

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON NOVEMBER 19, 2024 AT 6:00
P.M., THE FOLLOWING PROCEEDING WAS HAD, VIZ:**

Present: **Eric F. Hinson, Chair, District 1**
 Ronterious Green, Vice-Chair, District 5
 Alonzetta Simpkins, District 2
 Shawn Woods, District 3
 Brenda A. Holt, District 4
 Edward J. Dixon, County Administrator
 Thornton Williams, County Attorney
 Adriana Quijada, Deputy Clerk
 Leann Jinks, Assistant BOCC Secretary

1. Call to Order, Invocation and Pledge of Allegiance

Chair Green called the meeting to order at 6 p.m. Pastor led into Invocation and Pledge of Allegiance to the U.S. Flag.

Chair Green stated Judge Kathy Garner will swear in the commissioners. Chair Green was sworn in by Judge Garner as a re-elected commissioner for District 5. Chair Green stated they will recess until Commissioner Hinson's family arrives.

Commissioner Shawn Wood was sworn in by Judge Garner as a new commissioner for District 3. Commissioner Hinson was sworn in by the Judge as a re-elected commissioner for District 1.

2. Amendments and Approval of Agenda

Mr. Dixon stated they have an amendment to add item 10.a, Public Hearing: Approval of Resolution 24-028 General and Grant Budget Amendments for FY2024.

Commissioner Wood requested to add item 11.c, Discussion of an External Investigation of The County.

COMMISSIONER WOOD MADE A MOTION TO ADD UNDER GENERAL BUSINESS ITEM 11.C, DISCUSSION OF AN EXTERNAL INVESTIGATION OF THE COUNTY AND COMMISSIONER HOLT MADE THE SECOND. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

COMMISSIONER SIMPKINS MADE A MOTION TO APPROVE THE AGENDA AS AMENDED AND COMMISSIONER HOLT MADE THE SECOND. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

6. Awards, Presentations, and Appearances

6.a - Election of Chairman and Vice Chairman

COMMISSIONER HOLT MADE A MOTION TO NOMINATE COMMISSIONER HINSON AS CHAIRMAN AND COMMISSIONER WOOD MADE THE SECOND. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

COMMISSIONER WOOD MADE A MOTION TO NOMINATE COMMISSIONER GREEN AS VICE-CHAIR AND COMMISSIONER HOLT MADE THE SECOND. THE BOARD VOTED 5-0 TO APPROVE.

7. CONSENT

COMMISSIONER SIMPKINS MADE A MOTION TO APPROVE THE CONSENT AGENDA AND COMMISSIONER HOLT MADE THE SECOND. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

7.a – Ratification Memo

7.b – BOCC Meeting/Workshop Minutes:

1. October 9, 2024, ARPA Workshop
2. October 15, 2024, Regular BOCC Meeting
3. October 22, 2024, Special Meeting

7.c – Approval of the Judicial Inquiry System (JIS) Department of Highway Safety and Motor Vehicles (DHSMV) – Access Certification Statement

7.d – Approval of the Community Development Grant (CDBG) Lead Base Paint Inspection Agreement

7.e – Approval of Signatures for Special Assessment Liens and Contracts - State Housing Initiative Partnership Program (SHIP)

7.f – Approval of 2025 Holiday Schedule

7.g – Approval of the Annual Contract between the Gadsden County Board of County Commissioners and the Florida Department of Health for the Operations of the Gadsden County Health Department

7.h – Approval of Microsoft Enterprise Annual Renewal

8. Items Pulled for Discussion

9. Citizens Requesting to be Heard on Non-Agenda Items (3-minute limit)

The Gadsden County Board of County Commissioners welcomes and encourages public participation at all meetings of the Board. Citizens are free to speak for up to three (3) minutes on non-agenda items. Public comments and participation are also encouraged for items on the agenda. Additionally, if you are unable to attend a meeting in person, comments from the Public can also be submitted via email to CitizensToBeHeard@gadsdencountyfl.gov until noon on the date of the meeting. 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. Citizens are further encouraged to participate on the County's website at www.gadsdencountyfl.gov.

