

AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS, HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON SEPTEMBER 8,
1992, THE FOLLOWING PROCEEDINGS WERE HAD,
VIZ.

PRESENT: HARRY K. HOLT, CHAIRMAN
FORREST DAVIS
ANTHONY POWELL
JAMES PEACOCK
BUD PARMER, COUNTY MANAGER
NICHOLAS THOMAS, CLERK

ABSENT: JIM C. COOPER, VICE-CHAIRMAN
HAL RICHMOND, COUNTY ATTORNEY

CALL TO ORDER AND FISCAL YEAR 1992-1993 BUDGET WORKSHOP

The meeting was called to order by Chairman Holt. He stated that its purpose was to review the proposed budget prior to the public hearing on same, scheduled for tomorrow at 6:00 p.m. He then turned the floor over to County Manager Parmer and Clerk Thomas.

Clerk Thomas stated that not much dealing with the revenue side of the budget (attached) had changed since he and County Manager Parmer met about a month ago. Clerk Thomas highlighted and explained funds that had either been changed or added and answered questions posed by board members. Clerk Thomas advised the board that actual revenues totaled \$12,542,101 with transfers, revenues total \$15,272,278.

County Manager Parmer then highlighted and explained the expenditures side of the budget (attached) and responded to questions posed by the board.

Brief discussion was held regarding the county attorney's budget, the importance of the Industrial Development (Chamber of Commerce), the negation of funds for, and payment of rent by, the Community Action Program, and the expenses associated with Stevens School. County Manger Parmer advised of a proposal discussed with Tom Oalk who operated the drug rehab program and Ron Kirkland of Apalachee Mental Health about leasing Stevens school from the County for \$1 a year with their providing for their own expenses (fuel, utilities, repairs, maintenance, etc.).

Chairman Holt advised that he had been approached by a gentleman regarding painting a large mural on a wall at Stevens School relating to drug abuse. County Manger Parmer advised that a decision on the lease proposal could be made within a few days a Mr. Oalk and Mr. Kirkland are awaiting a grant which will determine whether they can lease the building. Discussion on pauper burials followed with Chairman Holt suggesting cremation as opposed to burials as it is less expensive. County Manager Parmer advised that there were statutes which govern this. He would need to check with County Attorney Richmond as to whether the county can do this.

With regard to G.A.R.C. being eliminated from the budget, County Manager Parmer stated, in response to the Commissioners' questions about who would mow the pards, that the county might have to organize some neighborhood volunteers and get Road and Bridge to assist in this task. Commissioner Peacock suggested that Mr. Keels be contacted on a regular basis to ascertain the availability of prisoners to assist in this task.

Discussion was held pertaining to funds expected for the Transportation #1 and #2 Funds, decreases, and the amount charged by the state to collect these monies. Commissioner Davis asked and County Manager Parmer advised that the Road and Bridge Department would resume its 40 hour work week commencing October 1, 1992. He also advised that some people were retiring from the Road and Bridge Department.

Commissioner Powell asked and was informed that the \$250,000 to be received by the county for housing, as a result of the Sedaski Bill, had not been included in the budget. He also advised as to why it was included and gave a status report as to efforts being made in preparation of receiving these funds.

County Manager Parmer briefed the board as to work done at the hospital and improvements in services at the hospital. Commissioner Powell asked and was advised that there is security at the hospital at night. Brief discussion was held pertaining to the Agricultural and Home Extension budget.

Chairman Holt expressed the need for the County to avoid duplication of social services already being provided by other entities within the county. County Manager Parmer lamented on the dilapidated condition of the Road and Bridge Department's equipment and the inability of the county to give raises to that Department's employees. Discussion followed on the feasibility of contracting

out grass mowing and other tasks performed by the Road and Bridge Department. County Manager Parmer recommended the use of senior citizens to alleviate the shortage of workers because of budget cut-backs and Commissioner Powell suggested the use of interns through the internship program, at no cost to the county.

