

**AT A WORKSHOP OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FL ON JUNE 14, 2022 AT 4:00 P.M., THE  
FOLLOWING PROCEEDING WAS HAD, VIZ:**

**Present:** Dr. Anthony “Dr. V” Viegbesie, Chair, District 2  
Ronterious “Ron” Green, Vice Chair, District 5  
Eric Hinson, District 1  
Kimblin NeSmith, District 3  
Brenda Holt, District 4  
Edward J. Dixon, County Administrator - Zoom  
Clayton Knowles, County Attorney  
Crystal Jimenez, Deputy Clerk

**CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**

Chair Viegbesie welcomed everyone to the workshop at 4:07 p.m. The Invocation was led by Vice Chair Green. Chair Viegbesie then led to the Pledge of Allegiance of the U.S Flag.

**CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS (3-MINUTE LIMIT)**

*Anyone wishing to speak on agenda items or non-agenda items should schedule or notify the County Administrator’s Office before attending the meeting and will be asked to follow the Gadsden County Public Meetings Citizens Access Guidelines. Also, public comment for Commission meetings can be submitted via email to [CitizensToBeHeard@gadsdencountyfl.gov](mailto:CitizensToBeHeard@gadsdencountyfl.gov) until noon on June 14, 2022. Comments submitted after the deadline but prior to the meeting will be added to the official record, but the County cannot guarantee that Commissioners and staff will have adequate time to review comments prior to the meeting.*

Commissioner Nesmith read the above item.

**GENERAL BUSINESS**

**1. Proposed Revisions to Gadsden County’s Procurement Policy Presentation**

Mr. Dixon is present via Zoom. He turned his presentation over to Ms. Daniels.

Ms. Daniels presented Ms. Cheri Keiler who works with the Integrity Group. She will go over the changes to the procurement policy.

*Commissioner Holt entered workshop at 4:11 p.m.*

Ms. Daniels said the presentation is a walk through on the revisions that are being proposed for the procurement policy. There were some things in the policy that were no longer in effect. She said some things were kind of confusing and they looked at what other counties were doing as well.

**Cheri Keiler** stated she will be giving a presentation on the changes for the current policy as amended in 2017. She stated a lot of the revisions are necessary to bring the county’s purchasing policy current with today’s purchasing environment, trends and conditions. Also, so that they are in compliance with the state and federal laws. She went over the first section 2.0, the Application of Policy: Revisions to Current Sections. She said it is a list of procurement

activities that are exempt from competitive procurement. She went over the revisions that they have made to current sections. The first one was subsection 2.3, exemptions to the purchasing policy. She said they added some language in to state that even though they have those exemptions, it doesn't prohibit the Board from directing the county or the county administrator to competitively procure them. It simply gives them authority to not competitively procure them. She went over section 2.31; heavy equipment repairs shall be exempted from the competitive sealed bid requirements. She said that normally, when a piece of heavy equipment breaks down, there's a limited number of vendors or the vendor it was purchased from. She said they are exempt unless it is determined that it should be competitive and the purchasing director should be involved. That change also increased to anything in excess of \$150,000 would come before the Board. If it is \$150,000 or less, the authority to approve that repair would rest with the County Administrator, the Assistant County Administrator or the designated department director based on their authority.

Commissioner Nesmith asked about the new language. He asked what is the current language? Ms. Keeler said she did not have the current policy in front of her. Commissioner Nesmith just wants to compare the policies. Ms. Daniels clarified the difference.

*Commissioner Hinson stepped out at 4:21 p.m.*

Ms. Daniels stated they bought a lot of heavy equipment over the past few years. She said the County Administrator was already approving the emergency repairs. She said they wouldn't normally procure those kinds of things. She gave an example of it.

Commissioner Nesmith asked if the state laws require the governmental entity to put it up for bid. Ms. Daniels said exactly, because of proprietary reasons. Ms. Keeler said there is one exception to that. She said they may get a grant agreement that required it. She said if they are using county money, game busters, but if federal or state grants come in to it, then that's when they always have to take a pause to make sure that the grant agreement requirement and the purchasing policy are consistent. This language allows them to travel both highways.

