citizen Access Guidelines.

Commissioner Morgan asked to verify that staff had checked the email box and Dr. Grant said yes, they had.

PUBLIC HEARINGS

3. Public Hearing-Legislative-Adoption of Land Development Code Amendments, Section 5611.F, Streets, Driveways, and Access Management

Dr. Grant introduced the above item and asked Diane Quigley, Growth Management Director, to come before the Board.

Ms. Quigley appeared before the Board and explained the item. She said the item went before the Planning Commission and they had voted 6-1 to approve.

Chair Viegbesie announced this was a Public Hearing and asked if anyone had anything to say and there were none.

Commissioner Morgan said he had spoken at length with the Planning Department regarding this Public Hearing and he had no issue and at the proper time would move for approval.

COMMISSIONER MORGAN MADE A MOTION TO APPROVE WITH A SECOND BY CHAIR VIEGBESIE WITH DISCUSSION.

Commissioner Holt said if the resident was on busy road, the traffic may be able to go faster than 25mph. She asked how that would affect a resident to build a house on the road or put in an extra driveway.

Ms. Quigley said they would still be allowed, but the difference would be the spacing between the driveway "legs" along higher speed facilities would be greater. She said it was reduced just along those particular speed roads.

Commissioner Holt said she thought the spacing was a problem. If the property was 300' across the front, would they put in two driveways and not be 100' apart. She thought 200'-400' was spacing it out a lot. She thought it would not be quite that much on a 300' frontage and she thought that should be lowered. She asked if there was a cost with getting a traffic count.

Ms. Quigley said there was a cost and it would be incumbered by the resident. She said the DOT and the County typically took traffic volumes and counts that showed the distance of where the driveway would go and if it would cause any conflicts with the vehicles along the major roadway.

Ms. Holt said if the property had an easement requiring them to have a driveway, that footage may not be as wide.

Commissioner Hinson said he had a couple of heartburns on this item. He said he could not support it. He said he wished the Board would have had workshops so there could have been a conversation regarding these matters. He said he would not support this tonight.

Commissioner Holt said she wanted to have narrow frontage addressed in the item. She asked once it was sent to Tallahassee with the amendments made, they looked it over and sent it back. She stated the adjustments could be made after that because it would slow the process. She further stated the language may need to be corrected in order to get it in before it was passed.

Chair Viegbesie called for the vote.

THE BOARD VOTED 3-2 BY ROLL CALL VOTE TO APPROVE.

COMMISSIONER HINSON	N
COMMISSIONER TAYLOR	Y
COMMISSIONER HOLT	N
COMMISSIONER MORGAN	Y
CHAIR VIEGBESIE	Y

4. Public Hearing-Legislative-Adoption of the Capital Improvements Schedule for Fiscal Years 2020/21 – 2024/25 (LSPA 2020-02)

Dr. Grant introduced the above item.

Jill Reeves, Senior Planner, appeared before the Board and explained the item was brought forward every year and they were required by the DEO to amend the Capital Improvements Schedule of the Capital Improvements Element of the Comprehensive Plan, annually.

Ms. Reeves said the recommendations were to adopt, not adopt or Board direction. She said the Planning Commission heard this item on September 24, 2020, and unanimously recommended approval.

Chair Viegbesie said this was a Public Hearing and asked if anyone wished to speak and there were none.

Commissioner Holt asked how long Ms. Reeves had worked for the County and she replied over 14 years. Commissioner Holt stated for a Comprehensive Plan, the Board should have had a workshop. She said the Board had not met on any of the items and had no input on them. She further stated it was the Boards responsibility to have the workshops. Commissioner Holt asked what they were doing at the Airport in Quincy.

Ms. Reeves said Capitol Regional Transportation Agency's 5-year work plan. She said they had projects where they had done improvements on runways and hangers, and it was money that was budgeted through that agent and FDOT for projects.

Commissioner Holt said in many instances, Counties could put in for several projects, but normally, she said they met and discussed what they wanted in the Comprehensive Plan.

Ms. Reeves said that was another process and that process was part of developing a work *inaudible*, this was just reporting what was adopted after going through all of the other processes. She stated she was required to report what the Capitol Projects were.

Commissioner Holt said they had to be submitted before they were adopted. She said the process being used was not what it should be. She said the Board could see the timeline and cost of what was being done at the Airport, but not what was being done.

Ms. Reeves said the CRTA held workshops in all of the Counties and workshops were held in Gadsden County.

Commissioner Holt said when Commissions and groups pulled together, they submitted ideas. Commission Holt asked the other Commissioners to look and see in their districts, did they have the opportunity to put the items on, or approach FDOT or anyone with a stake. She stated that was the purpose of the workshops. She said it was the same with parks, if the Board had the opportunity to say how much they wanted put in an area, there would have been an opportunity to increase some of those. Commissioner Holt asked Ms. Reeves how the Board would go about doing any of that before the process started.