Commissioner Peacock asked and was advised that the Waste Services budget covered both agreements and some operational costs. County Manager Parmer thanked Clerk Thomas for his work on the budget. Chairman Holt asked and was given the status of the County's mosquito machine.

Chairman Holt then urged everyone to be prepared to answer questions which may be presented by audience members at tomorrow's public hearing on the budget.

ADJOURNMENT

There being no further business to come before the board, the meeting adjourned.

HARRY K. HOLT, CHAIRMAN

ATTEST:

NICHOLAS THOMAS, CLERK

AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS, HELD IN AND FOR
GADSDEN COUNTY, FLORIDA, ON SEPTEMBER 15,
1992, THE FOLLOWING PROCEEDINGS WAS HAD,
VIZ.

PRESENT: HARRY K. HOLT, CHAIRMAN
JIM C. COOPER, VICE CHAIRMAN
FORREST DAVIS
ANTHONY POWELL
JAMES PEACOCK
HAL RICHMOND, COUNTY ATTORNEY
BUD PARMER, COUNTY MANAGER
NICHOLAS THOMAS, CLERK

CALL TO ORDER

The meeting was called to order by Chairman Holt. Clerk Thomas led in Pledge of Allegiance and Commissioner Powell led in prayer.

APPROVAL OF MINUTES - AUGUST 25, 1992 - SPECIAL MEETING

The board, on motion of commissioner peacock and second of Commissioner Davis, voted unanimously to approve the minutes of August 25, 1992 special meeting.

APPROVAL OF MINUTES - SEPTEMBER 1, 1992 - REGULAR MEETING

The board, on motion of commissioner peacock and second of Commissioner Davis, voted unanimously to approve the minutes of the September 1, 1992 regular meeting.

Chairman Holt then stated that pertaining to the September 1, 1992, Planning and Zoning Recommendations, item number eight, the Department had stated the direction as two miles north. This need to be reflected as two miles west.

RAILROAD CROSSING CLOSING

County Attorney Richmond stated that he believed a CSX representative is present at this meeting for continuation of the public hearing that was begun at the last regular board meeting.

Bobby Grice of the Florida Department of Transportation (DOT) stated that he did not see anyone from CSX present and stated the

position of DOT on the matter.

In response, Commissioner Davis made a motion to deny the road closing, stating the reasons for same. Commissioner Peacock seconded the motion.

Mr. Bill Wolfram, representing NT Gargiulo, Inc., formerly Beef Stake Tomato Growers, addressed the board in opposition to the road closing. He advised the board as to their heavy use of the road and the dangers of having to use other routes. NT Gargiulo, Inc. would like the road kept open.

Mr. Henry Pelt of DOT addressed the Board in support of closing the road, stating that improved rail service throughout North Florida would save wear and tear on the county's highways. He stated the necessity of a siding in this area, stating that the siding was going to be there because more freight trains would be running, along with passenger trains. Trains will be parked on the siding, day and night. If the road is left open and trains are parked across the road, there is a tremendous hazard to the motoring public. He then cited the expense to the taxpayers and county in keeping the road open in relation to the rebuilding and maintenance of the signal at the location. DOT is attempting to prevent a hazard from occurring. The railroad is going to build a siding and there will be a very large increase of train traffic on the siding. DOT is attempting to save money for the county and state and to save lives. Closing the road is the way to accomplish this.

Commissioner Powell asked and was informed that alternate sites were not chosen. He was also advised as to the problems that would be encountered with other sites. The railroad feels, and Mr. Pelt concurs, that they have the right to build a second track on their property. He then stated what improvements would be required if the additional track is built. Commissioner Peacock, asked for and received clarification as to the location of CSX's present siding location.

Mr. Franklin Knight, an audience member, addressed the Board in opposition to the road closing.

Chairman Holt asked for and received clarification as to the expense to the county relative to the installation of the railroad signals referred to by Mr. Pelt.