Commissioner Nesmith asked if it is \$150,000 or less, the County Administrator would have the authority to authorize that repair?

Ms. Daniels said if it is \$150,000 or less, he doesn't have to agenda the item for ratification. If it is more than \$150,000, then he could still sign off on the repair but will still need to be brought to the Board for ratification because it may be an emergency type repair. Commissioner Nesmith asked what the limit is now? Ms. Daniels said \$5,000. Commissioner Nesmith asked how it went from \$5,000 to \$150,000?

Ms. Daniels said this comes more into play with the public works equipment. It is heavy equipment and a repair could easily exceed \$5,000.

Ms. Keeler said a lot of the equipment are proprietary which means they can only be repaired at certain places. She said the \$150,000 is under the Boards prevue. The Board could lower that number. It was a staff recommendation.

Ms. Daniels said there are other counties and the packet shows what they are doing.

Commissioner Holt said it depends on what type of administration you get. She thinks they have a good one. She said she wouldn't want that decision to go down to staff level. As long as it stays administrative, she's ok with it for the idea of the approval not for the amount. She thinks they should receive a phone call or an e-mail before something was done. She said she could tell horror stories but they don't want to get into that. She said you always put safe guards in place so that you don't have those kinds of problems. She thinks that if you have 4 of those at \$150,000 it could knock a dent in some things in what they want to do.

Ms. Daniels said it would be what's in the approved budget. The purchasing director would be responsible for looking at quotes. They may be able to shop around.

Commissioner Holt said she understands and doesn't have a problem with that. What she's looking at is the process itself. The restrictions keep from having problems later. She said it's not that she doesn't agree, they just need to be notified.

Ms. Daniels said they could put it in the policy. It doesn't have to be \$150,000 just for heavy equipment.

Commissioner Holt said the money set aside is fine. She said it's the notification and the purchase and the process that she is interested in. She said if they have more new equipment, there should be less repairs if they are maintained correctly and under the warranty. So, when they are looking at that, they want to make sure these things are checked off.

Commissioner Green asked what numbers the counties they have actually researched? Are they each doing \$150,000? For clarity, who is the purchasing director? Ms. Daniels said she does. She referred them to page 21 in the packet to see all of the county's numbers. She apologized and said they do not have the amount for other counties. She said that Bay County and Wakulla County came up with that number.

Mr. Dixon stated they are not caught up on the rising monetary change and don't want it to be a big deal. They will function with whatever numbers they give them. All of those purchasing restrictions have, allow a speed and turnaround time. At no point do they envision not bringing things to the board. They have 4-5 buildings to build and some come with 90-day turnaround time zone. The speed in which they can do things changes with the amount of appropriation they allow this administration. They will keep doing it at \$15,000 but it slows things down remarkably, that's the only difference. He said with that, whatever numbers the Board gives them, they will figure out how to work with it.

Chair Viegbesie said when the item was first introduced in the last meeting, it was the area where he had a concern, the \$150,000. He said he was not comfortable with it. Another part of the document he wasn't comfortable with was the non-profit and other government agencies. He has looked at other counties (passed out sheet with amounts with tiered approach). He went over the budgets for the counties and their tiered approach.

- Jackson County – Budget - \$27M
  - Purchases between \$2,500.00 and \$10,000.00 may be approved by the Administrative Services Director and/or Purchasing Agent.
  - Purchases between \$10,000.00 and \$14,999.99 shall be approved by the County Administrator.
  - Purchases over \$15,000.00 will be awarded by the Board.
  
- Wakulla County – Budget - \$40M
  - 1.) Tiered Approach
    - a. Petty Cash – Not to Exceed \$100.00
      - i. Authorized by Department Director
    - b. Verbal Quotes - \$101.49 - \$1,499.00
      - i. Authorized by Department Director
    - c. Written Quotes - \$1,500.00 - \$4,999.99
      - i. Authorized by Department Director
    - d. Written Quotes \$5,000.00 - \$9,999.99
      - i. Authorized by County Administrator
    - e. Written Quotes - \$10,000.00 - \$24,999.99
      - i. Authorized by County Administrator
    - f. Competitive Sealed Bids/Proposal - \$25,000 and up
      - i. Must be Authorized by Chairman
  
- Leon County – Budget \$41M-50M
  - 1.) Tiered Approach
    - a. Petty Cash – Not to Exceed \$100.00
    - b. Competitive Sealed Bids/Proposal - \$100,000 and up
  
- Columbia County – Budget \$41M-\$50M
  - Not to Exceed \$25,000

He said that most of those organizations have a budget way over Gadsden County's budget.