Ms. Reeves said one of the ways would be through the County Budgeting process to identify projects that the Board would like added into the Budget.

Commissioner Holt said that was why she had been asking for workshops for 10 years. She asked Ms. Reeves if the Board wanted to increase any of the items, how did they do that.

Ms. Reeves said prior to the budgeting process, they could request a workshop and get it into the budget. She stated all of the meetings in the beginning of June would be a way. She said the County had a representative on the CRTPA and projects could be identified to them as well.

Commissioner Holt said if she wanted to get \$200,000 into a park for renovations, the Board would meet, and present those to whatever State Agency and she was saying the Board did not have enough input and that was why she could not vote for it.

Ms. Reeves said one of the impacts of not adopting this was when you do apply for parks, you got points for having something in the 5-year plan and by not adopting this, when you applied for FRDAP Grants, the County would lose points.

Ms. Reeves said this plan could be amended. She stated it was amended annually and the Commissioners saw the plan last year and the year before.

Commissioner Taylor said based on what Ms. Reeves was saying, she was simply submitting a report on projects intend to be done and if the Board wanted to come back on a later date and look at them more in depth, the opportunity was there through the amendment process. She agreed more discussion on Capital Improvements was needed in the future but she did not find it necessary to hold up the report.

COMMISSIONER TAYLOR MADE A MOTION TO APPROVE WITH A SECOND FROM CHAIR VIEGBESIE WITH DISSCUSSION.

Commissioner Hinson said he had brought up broadband years ago and was now trying to figure out if it would be addressed. He said the item on the agenda was just a small portion and he was talking about the full infrastructure of broadband. He stated the County still had 70-80% of people still working from home. He stated what was on the list made sense months ago, and things had changed since then. He said he also wanted a workshop to have the conversations. He asked why there was a rush on the item now and not a long time ago.

Chair Viegbesie said this item dealt with transportation, which was roads, bridges, airports, railroads and not communication. He also agreed a workshop was needed on the Comprehensive Plan for the County.

Commissioner Hinson asked if the Gadsden Sports and Recreation Complex was transportation, and stated it was Infrastructure just like broadband.

Ms. Reeves explained the items she had, were for Capital Projects that effected a level of service and the County had adopted the level of service for Transportation, Schools and Parks. She said this was adopting work plans that were in place for transportation, schools and parks. She said the County could have workplan, but what was being adopted today, was only for the projects that affected an adoptive level of service required in the Comprehensive Plan, which for Gadsden County was transportation, schools and parks.

Chair Viegbesie said the County did not have a representative on CRTPA and because of such, the County lost vote points and would not get a lot of projects through FDOT going through CRTPA.

Commissioner Holt asked what the deadline was and Ms. Reeves said they hoped to have it done and in by the end of month. Commissioner Holt said she would vote for this because it could be changed but wanted discussion in the future.

Chair Viegbesie called for the vote.

THE BOARD VOTED 5-0 BY ROLL CALL VOTE TO APPROVE.

COMMISSIONER HINSON	Y
COMMISSIONER TAYLOR	Y
COMMISSIONER HOLT	Y
COMMISSIONER MORGAN	Y

CHAIR VIEGBESIE Y

5. Public Hearing-Legislative-Jett Large Scale Comprehensive Plan Future Land Use Map Amendment (LSPA 2020-01)

Dr. Grant introduced the above item.

Ms. Reeves appeared before Board and gave an explanation of the item and said Elva Peppers was appearing remotely for any questions the Commission might have. She stated there were no objections from other landowners. She said this was transmittal and that meant it would go to the FDEO and various State Agencies, where it would be looked at and sent back and would then go before the Board for adoption at another Public Hearing.

Ms. Reeves gave the options of approve, do not approve, and Board direction and stated the recommended direction was approval.

Chair Viegbesie announced this was a Public Hearing and asked if there were any comments and Elva Peppers asked to speak.

Ms. Peppers, Agent to the applicant, appeared remotely and introduced the project and said the item in question was family land and the owners were heirs to the property and the purpose was for it to remain that way. The heirs would like to split the property and the purpose was to allow them to do that in the most sensible way because of the existing structures that were on the property already.

COMMISSIONER MORGAN MADE A MOTION TO APPROVE WITH A SECOND BY COMMISSIONER TAYLOR.

THE BOARD VOTED 5-0 BY ROLL CALL VOTE TO APPROVE

COMMISSIONER HINSON	Y
COMMISSIONER TAYLOR	Y
COMMISSIONER HOLT	Y
COMMISSIONER MORGAN	Y
CHAIR VIEGBESIE	Y

GENERAL BUSINESS

6. Mutual Aid Operations Plan Agreement between Gadsden County Fire Department and Florida Forest Service

Dr. Grant introduced the above item.

COMMISSIONER TAYLOR MADE A MOTION TO APPROVE WITH A SECOND BY COMMISSIONER MORGAN.