The Board, on motion of Commissioner Davis and second of

Commissioner Peacock, voted 4 to 1 to deny the road closing. Commissioner Cooper cast the lone dissenting vote.

TRANSPORTATION # 2 FUND

County Attorney Richmond stated that he had read a memorandum (attached) from Clerk Thomas to the board pertaining to use of Transportation # 2 funds.

The board has declared Atwater Road to be an emergency, based on special facts and there are no problems regarding this. Clerk Thomas clarified what the disallowance of equipment rental, referred to in the memorandum, encompassed. He then paraphrased the memorandum,, stressing the need for the board to develop a definition of "emergency work". He cautioned that payment of over-time, which has not been declared an emergency, would not be paid for from the Transportation #2 Fund. County Manager Parmer asked and James Parramore advised that the over-time was expended because of rain wash-outs.

Commissioner Peacock stated that the board, County Attorney Richmond, and Clerk Thomas needed to meet with the auditors to discuss whether two Transportation Funds are needed as other counties have only one fund. Clerk Thomas advised that some of those counties are being written up for non-compliance. He further advised that even if the two funds are combing, certain monies will still be restricted in use. Discussion followed pertaining to the use of Transportation # 2 funds with County Manger Parmer advising of efforts being made to change the language of the statute pertaining to these funds through the legislature. With board permissions, he and County Attorney Richmond will continue these efforts.

Commissioner Cooper stated the need for the County to resolve the issue of what can and cannot be done with the fund. County Attorney Richmond stated that matters needed to be brought before the board, to be declared emergencies, prior to institution of work and concurred with Clerk Thomas that a definition of emergency work needs to be established to avoid problems. The Board need to make an emergency determination either before or as soon as possible after an event, so that there is a record. Commissioner Peacock expressed concern and County Attorney Richmond advised that whatever the Board defines as emergency would legally stand. The determination needs to be made publicly so that there is no question later as the funds are restricted by statute.

AIRPORT AUTHORITY UPDATE

Gene Spencer, and audience member, asked and County Attorney Richmond advised him that the joint resolution pertaining to this matter will be brought before the city commission at its meeting next. Once the resolution is passed by the city commission, the formal resolution will be presented and signed. If the city commission adopts the resolution, as adopted by the county commission, the county will execute and forward same to the State Attorney.

Commissioner Davis stated that the other side needed to be heard as he does not think that Earl Lodge, David Watson, and other members of the Airport Authority would knowingly do anything wrong. Commissioner Cooper stated that he felt the board had made the best decision that could be made pertaining to this matter.

RICK MCCASKILL - ECONOMIC DEVELOPMENT UPDATE

Rich McCaskill presented an economic update (attached), highlighting the following: Higdon Furniture Company expansion; Easy-Pull; Quincy Farms; McKenzie Tank Lines; Holiday Inn Express; Capital Plastics and Recycling; Food Lion; NRT Corporation; Compilation, on behalf of the County, the Annual Economic Development Plan for Apalachee Regional Planning Council; and Gadsden Memorial Hospital.

Chairman Holt advised that anyone wanting a copy of the Annual Economic Development Plan referred to by Mr. McCaskill could get one from the Chamber of Commerce Office.

SYLVIA BYRD - PROJECT FOR TEEN PREGNANCY PREVENTION, NEW ACHIEVERS CLUB

Ms. Byrd provided the board with some literature and then proceeded to brief the board on one of the Health Department's programs, Gadsden Citizens for Healthy Babies. She advised that they are closely connected with all local agencies within the county, including the schools. She advised of the type work they perform, the type funding they receive and the purpose of same.

Ms. Byrd then addressed the Teen Pregnancy Prevention Project, advising that they had received a grant for this project on the basis that groups be started at Shank, Stork's Nest, and Havana. She advised of the transportation problem encountered by many of the girls in getting to the sites. MS. Byrd informed the Board as

to which churches in the community had assisted in alleviating this problem by allowing groups to meet at the churches.