- Miami-Dade County – Budget \$2B
  - The County's preferred method of procuring goods and/or services valued at over \$25,000.00 is the formal ITB process.

He said he has trust in his current County Administrator, he has trust in his confidence, and he has trust in his capability, but the procurement policy is for the Gadsden County Board of County Commissioners, not for Ed Dixon. He said this has nothing to do with the Administrator's competence and capability and lack of trust. It has to do with what will go on with the Board of County Commissioners. He hopes it is not taken personal to question his integrity. He is very uncomfortable with \$150,000. He said they should consider a tier plan. He said this is work in progress.

Commissioner Hinson asked for the stats for Leon County. Chair Viegbesie said Leon County's information did not print. Ms. Daniels said it is in the packet. She said there is a tiered approach

in the policy. Chair Viegbesie asked Commissioner Hinson to go to page 6 of 29 for Leon County's numbers.

Commissioner Green wanted to clarify the differences in the numbers because the numbers that Chair Viegbesie researched and stated are different from the numbers Ms. Daniels researched and stated. Ms. Daniels said she researched the tier threshold. They had not gotten to that portion, they just got ahead of the presentation. The first thing that was changed was the repair of heavy equipment. Later in the policy itself, they repaired the threshold for general procurement. The first thing that came up was the exemptions to this policy that are normally exempt from the policy. She said it is the pleasure of the Board.

*Commissioner Hinson returned at 4:48 p.m.*

Commissioner Hinson asked the County Administrator, "how many times have you done an individual repair at \$150,000 in the last three years?" Ms. Daniels said they would have to get that information for him. She said it's not just heavy equipment, it's to ambulances, and those kinds of things is why that exemption is there.

Commissioner Hinson asked if they could have the answer in the next meeting. Chair Viegbesie asked for the information to be provided in next Tuesday's meeting. He said if the \$150,000 was not thrown around, he would not have any concern. He said they are to know that he is dealing with this, not because of Ed Dixon, but because the next meeting will be his last one with the Commission. So, he is doing it for the good of the County and for what he thinks is appropriate.

Commissioner Hinson said the Board went down to \$5,000 and Commissioner Holt said that she would not go above \$10,000. He said he could get the minutes for that, Commissioner Holt said he doesn't need it, she could answer that. Chair Viegbesie said he has a copy of that and he could read it to him. Commissioner Hinson said for him to read it. Chair Viegbesie said they both (Commissioner Holt and himself) voted against anything over \$5,000. That was on October 2017. Chair Viegbesie said he doesn't think he needs to read the minutes. Commissioner Hinson said he said it so they might as well hear it. Commissioner Holt said no, they don't need to hear that and they need to go on.

Mr. Dixon said if they want to make that top amount \$50,000 or \$25,000, just tell them and they will make those thresholds accordingly. Commissioner Hinson asked where they were at now, \$25,000? Mr. Dixon said in some places they are at \$15,000. Ms. Daniels said it depends on the item. She said these are things that are exempt from the policy. Currently, the exemption amount was \$5,000 for any repair to heavy equipment. It did not have to be competitively procured.

Chair Viegbesie said it was during the time with Mr. Presnell. It was October 17, 2017, a regular meeting. He was in opposition of the threshold. The maximum amount they were in opposition of. Commissioner Hinson asked for the maximum amount at that time. Chair Viegbesie said it was \$5,000 and then it was going up to \$10,000, and then ended up with \$25,000. The Chair then was Commissioner Taylor. Commissioner Holt and himself would not approve anything above \$25,000. They both voted against anything above \$25,000. Commissioner Hinson said it had to be the last month Mr. Presnell was there, and he was engaging it, they went down to \$5,000. Commissioner Hinson wanted to make sure the constituents hear the truth. He said

when Mr. Presnell was the County Administrator, it went down to \$5,000 then. Then, at the end of his retirement, it went up to \$25,000.