Chair Hinson read aloud the above statement.

Rodney Moore, 1404 St. Hebron Road

Mr. Moore appeared before the board to discuss the County Administrator. He stated it was time for a change and Mr. Dixon needed to go. He also mentioned billing for the county attorney. He advised to go to Bainbridge to be shown what needed to be done in regards to economic development.

Michael Brown, 588 Charles Brown Lane

Mr. Brown appeared before the board and asked commissioners to represent the people.

Tracey Stallworth, P.O Box 1339

Mr. Stallworth appeared to discuss the Mississippi trip. It was important to him as a planning commissioner.

Dorothy Thomas, 586 Shiloh Road, Quincy FL

Ms. Thomas appeared to discuss the Mississippi trip.

Derrick Elias, 233 Cheeseborough Ave, Quincy FL

Mr. Elias appeared before the board. He stated if they always agree, they will never change or grow. He stated the trips they take for economic development are fine if they actually come back and put some of those things into action.

Mr. Elias stated he expects a whole lot more from the County Administrator if they are making \$104k. He stated it was rare that they actually have items on agenda. The commissioners are responsible for letting the County Administrator know what they want on the agenda.

Commissioner Green stepped out at 6:55 p.m.

10. Public Hearing

10.a Public Hearing: Approval of Resolution 2024-028 General and Grant Budget Amendments for FY2024

Chair Hinson asked the County Attorney if they were in line with their ordinance with having this public hearing. The County Attorney stated the notice complied with the statute. It was advertised five days prior to the hearing.

Mr. Dixon presented the item. He stated this is presented to the Board for approval of Resolution 2024-038 and authorization for the County Administrator and Finance Director to

complete and execute all budget amendments necessary to maintain a balanced budget for the Fiscal Year 2024 BOCC budget.

Derrick Elias appeared and asked to let everyone know what they were attempting to do.

Mr. Dixon stated there was a LAP Grant to build the Adams Street sidewalk in the amount of \$1,046,340.00. The next amendment was for a FDLE Salary Assistance Grant in the amount of \$657,697.00. There are library donations in the amount of \$6,265.16. The next amendment was for EMPA Grant in the amount of \$119,126.00. Mr. Dixon stated there was a budget fund to set up new ambulance debt in the amount of \$368,060.00 and there was an amendment to transfer from Fund 001 in the amount of \$374,000.00.

Commissioner Simpkins asked to expand on the Fund 001 transfer. Mr. Dixon stated it was set up to fund for new ambulances.

Commissioner Green returned at 7:02 p.m.

Commissioner Wood asked if this was the last meeting that they were allowed to do budget amendments and Mr. Dixon stated no, they could do that in every meeting. Ms. Janice Harris appeared before the board and stated they will have budget amendments that come before the board throughout the year. This item was coming from the Finance Director.

Commissioner Green stepped out at 7:03 p.m.

Commissioner Green returned at 7:05 p.m.

COMMISSIONER HOLT MADE A MOTION TO APPROVE ITEM 10.A AND COMMISSIONER WOOD MADE THE SECOND. THE BOARD VOTED 5-0 TO APPROVE.

11. General Business

11.a Approval to Renew of Waste Pro Contract

Mr. Dixon presented the above item. This agenda item seeks Board approval to renew the Solid Waste Franchise Agreement with Waste Pro of Florida, Inc. and to authorize the Chairman to sign the new agreement. Staff negotiated an extremely competitive rate for solid waste services for County residents. Additionally, the County has been receiving a 10% franchise fee from Waste Pro each year.

This renewal Agreement has additional terms and conditions for Waste Pro and for the County, as well as updated general terms of the Agreement.