THE BOARD VOTED 5-0 BY ROLL CALL VOTE TO APPROVE.

COMMISSIONER HINSON	Y
COMMISSIONER TAYLOR	Y

COMMISSIONER HOLT	Y
COMMISSIONER MORGAN	Y
CHAIR VIEGBESIE	Y

7. ~~Budget Amendment Request for the Gadsden County Sheriff's Office Recruitment and Retention Plan~~

Item Pulled at the request of the Sheriff.

8. Approval of AshBritt, Inc. and Ceres Environmental Services for Emergency Debris Management Services

Dr. Grant introduced above item.

COMMISSIONER TAYLOR MADE A MOTION TO APPROVE WITH A SECOND FROM COMMISSIONER HOLT WITH QUESTION.

Commissioner Holt asked if any companies listed had been terminated.

Mr. Knowles said he understood the County redid this after the contracts were expired and the Board needed to choose who would be prime if both were selected. He wanted to make sure the County was getting the biggest bang for their buck. He said neither of the contractors scored the highest.

Commissioner Holt aid after Hurricane Michael, knowing the concerns that were had then would make it easier a far as choosing a company.

Commissioner Hinson said with pause, he thought this conversation could be continued and brought back. He said he had a problem with local and minority participation. He said he would love to interview and talk with these vendors and did not feel local contractors got this.

Chair Viegbesie said his comment was the language. He said it was "agenda to approve a bid award" and he would rather it said "an agreement to retain in case of disaster."

Commissioner Taylor said when the County had the last company, there were advantages because the Board had approved that company prior to an emergency. She said this had to be done tonight and they had already been approved based on the scoring process and a team evaluating them and saying they could provide the necessary services for Gadsden County. She said what needed to happen was, when the attorney went into negotiation, he needed to put a caveat in that locals would get consideration for subcontractors. She wanted to move approval but have the contract set so the County would benefit.

Commissioner Holt said she liked the idea when Commissioner Taylor said retrain. She said the Commission was told Gadsden County was the only one of three Counties in the State that had retained debris removal companies before a disaster struck. She asked if there was a deadline.

Mr. Knowles said no. He stated there was a caveat in both contracts and the Federal guidelines that encouraged and required minority participation. Commissioner Holt asked about adding local and Mr. Knowles was unsure.

Commissioner Taylor said she was worried about losing the companies to someone who was willing to do a contract instead of an agreement. She was ready to approve this, and said it could always be amended.

Commissioner Morgan said had no problem approving because this was if services were needed.

Commissioner Holt asked if the County was just retaining.

Mr. Knowles explained it would be a contract between the County and them. He said they would not mobilize until the County issued a task order for them during an emergency.

THE BOARD VOTED 5-0 BY ROLL CALL VOTE TO APPROVE.

COMMISSIONER HINSON	Y
COMMISSIONER TAYLOR	Y
COMMISSIONER HOLT	Y
COMMISSIONER MORGAN	Y
CHAIR VIEGBESIE	Y

9. County EMS Award Grant

Dr. Grant introduced the above item.

COMMISSIONER TAYLOR MADE A MOTION TO APPROVE WITH A SECOND FROM COMMISSIONER MORGAN.

THE BOARD VOTED 5-0 BY ROLL CALL VOTE TO APPROVE.

COMMISSIONER HINSON	Y
COMMISSIONER TAYLOR	Y
COMMISSIONER HOLT	Y
COMMISSIONER MORGAN	Y
CHAIR VIEGBESIE	Y

10. Bid No. 20-17 REBID Results/Gadsden County Broadband Services

Dr. Grant introduced the above item.

COMMISSIONER TAYLOR MADE A MOTION TO APPROVE. THE MOTION DIED FOR LACK OF SECOND.

Commissioner Hinson said was unable to hear anything and asked what happened.

Chair Viegbesie said Commissioner Taylor made a motion to approve item 10 and it died for lack of a second.

Commissioner Hinson said he would make the second.

COMMISSIONER HINSON MADE MOTION TO APPROVE WITH A SECOND BY COMMISSIONER TAYLOR.

Chair Viegbesie said he had concerns and heartburns with this item. He said his concern was the scope of the Figgers Communications bid was far beyond the County's need for the services. He said the United States Census estimated that there were 17,000 households in Gadsden County of which 58% currently had broadband connectivity access. This meant that about 11,560 households of the 17,000 currently had broadband connectivity access, leaving about 5,440 households. He said he would like to mention that those numbers did not take into considerations what the Gadsden County School Board had already provided in its Broadband CARES Act Project.

He said in the bid submitted by this vendor, had some deficiencies in their submission as item analysis points out on the GCBOBB agenda. His concern was the possibilities of distributing 25,000 hotspots, as provided in this bid, which required registration and activations was practically next to zero because the County was not able to give that many COVID-19 tests, with the same time frame, when all that was involved was taking the names, addresses and an oral swab.