Ms. Byrd advised of the success of the program with the girls, stating that they would like to continue with and expand the groups. She appealed to the board for space to locate their office, informing the board as to what they could do with the monies saved if the space is provided and further stating that a blue sheet (attached) provided the board listed other things that the board could provide, if possible. Ultimately, they would like to expand the teen pregnancy prevention groups to include males.

Chairman Holt asked and Ms. Byrd advised that they needed office space comprising 1500 square feet. He then informed Ms. Byrd that the board would consider her proposal and work with them as best as possible. He also advised Ms. Byrd of the space shortage experienced by the county. In the future, after some of the county's buildings are renovated, there may be space available which the county can provide. Ms. Byrd advised that their present lease expires in February, 1993. They will need to know prior to this time if the county will be able to provide space.

PLANNING AND ZONING COMMISSION RECOMMENDATIONS

Steve Sparks, Planning and Zoning Interim Director, presented the following project to the board:

1. **LESIA LEARNING CENTER & DAYCARE** is a proposed daycare center that is proposing to locate at the southwest corner of Carver and Walter Street, approximately 200 feet east of US 27 and 0.25 miles north of the Havana Town limits. The site consists of 0.26 acres. The applicant is Mrs. Lesia S. Johnson.

The Planning Commission recommends approval of the project, subject to the listed special conditions.

The board, on motion of Commissioner Cooper and second of Commissioner Davis, voted unanimously to approve the project.

2. ROAD RE-NAMING

Mr. Sparks advised that this item has been advertised for public hearing tonight. Mrs. Lillie Mae Russ is requesting that Vickers Road be re-named Russ Lane.

Commissioner Davis asked if anyone was opposed to the

name change, to which no response was received. Commissioner Peacock asked and Mr. Sparks responded that the required letter had been sent out.

The Board, on motion of Commissioner Davis and second of Commissioner Powell, voted unanimously to change the name of the road from Vickers Road to Russ Lane.

County Manager Parmer asked that Mr. Sparks notify all appropriate agencies, Sheriff's Department; EMS; etc., of the name change.

CERTIFIED BUDGET FOR MOSQUITO CONTROL

County Manager Parmer advised the board of receipt of a form from the Department of Health and Rehabilitative Services, Office of Entomology, requesting that the county remit to them a certified copy of the county's budget pertaining to mosquito control, landfill and arthropod. Same has been prepared and will be forwarded to them, if the board has no objections.

It was the board consensus that the form be remitted.

CONSENT AGENDA

The board, on motion of Commissioner Cooper and second of Commissioner Powell, voted unanimously to approve the items (attached on the consent agenda (attached), to wit: Road and Bridge overtime; extension of LSCA Grant (library); Library State Aid Application; Proposed Fire Assessment Agreement with Property Appraiser and Tax Collector; and HRS Health Department Contract.

COMMISSIONER'S REPORT - DISTRICT ONE

Commissioner Cooper presented no report.

COMMISSIONER'S REPORT - DISTRICT TWO

Commissioner Powell expressed appreciation for grass cutting.

COMMISSIONER'S REPORT - DISTRICT THREE

Commissioner Peacock presented no report.

COMMISSIONER'S REPORT - DISTRICT FOUR

Commissioner Davis presented no report.

COMMISSIONER'S REPORT - DISTRICT FIVE

Chairman Holt stated that grass could be worked on and that he had spoken with Mr. Parramore regarding some acute road conditions.

He then gave a status report on the mining taking place on Sadberry Road. He said that he and County Planner Steve Sparks toured the sand mining facility which is now under new management.

He said that the company is mining 200 acres although Planning and Zoning Recommendations in the agenda packet states that there are 417 acres in the plot that was approved.

Commissioner Holt stated that the previous owner is in the process of trying to sell the remaining sand. He continued by saying that if a buyer is found, there will probably be a question of access to the site. He reasoned that the buyer would have to use the unpaved portion of Sadberry Road because Roberts Sand Company will not allow another company to use their drive-way. Therefore a new drive way will have to be established and that will require that the board set up stipulations as to what will have to take place with the dirt road.