Commissioner Holt didn't think anyone in the room knew what her intent was so she would hate for people to quote what her intent is. She wanted them to look behind section 3 and look at the chart on page 6 of 29. She went straight to the section with Field Quotes. She looked for comparisons. She said when you compare what's going on in different counties, you have to compare what is comparable to what their staff is talking about. She said to look at the charts and what they are competing for. She said it is not just purchasing power, it's what they are purchasing. She said if they want to come up with another number, they come up with another number, that is up to the Board not anyone else. She said they have to look at the product not just the purchasing process. She said you can put in stipulations on who does approvals. They don't want to stop the process, but they also want a method of notification.

Commissioner Hinson said he couldn't follow Commissioner Holt. Commissioner Holt said page 6 of 29. She said you can see what those numbers are. It's not that they are using very low numbers; it depends on what they are categorizing them for. She wanted to say there is no discrepancy in what they're doing, but they have to compare apples to apples.

Commissioner Green said he wanted to make sure that they don't get stuck on administrations. He said they can't do things based upon 2017, 5 years later. He said the equipment and other expenses have increased in their companies since then. He wants to make sure they don't get stuck on anybody else's number. This is not an Ed Dixon procurement it is a board procurement. He said as long they're able to manage whatever they decide on, and they put in the rules and regulations, he would like to believe that the administration is going to respect and honor the rules of the board. He said they don't have to wait those 2 weeks if there is an emergency or major issue that something is going to cost a certain amount of money. They should be notified anyway before the money is spent, although they have the permission to do it.

Commissioner Hinson said he looked at the history. He said 5 years ago, \$5,000 is equivalent to \$15,000 today. He said he likes to compare numbers. Once the County Administrator has this power in his hands, \$150,000, they can say they think they might be making the best decision. He says that the Administrator could think that 20/30 people should get a contract for \$150,000 and they would not know any of those people or know about it because the Administrator doesn't have to go talk to them. He said not that the current Administrator would do it, but if a new one comes in, they don't know what their mindset would be. Chair Viegbesie said the Administrator has given his position on it and what they could work with and for them to be reasonable.

Vice Chair Green said to keep in mind of all the projects coming their way. They are getting ready to capitalize on a lot of things. He said they want to be able to have something that is suitable in place that they don't have to micromanage every project. He said they do need to make sure it is something feasible. He said the \$150,000 has given them all heartburns but they do have major projects coming.

Commissioner Holt said it may not be a bad idea to get a report on how many contracts they have out there. That way they get something per quarter or every 6 months to get an idea about

what is going on. She doesn't think that they could stay at \$25,000. She has no problem stating what she thinks it should be.

Ms. Daniels said she wanted to remind them that they have not got to the purchasing authority or the contract authority yet. This was just things that were exempt from the policy all together. The next thing that was \$150,000 to purchase muse equipment. That number could be \$25,000. If the repair of a piece of equipment reaches \$150,000, they probably need to get a new one instead of repairing it. If they are going to buy a piece of a used equipment for \$150,000, they probably need to look at getting a new piece of equipment. Purchasing a new piece of equipment would then fall up under the policy and they would have to follow the policy.

Commissioner Nesmith asked the board if they could change the procurement policy anytime they want to? Commissioner Hinson said yes. Commissioner Nesmith said it is a lot of information at this moment. He asked how many mandatory sections of their existing procurement policy must be changed in order to conform to current law? Ms. Daniels said one or two sections. She said she wanted to caution them that they are about to accept a \$10 million grant for the construction of a public safety EOC and the EMS facility which is another \$2.5 million. She said they want to set this policy up so that they are able to be in compliance. Also, to make the purchases that need to be made without saying "ok, we can't do that, we need to go back to the board".

Commissioner Nesmith asked in order to comply with current state law, if they look at those changes, as well as the changes that are required, in order to receive the additional grants, they have coming. They want to comply with current law because the procurement policy does not comply with current law because changes weren't made since 2017. Now they have significant grants coming that requires additional changes to the procurement policy.

Chair Viegbesie asked for their patience to give Mr. Dixon a chance to speak.