He said he was taking the position that the actions of the GCBOCC, on item #10 of the agenda of its meeting on October 20, 2020, could be in violation of the ***Code of Federal Regulations/Single Audit Act Procurement***.

He said one of his many earlier concerns, among others, was regarding the ***Code of Federal Regulations/Single Audit Act Procurement: Does the contract provided in the RFP response meet the federal requirements for contracts? (2 CFR § 200.326)***.

He stated the Board must properly address the Federal requirements regarding contract cost and price.

He further stated these were his personal understandings of this Statute (2 CFR § 200.326) stipulates as some specific requirements.

- 1.) NFEs (non-federal entities - such as the County) must evaluate pricing using either cost or price analysis in order to ensure that required supplies and/or services are procured at fair and reasonable prices.
- 2.) The current Federal procurement standards set by the Uniform Rules states that Non-Federal Entities, like the County, must perform some form of cost or price analysis in connection with every federally assisted procurement action. This calls for including contract modifications that exceed the simplified acquisition threshold, which is currently set at \$150,000; including a degree of analysis that is dependent on the facts surrounding the particular procurement situation.
- 3.) As with all Federal procurement standards the County must ensure that their procurements comply with any cost or price analysis requirements imposed by their own local procurement laws or regulations, any and all state (and/or tribal government, where applicable) procurement laws or regulations, as well as ensure that those laws and regulations are consistent with the Federal procurement standards.
4. As a starting point, the County must develop an independent estimate before receiving bids or before making contract modifications.
5. The County must then negotiate profit as a separate element of the price for each contract in which there is no price competition and, in all cases, where cost analysis is performed.
6. To establish a fair and reasonable profit, consideration must be given to the complexity of the

work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for work performed.

7.) Finally, a very crucial requirement, in my humble opinion, is a cost analysis that is necessary when adequate price competition is lacking, and for sole source procurements, including contract modifications or change orders, unless price reasonableness can be established on the basis of a catalog or market price of a product sold in substantial quantities to the general public or based on prices set by law or regulation.

HE said the company was asking for \$1,765,000 to provide hotspots to 25,000 homes and the County needed 5,440 given the census numbers. He felt this was in violation of the Federal Statute since the money was Federal Grants. He said he would not support the item.

In my opinion, anything short of these requirements could be seen as the GCBOCC's blatant violation of

(2 CFR § 200.326).

Commissioner Hinson said that was the Chair's opinion, not concrete evidence. He said the fact was when looking at the Federal Communications Commission, it gave a different-right if it was said to someone in California, they might believe him but his argument was almost laughable to believe that there were only 5,000 homes without broadband. When 5G, Wi-Fi or Hotspot was put in, it was so many miles, and that whole area was considered having those connections. He told Chair Viegbesie that what he was saying was right, and not right, because everyone in that area did not have broadband services.

Commissioner Holt stepped out at 8:06 p.m.

Commissioner Hinson asked Chair Viegbesie if he had a personal problem with this because he never heard him speak so vehemently about an issue before. He said people in Concord, St. John, Hardaway and other communities could not even use their phones. He told Chair Viegbesie his district was the only district the phone could be used everywhere, yet the Chair said it was not important to have internet access.

Commissioner Holt returned at 8:07 p.m.

Commissioner Hinson said this was a necessity, and he felt sorry for companies like Peavy and the nursery in Havana because they had no internet access and had to drive to Tallahassee for internet.

Chair Viegbesie said Commissioner Hinson asked him a personal question about being against broadband. Chair Viegbesie said he was not against broadband but against this because it was in violation of the Code of Federal Regulations (2 CFR § 200.326) and he did not want the FBI knocking on the door or to go to jail. He further stated if this amount was in the guidelines, he would support it because he knew it was needed. He said he was opposing it because it did not meet the Code of Federal Regulation and it was Federal money.

Commissioner Hinson asked the County Administrator or the Attorney if the Board had ever bid this item before.

Attorney Knowles answered yes, twice.

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Commissioner Hinson said the Board did what they could and did everything legal and the right way. He asked, how you go to jail for doing what was right. He said the only hiccup was the Chair was about to cost the County millions of dollars. He said this was a lawsuit waiting to happen, and the item went through the bid process twice. He said the item needed three votes and wanted the Board to move Gadsden County forward.

Commissioner Morgan said he understood the passionate conversation and said he shared the same concerns that were shared by Chair Viegbesie. He said his main concern was this item would cause long-term costs that this County could not afford and he was not willing to support the item at this time.

Chair Viegbesie said the County re-advertised and may be a violation of the Code of Federal Regulation 318.320. He said he was concerned with costs that were a different regulation. He said he was entering his concerns into record and there were other things that could be done to get broadband to the County. He said there was a program that provided broadband to all rural areas and the Board could explore the USDA Rural Broadband Funding Grants.