1. Waste Pro has agreed to provide curb side assistance to senior citizens that cannot bring their waste containers to the curb.
2. Additionally, Waste Pro will notify the County if there is a change of schedule and will discuss the change with the County prior to implementation.

3. Waste Pro will receive a 3.5% increase for the first year and a 3.5% increase for the second year as a negotiated inflationary 7% increase for the next 5 years.

4. Lastly, Waste Pro has agreed to provide a corporate presence in the County to support county activities with at least a \$15,000.00 contribution per year.

There is no fiscal impact in terms of expenditure of funds from the County. Under the franchise agreement the County will receive 10% of the gross receipts collected quarterly. The County received a franchise fee of \$230,842.02 in franchise fees in 2023.

Commissioner Wood stepped out at 7:09 p.m.

The County Attorney stated this was a franchise agreement. When they negotiated with the Waste Pro Representative, they agreed to eliminate the automatic renewal provision. If they were to get to the end of the term, and for some reason it was not negotiated out, Waste Pro agreed that the agreement does not terminate. They have 180 days to complete any negotiations.

Commissioner Wood returned at 7:10 p.m.

Mr. Loyd Childree, Waste Pro Representative, appeared before the board. Commissioner Simpkins asked why there was a difference in fee when compared to Leon County. Mr. Childree stated service was geared towards density. When they go out to rural communities, there is not as much density. They could be driving a mile before they get to the next house to service.

Commissioner Green asked about other bids. Mr. Dixon stated they looked at an invitation to bid; they thought Waste Pro was the best opportunity. The County Attorney stated the request was for a 7% increase for one year and they were able to negotiate a 3.5% increase for the first and second year.

Commissioner Holt asked if they do large items pickup. Mr. Childree stated there is a bulk item pick up and he believed it was once a month; they would have to call it in. Mr. Williams stated there were amendments to the agreement. He asked to delete section 5.5 from the motion and authorize modifications based on scriveners' errors. Chair Hinson asked if they only pick up certain things and Mr. Childree stated it was based on volume.

COMMISSIONER HOLT MADE A MOTION TO APPROVE ITEM 11.A WITH THE AMENDMENTS OF DELETING SECTION 5.5 AND TO AUTHORIZE MODIFICATIONS BASED ON SCRIVENOR'S ERRORS. COMMISSIONER GREEN MADE THE SECOND AND THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

11.b City of Gretna Request to Enter into an Interlocal Agreement for the ownership transfer of Unimproved Roadway Known as Clifford Johnson Road

Mr. Dixon presented the above item. This item seeks Board approval of an Interlocal Agreement for the ownership transfer of an unimproved roadway known as Clifford Johnson

Road, owned by Gadsden County and execution of a proposed right of way deed, deeding the unimproved roadway to the City of Gretna.

Mr. Williams stated he has spoken with Mr. Knowles and he was present as well. Harold Knowles, Attorney for City of Gretna, appeared before the board. Mr. Knowles stated there was a 15-day period from which the County could approve the interlocal agreement and they were requesting that timeline be reduced to 48 hours.

The County Attorney stated they were waiting on the final legal description. He thanked the board for allowing them to get the survey done and he was in agreement with expediting this. They do not have the survey yet, so, they could not get the legal description yet. Mr. Knowles stated that they had assured him the legal description would be there tonight. Mr. Williams stated that Mr. Knowles assured him that the legal description he gave him was accurate and it was not. Mr. Knowles asked when will the survey be available. Mr. Williams stated the goal was tonight but they expect to have it in the next day or so. Mr. Knowles stated this was an execution issue and not a survey issue.

Commissioner Green asked if they could approve this with the expectation of waiting for the legal description. Mr. Williams stated yes, that was his recommendation – approve the interlocal agreement upon all documents being in place and they do not have to come back for a second review.

Commissioner Simpkins asked about the legal description. Mr. Williams stated the county surveyor would provide it. Mr. Knowles stated their problem was that this has taken 3 months to get done and the project has been on hold.

