

AT A WORKSHOP OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON MAY 18, 2021 AT 4:30 P.M., THE
FOLLOWING PROCEEDING WAS HAD, VIZ:

Present: Brenda Holt, Chair, District 4
Dr. Anthony "Dr. V" Viegbesie, Vice Chair, District 2
Eric Hinson, District 1
Kimblin NeSmith, District 3
Ronterious "Ron" Green, District 5
Edward J. Dixon, County Administrator
Clayton Knowles, County Attorney
Marcella Blocker, Deputy Clerk

****PLEASE NOTE-DURING WORKSHOP COMMISSIONERS WERE SITTING IN AUDIENCE AND MADE HEARING COMMENTS EXTREMELY DIFFICULT IN SOME PORTIONS OF THE MEETING****

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE

Mr. Dixon asked for moment of silence and then led in the Pledge of Allegiance to the U. S. Flag.

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@gadscdencountyfl.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.

He then read aloud the COVID-19 statement.

PUBLIC HEARING:

GENERAL BUSINESS

1. Discussion of Ordinance 2002-004 (Rules of Procedure for Meetings of the Gadsden County Board of County Commissioners)

Mr. Knowles said it would be constructive to go through the policies and procedures and then come back for questions. He explained the rules were Board rules and they could change them. He explained three was important for a quorum and they did not need a quorum for a workshop. In the other meetings, they do require an in-person quorum. He further explained the only reason Commissioners should leave a meeting was due to illness or an emergency. If a Commissioner was required to depart prior to adjournment and the departure constituted a loss of a quorum, they would not be able to hold any other business other than adjourn. He said these were their rules and if there were things in them they did not like, they could change them. He said if there was a conflict and there was no rule for it, they would go to Robert's Rules of Order.

Commissioner NeSmith asked about remaining in the Chamber, what was the penalty for violating the rules. Mr. Knowles said one could be an Ethics complaint, further down in the Ordinance there was language concerning missing too many meetings but he was not aware of any penalty. He said he believed the Chair at that time could require a Commissioner to stay in the room, particularly if they would lose a quorum.

Chair Holt said an Ethics attorney said the problem they have is people leaving during a vote because they may not want to take a stand one way or the other. Mr. Dixon said it had to do with abstaining and that was another set of rules that have to be followed. Mr. Knowles stated if there was a conflict of interest, they had rules for that and rules regarding yes and no and not voting. They have had a problem with some folks staying silent and if there is no vote, it was considered an “aye” vote.

Commissioner Viegbesie said with regards to emergency, the emergency did not have to be an emergency, but leaving the room to avoid a vote was a problem. Chair Holt stated also they had to know a person’s state of mind as to whether they were leaving to not vote.

Mr. Knowles said he was hearing the change they wished to make was to give more clarity as to how they leave the room. Commissioner Green said if the conversation was still going on, Mr. Knowles interjected and said without a quorum, nothing could go on. He then asked if they could not take a vote until everyone was back in the room. Mr. Knowles said for the loss of quorum, they could add “other than to call a recess until member returns”. Commissioner Viegbesie said in the meanwhile, there should be no discussion on that item until they had a quorum.

They then addressed Section IV-Presiding Officer. Mr. Knowles asked if they wished to add to it.

Commissioner Green asked if possible, with whoever is Chair, to put in order who would speak next. Mr. Knowles said they could re-organize Section III-Recognize all Commissioners...a sentence could be added “and recognize in order of precedence”.

There was discussion and with the Commissioners sitting in the audience and wearing masks, it was hard to understand everything that was being said.

Mr. Dixon said what he understood Commissioner Viegbesie say, he thought they would find that each Chair runs the meeting a little differently.

Chair Holt said citizens wanted them to stay on the discussion and she felt they needed to tighten up on decorum. They must maintain decorum in the building, even if they get a “little hyper”. Chair Holt said once Law Enforcement is called, they will remove you from the building. She added they needed to know if they were disruptive, for safety of everyone, the disruptive person would be removed from the building.