Commissioner Hinson said if price was a concern, maybe the Administrator could approve it based on what the Board was looking for. He said if negotiations were needed, do that and move on.

Commissioner Holt said Human Resources could do a background on any of these companies. She said she asked for a meeting in July, August and September with the School Board. She said she talked with the manager and was told they did not want to meet. She said the cost analysis would have been done before the RFP. She asked the attorney, who would sit down with Mr. Figgers to see what things were provided. She was ready to vote. She said she did not vote for Motorola, she voted for a competitor.

Commissioner Morgan asked the attorney, if from a legal standpoint, were there any concerns. Attorney Knowles said he had talked with Integrity, and his concerns were with the Single Audit Act. He would like clarity from Board, he said the Board only allocated \$900,000 and wondered where other \$865,000 would come from. He said he had concerns with what Chair Viegbesie was saying. He did not know if there was ever a cost analysis done. He thought it was a bridge too far but would leave it to the discretion of the Board.

Commissioner Morgan said he hoped the Board would listen to what the attorney had to say.

Commissioner Taylor said she would go around the Board and sum up what was said and try to come to a conclusion that would help the County move forward. She said Chair Viegbesie was concerned with the amount of money, and the amount of services needed and she said she agreed, Commissioner Holt and Commissioner Hinson wanted to get this going and she agreed. She said the attorneys main concern before was there was only one bidder and he felt it would best protect the Board if it was re-bid and everyone concurred. She said the attorney told the Board once a bid came back, and there was still only one bid, the Board needed to move forward because they were setting the County up for liability because the procurement process was done. She said she did believe the Administrator, along with the attorney, needed to meet with the firm and negotiate based on what the County had and needed. She said the reason for

\$1.7 Million bid from the company was because originally when the RFP was put out for specific items the County wanted, it netted \$1.7 Million. The number did not come from the vendor, it came from the Board. She said as the Board went through the process, they began to pull dollars back from certain projects. She said Broadband lost \$750,000 when the Board looked at other services that were needed as well but the Board did not bring down the amount of services, they were asking the business to do. She said whatever the School Board was doing, the Board needed to know and learn. She said she was ready to negotiate and vote.

Chair Viegbesie called for the vote and said he was still concerned.

Commissioner Taylor said it was disclosed at a previous meeting that she said she knew the vendor but did not gain anything from this item.

THE BOARD VOTED 3-2 BY ROLL CALL VOTE TO APPROVE.

COMMISSIONER HINSON	Y
COMMISSIONER TAYLOR	Y
COMMISSIONER HOLT	Y
COMMISSIONER MORGAN	N
CHAIR VIEGBESIE	N

Commissioner Holt said she was looking at the contract, and asked the attorney to make sure all concerns were addressed.

11. Discussion Volunteer Fire Department Annual Payment

Item pulled

12. Approval of Moratorium on Hiring, Terminating, and Salary Increases of Staff

Dr. Grant introduced the above item.

COMMISSIONER TAYLOR MADE A MOTION TO APPROVE.

Commissioner Taylor said in one-year, when an Administrator was getting ready to leave, that individual left almost \$1 Million in increases. She said one person went from \$36,000 to almost \$62,000 in one year, and they were hiring more people. She had concerns with the PIO. She said she wanted to make sure the current Interim Administrator did not do a bunch of hiring and firing on his way out.

Commissioner Taylor's motion died for lack of second.

13. Approval of Souls to Polls Event and SF Farm Event Center for Use of Premises for Soccer

Dr. Grant introduced the above item.

Commissioner Holt said she wanted to make sure the County Ordinance was followed.

Chair Viegbesie said as long as the plan that was submitted met the CDC requirements, and they made ensured the citizens safety, he would support the item.

Commissioner Hinson asked if there were any reasons all three were on one item and not voted on separately. His heartburn was that soccer was a contact sport and the players would be near each other. He said the food truck was once a week.

Commissioner Taylor said, with regards to soccer, the Board needed to set the same rules as football with testing prior to the games.

COMMISSIONER TAYLOR MADE A MOTION WITH CONDITIONS TO DO WHAT THE FOOTBALL TEAMS WERE DOING WITH A SECOND FROM COMMISSIONER HOLT.

THE BOARD VOTED 5-0 BY ROLL CALL VOTE TO APPROVE.

COMMISSIONER HINSON	Y
COMMISSIONER TAYLOR	Y
COMMISSIONER HOLT	Y
COMMISSIONER MORGAN	Y
CHAIR VIEGBESIE	Y

14. Approval of Granicus Website/GoV Delivery Software Proposal No. Q-106806

Dr. Grant introduced the above item.

COMMISSIONER TAYLOR MADE A MOTION TO APPROVE WITH A SECOND BY COMMISSIONER HOLT.

Commissioner Holt asked if this was an item that was bid. Dr. Grant said he did not know and said it came through TDC.