Mr. Williams mentioned going from 15 days to 10 days and Mr. Knowles stated that was unacceptable. Commissioner Wood stated this was his district and he thought it was a great project for the City of Gretna. They were putting 50 jobs in his district with this project.

Commissioner Simpkins requested to be cc'd in emails to know the time frame of when the legal description will be available.

COMMISSIONER HOLT MADE A MOTION TO APPROVE THE INTERLOCAL AGREEMENT AND EXECUTION OF RIGHT OF WAY DEED CONVEYING OWNERSHIP OF CLIFFORD JOHNSON ROAD TO CITY OF GRETNA AND GETTING LEGAL DESCRIPTION WITHOUT COMING BACK TO THE BOARD. COMMISSIONER GREEN MADE THE SECOND AND THE BOARD VOTED 5-0 TO APPROVE.

11.c Discussion of an External Investigation of the County

Commissioner Wood requested this item to be added on the agenda. Commissioner Green stated after they have a process, appropriate actions will be taken. The County Attorney stated when they ask questions, they need to keep it more general.

Ms. Burroughs appeared before the board. Commissioner Green asked if she had a timeline of her part being done. Ms. Burroughs stated hopefully by the end of the week.

Commissioner Simpkins stated there needs to be an external investigation. Chair Hinson asked if there was a policy for investigations and Ms. Burroughs stated the policy does exist. Commissioner Green stated he was in favor of an external investigation when it gets to that point; allow HR to do due diligence.

Commissioner Wood stated it would protect an employee if they decide to do an external investigation. Mr. Dixon stated they have contacted law enforcement and that he will go to them with facts.

Commissioner Wood stepped out at 8:17 p.m.

Commissioner Holt stepped out at 8:18 p.m.

Commissioner Simpkins stated the policy was not being followed. Mr. Williams stated the employee is being interviewed. Commissioner Hinson stated the Attorney was telling the County Administrator to silence himself without Board approval.

Commissioner Wood returned at 8:19 p.m.

Commissioner Holt returned at 8:20 p.m.

Commissioner Holt stated she would like for the person who hired them to not be a part of the investigation.

Commissioner Wood stated he was not talking policy; he was talking statutory. Colonel appeared before the board and recommended them to contact FDLE and take the Sheriff out of it.

Derrick Elias appeared. He stated they need to specify what they are investigating. He stated it was not fair for Ms. Burroughs to investigate her boss and it would do them a great service to allow an outside entity to conduct an investigation.

Mr. Williams stated if they go from a non-criminal to criminal, they have to specify that the criminal activity is “alleged”.

COMMISSIONER WOOD MADE A MOTION TO ASK EXTERNAL LAW ENFORCEMENT TO INVESTIGATE AND COMMISSIONER HOLT MADE THE SECOND. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

12. Clerk of Courts

There were no updates from the Clerk.

13. County Attorney

Mr. Williams mentioned that there have been concerns regarding billing. He stated he has been keeping track of what he has done and when. When he came on board, the billing that he has seen was more than what he expected and there were reasons why. He stated he has been practicing law for 43 years and he had never seen a backlog of cases that he has right now.

Mr. Williams stated he has a marketing agreement that had been sitting out since February of this year and it should have been done before he got there. He stated the marketing agreement was practically not done at all and he had to start from scratch to get that done. Then, they had a Waste Pro Agreement where if it had not been done, they would have no garbage services for the county. He stated this should have been done before he got on the board. If these items had been done before he got there, then his billings would have been lower. Mr. Williams stated he still has a 3-million-dollar agreement that he has to work out for the Boys & Girls Club. He also had to work on the County Health Department fuel agreements that had been pending. They had a graphic design contract that had also been pending since February.

Mr. Williams stated he just finished up the auditing services contract. That contract had expired. Regarding Economic Development, he stated there is an RFP that he has to review. He also mentioned that there are ordinances that need to be updated.