Mr. Dixon said no, they can't piece meal it, because it invites confusion. They want to bring clarity to a situation. Nobody knows if the spending limit is \$15,000 or \$25,000 right now. There are two grants he knows that they cannot draw down because their language doesn't speak properly in their procurement contract. They need to do it and do it all. The problem is that they have money coming now. They would like to bring whatever changes they want to the next meeting. He said whatever money they decide is a threshold. That threshold would begin repeating itself throughout that document. They have to do it in a whole sale fashion so that they don't invite confusion.

Commissioner Hinson said that's why they have emergency meetings, if something tragic happens, they have policies for that. He asked, within the last year, to give him an example of one time they had to have an emergency that cost up to \$150,000.

Ms. Daniels said she doesn't recall that has happened. She reiterated that the number could be whatever number they desire.

He asked if the staff can name one day that they needed an item for \$150,000 within the past year. Chair Viegbesie said it would need to be researched.

Chair Viegbesie said they have discussed this matter. He understands the need for the large amount. He said not giving the administrator as much discretion could impede growth operation. He was opposed up to \$25,000, he wanted \$15,000 a few years ago. He knew Commissioner Hinson was going to bring it up, that's why he had the record. He said for now, \$25,000 is fine. He said they can have emergency meeting if something needs repair for more than \$25,000. Another thing he will not support, is to give the authority to anyone else other than the County Administrator or Assistant County Administrator. He said they will put the document together and bring it back on Tuesday for approval.

Commissioner Holt said if you have a number to throw out, throw it out, and be done with it. She said if they need to vote, can they not vote at a workshop? It was confirmed, no. She said they cannot vote and everyone could say the same numbers just not vote. She said they need to move on but also, those contractors are looking at what they have and they know when you are being realistic or not. They look at the procurement process and if it's too restrictive they don't bid on the contracts, they keep moving to another county. She thinks Wakulla counties jumped up because they have a lot growth. She said you're just not purchasing, but you're purchasing services that they provide.

Commissioner Hinson said for anyone for the next 7 years, at this point, he asked if they have to have \$2 million in general fund balance? Ms. Daniels said they have \$3 to \$4 million dollars. Commissioner Hinson asked for the minimum. Chair Viegbesie said that conversation should be left to Thursday's workshop. Commissioner Hinson said he said that because at the minimum they must have before they get penalized from the state, say it's \$1.5 or \$1.8, if anyone grants 20 people \$150,000, that's \$3 million. Which means the county would be in the red, which means they will be penalized from the government. The government can pretty much get rid of the Board. He said the administrator cannot get in trouble for it because the Board grant them access to that. He said they went down so low because they were losing so much money at the time.

Ms. Daniels asked for a number they could come up with for the next meeting. She said they will have numbers that they are comfortable with given today's market and the trends amongst other governments. She said Wakulla just raised their limit. With this inflation we are having, they cannot stay where they are. Chair Viegbesie is comfortable with \$35,000-\$50,000. He doesn't think they should go beyond \$50,000. He said given the state of the affairs, sometimes they have to tighten their belts and work their magic.

Ms. Daniels said they had a tier approach plan with the \$150,000 being the maximum for the County Administrator. She said they will revise it. The maximum for the County Administrator will be \$50,000 and will revise down from there. She said with the tiered approach, the department directors have a certain amount, the purchasing director has another level, then the County Administrator, then \$50,000 will be to the Board of County Commissioners.

Commissioner Nesmith asked if she has the old tier system? Ms. Daniels said it was on page 21.

The power went out due to a thunderstorm warning.



Commissioner Green just wanted clarity that Ms. Daniels will work down from \$50,000.00 and bring it to show them what they will do with that break down. Ms. Daniels said that is correct unless she is directed to do something else. Commissioner Green said that will work.

- 2. Gadsden County Board of County Commissioners Procurement Policy**
- 3. Surrounding County Procurement Policies (*Leon, Bay, Gulf, Jackson, Wakulla*)**

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR VIEGBESIE DECLARED THE WORKSHOP ADJOURNED AT 5:43 P.M.**

**GADSDEN COUNTY, FLORIDA**

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**Ronterious Green, Chair**

**ATTEST:**

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**Nicholas Thomas, Clerk**