Ms. Steele, Public Information Officer, appeared remotely and said the item was not bid. She said it was taken place when she first came on the job from Jon Brown, where they were updating and seeking a new website provider as the previous provider was not able to provide the services needed.

Commissioner Taylor withdrew her motion and said it needed to be put out for bid and it did not follow the procurement process.

Dr. Grant said it was done before he came to work at the County.

Kembrew Jackson, with IT, appeared remotely and said what was before the Board was already approved with CARES Act funds. He said it was not just for the website, it was for a series of applications for the BOCC. He said they may have received some prior with the hurricane alert. He said that was the first portion of the Granicus Solution that was Previously approved by the Board. He said the reason the Board was seeing this item a second time was because it required signatures. He said it was already approved and was coming back before the board for a signature. He said it was a website, video solution, engagement portal and provided all of the things the Board had requested around the dais. He said the website would better serve the

community with applications that would support SHIP, Animal Control, Mosquito Services, and more.

Chair Viegbesie stepped out at 8:50 p.m.

Commissioner Taylor said even if this was though the CARES Act, it required a procurement process. She said she had a problem with giving out a \$53,000 contract without it being properly bid.

Mr. Jackson said he could make the argument it was sole source, because the number of... Mr. Jackson said he wanted to withdrawal his last statement and said he would seek direction from the Administrator.

Commissioner Taylor said it was not sole sourced and anyone could provide bells and whistles.

Attorney Knowles agreed it needed to be bid out.

Chair Viegbesie returned at 8:53 p.m.

Commissioner Morgan said the original \$54,000 was approved by the Board for the CARES Act Funding. He said the contract before them had an ongoing expense to the County of \$30,000 plus per year, and Mr. Jackson said that was correct. Commissioner Morgan said the County did not vote to approve any such agreement unless he did not remember it or was not at the meeting.

Mr. Jackson said when the County initially tried to procure the services, they found out later that they could not get it per year, it had to be ongoing.

Commissioner Morgan said that was not what the Board voted on.

Commissioner Holt said the County already had a contract with the company and they were already providing service.

Attorney Knowles said he was not sure there was a contract now.

Commissioner Holt wanted to make sure the Board had the opportunity to use the services the IT thought the County needed.

CHAIR VIEGBESIE ASKED IF THE BOARD NEEDED TO TABLE THIS ITEM AND COMMISSIONER TAYLOR SAID SO MOVED WITH A SECOND BY CHAIR VIEGBESIE.

The BOARD VOTED 4-1 BY ROLL CALL VOTE TO TABLE.

COMMISSIONER HINSON	Y
COMMISSIONER TAYLOR	Y
COMMISSIONER HOLT	Y
COMMISSIONER MORGAN	N
CHAIR VIEGBESIE	Y

15. Approval of the Employee Agreement for the Gadsden County Administrator

Dr. Grant introduced the above item.

Commissioner Morgan encouraged the Board to consider comments he had made earlier. He said the County needed to have a salary range for this position since the County was hiring someone and this would be a new experience for him. He said based on his current salary, if the Board offered him what previous Administrators made, at \$105,000, that was a significant pay increase and would give him an opportunity to grow within the pay range and Gadsden County being a small rural county could afford that. He said he would support \$105,000 per year.

Commissioner Holt asked for information to be displayed from previous administrators, and it was.

Commissioner Holt said first was Marlon Brown who started at \$84,900, Johnny Williams started at \$100,000 and Mr. Presnell started at \$100,000 and went up to \$107,000, Ms. Jackson started and ended with \$105,000 and she did not see Mr. Hall's pay. She said looking at the others, she thought starting range at \$100,000 and she did not know what increments could be offered, but did not think they would go above \$115,000-\$120,000.

Chair Viegbesie said the item before the Board was to vote up or down.

Commissioner Hinson said look at Section 1a, he said when he looked, the first term was for a period of 5 years, unless terminated earlier in accordance with the terms of this agreement. He thought the salary should be more, and the County needed to be competitive.

Chair Viegbesie said he felt the salary was a little too much for comparable Counties and what Gadsden County paid historically. He said the County needed a permanent County Administrator. He recommended staff and the attorney to have a conversation with Mr. Elias to negotiate salary. He asked if the will of the Board was to give staff permission to counter with Mr. Elias and bring another contract back to the Board. He said the Board needed to create an opportunity for dialogue.

Commissioner Hinson said in all fairness, he wished the County Administration would give an average of what other Counties our size made. He said the City Manager was making more than the County Administrator and that was laughable. He said the Sheriff was making more than County Administrator and was laughable as well. He said he did not have a problem with the salary, he said it could be more, and said he felt two years would be better but five years was hard to swallow.

Chair Viegbesie said he would like to consider a performance evaluation. He said the Board needed to incorporate into the contract a bi-annual performance evaluation that would be conducted by the members of the Board and he wanted it added to the contract.