Mr. Williams stated that any lawyer that has been in business for a long time will at some point lose a client, and when they no longer have that client, they transfer files from where they are to the new attorney. He stated he has yet to have a meeting with the previous county attorney. Mr. Williams stated he has called him to have a meeting to discuss what files he had. His response to Mr. Williams was that if he needs something, to let him know.

Commissioner Green stepped out at 8:35 p.m.

Commissioner Simpkins stepped out at 8:35 p.m.

Mr. Williams stated Mr. Pittman tried to assist him with this, and he gave him his files but it was inadequate for him to be able to understand where they were. Mr. Williams stated that in all of his experience, he has never had a public records request lawsuit. He stated he has no cooperation from the previous attorney regarding what was going on with the lawsuit.

Commissioner Simpkins returned at 8:38 p.m.

Commissioner Green returned at 8:42 p.m.

Mr. Williams stated he has never billed for conversations with commissioners because they should have the right to talk to him freely.

Commissioner Simpkins asked if those contracts were provided to the previous attorney and they were just not completed. Mr. Dixon stated yes. Commissioner Simpkins asked to get sent the emails regarding those contracts. Commissioner Green thanked Mr. Williams but for his analysis, but the individual from that firm was not there for representation.

14. County Administrator

Mr. Dixon stated he had spoken with the last two chairmen over the past couple years about the previous attorney. He stated there have been many nights where the commissioners chastised him and stated the attorney worked for them. It was not his job to question the attorney; it was theirs. He stated there were many nights that the Commissioners asked him why were certain people preparing a package and it was because they could not get the previous attorney to prepare them. Contracts are dealt by the attorney.

Mr. Dixon stated he accepted this job wholeheartedly. He accepted it based on what they offered, a salary of \$105k. That same salary was turned down by Mr. Elias two or three times. Mr. Dixon stated when he got this job, the county was millions of dollars in debt and they could find nobody to work there.

Mr. Dixon stated he did not ask the board for a county car, just the car allowance which is \$600 a month. He stated the county did not buy him a \$80k car, he bought it.

Mr. Dixon mentioned the electric bill next door and stated the bill was being paid by the Clerk's office. He stated the board had nothing to do with the continuation of that. Mr. Dixon stated the board had met a few times to discuss the lease program. He stated Derrick Elias was in the room when they discussed it. There was no scheme going on; they were spending \$700,000 on cars annually and now they are spending \$350,000 less on leasing 30 cars.

15. Discussion Items by Commissioners

15.a Commissioner Alonzetta Simpkins, District 2

Commissioner Simpkins stated to Commissioner Holt that it was very disrespectful what she said earlier and she would never have disrespected her like that on the dais.

Commissioner Simpkins stated when she decided to seek office, it was not to deal with this kind of stuff. She wanted there to be a difference in the county and to have growth and development taking place. In order for that to happen, they are going to have to put their personal agendas to the side. Commissioner Simpkins stated citizens have the right to public information and the county should not be getting a public records lawsuit. She felt that they could do better as a county.

Commissioner Simpkins stated to Mr. Dixon that she did not think they beat up on the staff. Commissioner Simpkins mentioned the wild game and stated over a thousand people attended. They have people coming from all over to participate in that event. She stated hats off to Across the Tracks.

15.b Commissioner Shawn Wood, District 3

Commissioner Wood stated he ran for office to prove a point. If they do not figure out how to all get along, they are going to fail. He stated he has known the guys from Integrity for many years and he did not like what they went through. He mentioned the 3-year contract

with Mr. Williams. He stated Mr. Williams was a sharp guy but he did not feel like he was his lawyer; he was the other commissioner's lawyer. If they could have waited another month, he would have been a part of the process of appointing a new county attorney. The program was put together for him and he did not like it.