Commissioner NeSmith asked if there was a timeframe for Commissioners on speaking. Chair Holt said at one time there was a rule, she thought 2-3 minutes and 1-2 minutes for rebuttal.

Commissioner Viegbesie said they should be voting to adjourn the meeting, the only time that would not happen is when there might be an emergency.

Mr. Dixon said Number 5 says “Call to order any member of the Board who violates any of these procedures and, when presiding, decide questions of order, subject to a majority vote on a motion to appeal”.

Commissioner Viegbesie said for example, Commissioner Green was waving authority, does not want to come to the point the Chair would become retaliatory (there was more discussion but was hard to understand). Mr. Dixon said that was the reason for the appeal to the rest of the Board so it would not become a personal thing. Mr. Knowles said they could clarify to say if the Board desired to remove a Commissioner, it should be the majority of the Board. He said to make a motion and second to remove the member from that meeting if that was in their Policy and Procedures. He added they could run into a problem if there was a removal of a person that was not specifically called for in the Ordinance, there would be a process issue. They had nothing in the Ordinance that stated a Commissioner could be removed from the Chamber by the Chair unless they voted to change it. He added they want to add a motion, second and majority vote of the Board, to remove that Commissioner for that meeting. Commissioner Viegbesie stated once they calmed down, they should be allowed to return. Commissioner Green said that should be at the discretion of the Chair.

Chair Holt said they still had citizens waiting to have their business taken care of.

Mr. Knowles asked for them to look at Rules of Debate number 3. It read:

“A member once recognized should not be interrupted when speaking unless said member is being called to order. The member should then cease speaking until the question of order is determined, without debate, by the Chairman.

Commissioner Viegbesie said **ORDER OF BUSINESS** Item B (Page 4) Agenda Form. He said he was one that did not like added items. If the supported documents were not available, the item should be removed to prevent lack of transparency. Mr. Knowles said Item J (Page 5) Placing Items on Agenda “With the consent of the Commission as a whole, matters may be placed on the agenda by any member of the Commission, the Manager or by the County Attorney”. He added sometimes they had to add items that would need to get through and asked if they wanted to reconcile that to clarify. He said they had two conflicting provisions and did they want to clarify that. Commissioner NeSmith said he felt they did need to come up with a reasonable time they needed to have prior to the meeting so they could review. Mr. Knowles said they needed to come up with a way because there are times there is an emergency meeting. Chair Holt said these items are also emailed to the Commissioners. Mr. Knowles suggested if it involved a fiscal impact, to keep that amount under a certain amount. Commissioner Viegbesie said since the policy said (inaudible) they were hearing what the Commissioners expressed.

Chair Holt said the Chairman has to be responsible for the agenda. They need to have someone responsible for the final agenda. Commissioner NeSmith asked if that was written and Chair Holt said it should be.

Mr. Dixon said as a thought, the time constraints in getting items on the agenda was not so much to get to the newspaper but in getting the research done in order to be presented to the Commissioners.

Commissioner NeSmith asked (on Page 4) “All support information for agenda items shall be available no later than ten (10) business days before the regular meeting” was that reasonable and was told no. He said the Commissioners had to understand, according to Mr. Knowles, the Ordinance has not been updated since 2002. He asked what a reasonable time was. Mr. Dixon said they would work on a reasonable time. Mr. Knowles said if they were dealing with something that involved a large fiscal impact, he felt they would want to know well in advance, but if it was something they were bringing such as a bridge collapsing or was a dry season and they were in threat of wildfires, it would have to be brought immediately. Commissioner Viegbesie added that if items are added, they should be uploaded so citizens could have a chance to review as well.

2. Review and Discuss the May 18, 2021 Regular BOCC Meeting Agenda

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE WORKSHOP WAS DECLARED ADJOURNED AT 5:42 P.M.

GADSDEN COUNTY, FLORIDA

**BRENDA A. HOLT, Chair
Board of County Commissioners**

ATTEST:

NICHOLAS THOMAS. Clerk