Commissioner Holt said after reading the goals and objectives, Mr. Elias may decide it was too much to be bothered with. She said several ideas of what the Board wanted for the County were discussed in a workshop and it should be pulled, looked at, and the Board could see if there was something to be done. She said she agreed with two years.

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Chair Viegbesie said he would like to entertain a motion. He said his suggestion for Board direction was for HR and the attorney to negotiate a contract and bring it back for a vote and Commissioner Taylor said no.

Attorney Knowles asked if the Board would be inclined to say what would be the offer and if it was agreed to by the parties, the Chairman could sign. He reminded the Board the November 3, 2020 meeting was canceled and the next meeting would be closer to Thanksgiving and there would be a new Commissioner in as well.

Commissioner Taylor said this was where Gadsden County was showing its true colors. She said the contract being proposed, she understood from the Administrator, that the attorney had been working the details of the contract out. Attorney Knowles said no. He said he had spoken with Mr. Elias but the contract was the same contract that Mr. Elias sent to the Board. Commissioner Taylor said she thought the Board needed to approve the contractual agreement based on terms worked out with the attorney. She thought a vote needed to be taken. She said she thought the terms should be three years and salary could be negotiated with a cap. She said given the fact there would not be another meeting, she encouraged an Emergency Meeting and approval of the contract. She asked if Commissioner Hinson was still on-line and he was.

Commissioner Hinson said he did not know Mr. Elias personally; he had seen him at church and had heard him speak. He said sometimes you lose it all. He thought the Board should go \$2,500 more on salary for three years and did not want to discuss anything less for salary.

Commissioner Holt said looking at experience, benefits, and salary, that was what the negotiating was for. She would say two years, because if he had been a County Administrator before, there was something to look at. She said if the Board offered a contract and he accepted it, she asked if any other things need to be look at.

Attorney Knowles said the main things Mr. Elias wanted was to keep his leave he had accrued from his current position and transfer it and accrue at a certain level. He said the term he was hearing was three years, he wanted a vehicle which was given to every administrator. He said the life insurance had gone up a little, sick leave and conference training education which was also given to all other Administrators and the termination was different because of Mr. Elias' accrued his leave previously.

Commissioner Holt asked for that policy to be explained.

Attorney Knowles said it would be specific to the contract and if the Board terminated Mr. Elias, he would receive weekly salary and benefits for 6-months, he would be paid on a bi-weekly schedule, and be paid for 480-hours of his unused annual leave balance and for one-half of the unused sick balance. He thought it was standard. Attorney Knowles said the resignation provision needed to be adjusted but everything else was straight forward.

Commissioner Holt said she thought the Board should give the attorney an opportunity to re-negotiate with Mr. Elias and he could decide if he wanted to be bothered with the position or not and it would give the County HR time to look at things the Board had said in workshops they wanted and did not want.

Commissioner Morgan said he listened to the conversation and he was going to approach this from Elias' point of view. He said he thought one of the most important parts of the agreement was some sort of stability built into the contract. He said having someone local and who was familiar with Gadsden County in many ways gave him unique strength coming into this position even if he was not an experienced Administrator. Commissioner Morgan said he had no problem with the five-year agreement. He said Mr. Elias would have the opportunity to earn more money in the years ahead. He thought starting at \$105,000 with the opportunity to increase it each year based on performance. He said Mr. Elias would be hiring in, during the five years, an Assistant Administrator which would be critical to his success.

COMMISSIONER MORGAN MADE A MOTION TO A 5-YEAR AGREEMENT, WITH A \$105,000 BASE SALARY WITH ALL OF THE OTHER ITEMS INCLUDED IN THE AGREEMENT BEFORE THEM, WITH THE OPPORTUNITY TO INCREASE SALARY BASED ON PERFORMANCE WITH A SECOND BY COMMISSIONER TAYLOR.

Chair Viegbesie asked for clarity, and asked if the motion was the directive given to HR and the attorney to work with Mr. Elias to come up with a modified contract. He said this could be added to the Emergency Meeting on Friday for an up or down vote.

Commissioner Morgan said he recommended passing the motion and give the attorney an opportunity to speak with Mr. Elias to see if he would be in agreement to this.

THE BOARD VOTED 4-1 BY ROLL CALL VOTE TO APPROVE.

COMMISSIONER HINSON	N
COMMISSIONER TAYLOR	Y
COMMISSIONER HOLT	Y
COMMISSIONER MORGAN	Y
CHAIR VIEGBESIE	Y

Commissioner Holt said she was hoping to have negotiations going on. She asked if the attorney would be negotiating anything.

Chair Viegbesie said his understanding of the motion was the changes were in the motion.

Commissioner Morgan said the motion was to present the agreement that was just voted on.

COMMISSIONER HOLT SAID IF THAT WAS THE CASE, SHE WOULD CHANGE HER VOTE TO YES.