Commissioner Wood stated their number one priority should be the schools. They need to work with their high school to make them successful. Mr. Dixon stated they went to the legislature; they were not uninvolved.

15.c Commissioner Brenda Holt, District 4

Commissioner Holt stated money has to be spent in a timely manner. She wanted them to their kids more opportunities.

15.d Commissioner Ronterious Green, District 5

COMMISSIONER GREEN MADE A MOTION TO PAY A BILL OF \$7800 FOR THE TRIP TAKEN AND COMMISSIONER HOLT MADE THE SECOND. THE BOARD VOTED 3-1 TO APPROVE. COMMISSIONER WOOD OPPOSED.

Commissioner Green mentioned the Boys & Girls Club and asked for an update. Mr. Dixon stated they were waiting on the contract. Mr. Williams stated he had a conversation with the City Attorney and they agreed on concepts and are now in the graphic stage.

COMMISSIONER GREEN MADE A MOTION FOR COUNTY OFFICE TO BE CLOSED ON NOVEMBER 27 AND COMMISSIONER HOLT MADE THE SECOND. THE BOARD VOTED 5-0 TO APPROVE.

Commissioner Green mentioned having a recognition for Dale Summerford and Shirley Green Knight. They could have a more detailed conversation about this at a later time.

15.e Commissioner Eric F. Hinson, District 1

COMMISSIONER HINSON MADE A MOTION TO TERMINATE THE COUNTY ADMINISTRATOR AND COMMISSIONER SIMPKINS MADE THE SECOND WITH DISCUSSION.

Commissioner Holt stated when she got on the board, she did not worry about who the administrator was nor the attorney. She felt like this was not a good idea because they need to look at how they were going to transition. She stated they had a lot of problems before with two other county administrators. They need to keep the county running and have a process in place.

Commissioner Green stated he would like to come up with a process first and they need a plan. He stated that they talk about moving forward but this will put them to a stop. He would like to see other opportunities they may have but, to follow a process.

Chair Hinson stated about 2 months ago, the board fired the previous county attorney immediately.

Commissioner Wood stated that the word transition was brought up. He was not allowed a transition, they did it for him. He stated he will be the third vote, but will listen to what Commissioner Green and Commissioner Holt have to say about this to maybe change his mind.

Commissioner Green stated the County Attorney contract had ended in February; they did not just fire the law firm. Pittman Law Group did not re-apply for the job. He stated he wanted to just bring clarity to that.

Commissioner Holt stated the County Attorney contract was already up. During the transition period, there was plenty of time to turn the contracts over and get them done. The issue with her was that even though she and Mr. Dixon had several disagreements, he did more than the last two County Administrators.

CHAIR HINSON MADE THE MOTION TO TERMINATE THE COUNTY ADMINISTRATOR AND COMMISSIONER SIMPKINS MADE THE SECOND. THE BOARD VOTED 3-2 TO APPROVE. COMMISSIONER HOLT AND COMMISSIONER GREEN OPPOSED.

Commissioner Hinson made the motion for Roger Milton for the interim County Administrator. Commissioner Holt stated to give it to someone who at least is familiar with county government. Commissioner Green said to give an opportunity to someone who has been here before. Commissioner Holt mentioned Roosevelt Morris as interim County Administrator.

COMMISSIONER HOLT MADE A MOTION FOR ROOSEVELT MORRIS TO SERVE AS INTERIM COUNTY ADMINISTRATOR FOR 2 MONTHS. THE BOARD VOTED 5-0 TO APPROVE.

Mr. Dixon thanked them for the opportunity to serve them and stated it has been his pleasure. He stated this was politics, it happens.

16 Motion to Adjourn

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HINSON DECLARED THE MEETING ADJOURNED AT 10:08 PM.

GADSDEN COUNTY, FLORIDA

**Eric F. Hinson, Chair
Board of County Commissioners**

ATTEST:

NICHOLAS THOMAS, Clerk