Chair Viegbesie explained the motion to Commissioner Hinson after he asked what had happened. He said the contract would be presented to Mr. Elias by the attorney and at a Special meeting, it would be brought back before the Board to vote.

Commissioner Hinson said you could not nickel and dime people all their life and his reason for a no vote was money and he thought \$127,500-\$130,000 should be the salary.

16. Dewberry Task Order for the Havana EMS Site

Dr. Grant introduced the above item.

COMMISSIONER TAYLOR MADE A MOTION TO APPROVE WITH A SECOND BY CHAIR VIEGBESIE.

THE BOARD VOTED 5-0 BY ROLL CALL VOTE TO APPROVE.

COMMISSIONER HINSON	Y
COMMISSIONER TAYLOR	Y
COMMISSIONER HOLT	Y
COMMISSIONER MORGAN	Y
CHAIR VIEGBESIE	Y

CLERK OF COURT

17. Updates

Clerk Thomas said for the Boards information, earlier today, they were emailed an accounting of the CARES Act dollars spent so far.

Chair Viegbesie stepped out 9:35 p.m.

Clerk Thomas said of the \$1.9 Million that was received, \$1.8 Million had been disbursed. \$803,000 to the Sheriff, \$364,000 to Small Business, \$606,000 to Public Health which included the encumbrance for the ambulances for \$408,000, \$8,800 to Residence Assistance and \$100,00 to Integrity. Clerk Thomas said round two money had not yet been received. He said the SHIP CARES Program was emailed as well and it was for lease and rental assistance and \$240,00 was received for that program. To-date, he said \$103,000 had been disbursed and \$137,000 was remaining.

Commissioner Taylor asked if checks had been given out to residents and businesses yet and the Clerk said yes, and said that information was provided. He said there were tabs on the chart and it provide the information.

Commissioner Taylor asked if the County was still waiting on the other 20%, and Clerk Thomas said that was correct.

Clerk Thomas said in the first round, only \$11,000 was allocated to Residence Assistance and in the second round there was to be \$131,307 allocated and the last round there was \$1.2 Million.

Chair Viegbesie returned at 9:38 p.m.

Commissioner Taylor said the Board allocated \$1.2 Million for Residential. She asked how much of that was given to the citizens.

Clerk Thomas said the allocation was in three-rounds to Residence Assistance. He said there was only money received for round one and hoped money for round two would be received soon. Clerk Thomas explained to Commissioner Taylor again where the first-round money went.

Commissioner Holt said the Board would meet with Integrity Thursday at a workshop.

COUNTY ADMINISTRATOR

17. Updates

Dr. Grant wanted to remind everyone about the Workshop on October 22, 2020 for the CDBG-DR. He said it would be the HUD application and the Board needed it to identify projects, and would be discussing reallocating some of the CARES Act Funds.

Commissioner Taylor said asked if Integrity would submit a list to the Board as to who they had approved for Residential and Business Applications. She said she had asked Dr. Grant and the attorney to research to see if the Public Works Department employees could receive similar compensation as EMS being essential workers and Attorney Knowles said, no, they could not. Commissioner Taylor asked for an official statement saying that because people at Public Works felt just as exposed as Law Enforcement.

Chair Viegbesie said his understanding was, money that was going to the categories the attorney spoke of, went to the employer, not the workers.
Attorney Knowles said he would research and have a better answer by Thursday.

COUNTY ATTORNEY

18. Updates

DISCUSSION ITEMS BY COMMISSIONERS

19. Report and Discussion of Public Issues

Commissioner Eric Hinson, District 1

Commissioner Hinson said he had received a text earlier from a Pastor. He said 2020 Gadsden County Voters Rally would be Saturday, October 24th, Marching to Vote from 12 p.m. -3 p.m. and they were requesting the BOCC to give them permission to use the County Courthouse that day. He said they also signed the information with the BOCC and got insurance.

Commissioner Taylor left the meeting at 9:46 p.m.

Commissioner Hinson said they had filed with Planning & Zoning for the Courthouse grounds application and had their own insurance.

Commissioner Holt said had that added to the meeting Friday, and turned in paperwork to the Administrator and he could address it Friday.

Commissioner Gene Morgan, District 3

No comments

Commissioner Brenda Holt, District 4

No comments

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Commissioner Sherrie Taylor Vice-Chair, District 5

No comments

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

No comments

Receipt and File

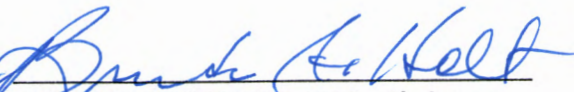
UPCOMING MEETINGS

MOTION TO ADJOURN

Chair Viegbesie called the meeting adjourned at 9:51 p.m.

GADSDEN COUNTY, FLORIDA




ANTHONY O. VIEGBESIE, PH.D., Chairman
Board of County Commissioners

ATTEST:



NICHOLAS THOMAS, Clerk