Commissioner Holt continued by saying there is also another problem along Sadberry Road in that culverts were not installed when people built their homes in the area. He said that there are sixteen locations where culverts are needed. The cost of installing culverts is being ascertained and the county will contact all of the property owners affected by this. Brief discussion followed pertaining to the size of the culverts to be installed. Mr. Parramore advised that the owners would be notified by a door to door method.

LITTER CONTROL OFFICER

Chairman Holt advised that the county's litter control position was being eliminated. The person working in that position wants to be compensated for all accumulated sick leave. Chairman Holt stated that the policy requires 20% payment for all hours over 300. Commissioner Peacock asked and County Manager Parmer advised that he was not in possession of information pertaining to what is owed and what is requested on this item as he was unaware that it would be addressed at this meeting. Commissioner Cooper suggested that County Manger Parmer calculate the figures and present them at the next Board meeting. County Manager Parmer stated that the

policy referred to by Chairman Holt had been in effect for some time and has been applied to a number of employees. Commissioner Powell suggested that policy be followed and that the matter be table to allow County Manager Parmer to calculate what is owed to Mr. LeCroy. Commissioner Cooper suggested that County Manager Parmer ensure that all alternative available to Mr. LeCroy be explained to him.

Chairman Holt asked that County Manager Parmer bring this information before the Board at its next meeting.

PHYSICAL INVENTORY MEMORANDUM

Clerk Thomas paraphrased a memorandum advising the board of its need to prepare an annual physical inventory. County Manager Parmer advised that David Gholson was in the process of doing this.

CASH BALANCE REPORT

Clerk Thomas presented a Cash Balance Report (attached) reflecting 1.9 million dollars in the board's general operating accounts.

BUDGET AMENDMENTS (ATTACHED)

Clerk Thomas Presented the following budget Amendments, requesting approval:

Library; Grants; Grants; EMS Grants; EMS Billing;
General; Library (3); Transportation # 1; General (4); Grants;
and Transportation # 1

The board, on motion of Commissioner Davis and Second of Commissioner Powell, voted unanimously to approve the budget amendments.

PAYMENT OF BILLS

The Board, on motion of Commissioner Powell and second of Commissioner Davis, voted unanimously to pay the bills.

ADJOURNMENT

The board, on motion of Commissioner Cooper and second of Commissioner Davis, voted unanimously to adjourn.

Gadsden County Board of County Commissioners
September 15, 1992 Regular Meeting

Harry K. Holt, Chairman

ATTEST:

Nicholas Thomas, Clerk

GADSDEN COUNTY CONSTRUCTION INDUSTRY LICENSING BOARD

The meeting was called to order by Chairman Holt. Count Manager presented the license application (attached) of Clifton Starry Renn, recommending approval.

The Board, on motion of Commissioner Cooper and Second of Commissioner Peacock, voted unanimously to approve the application.

Chairman Holt commented on the large number of contractors from Leon County applying for licenses in the county. He encouraged local contractors to obtain licenses.

ADJOURNMENT

The Board, on motion of Commissioner Davis and second of Commissioner Peacock, voted unanimously to adjourn.

HARRY K. HOLT, CHAIRMAN

ATTEST:

NICHOLAS THOMAS, CLERK

AT A SPECIAL MEETING OF THE BOARD OF
COUNTY COMMISSIONERS, HELD IN AND FOR
GADSDEN COUNTY, FLORIDA, ON SEPTEMBER 21,
1992, THE FOLLOWING PROCEEDINGS WERE HAD,
VIZ.

PRESENT: HARRY K. HOLT, CHAIRMAN
FORREST DAVIS
ANTHONY POWELL
JAMES PEACOCK
HAL RICHMOND, COUNTY ATTORNEY
BUD PARMER, COUNTY MANAGER
NICHOLAS THOMAS, CLERK

ABSENT: JIM C. COOPER, VICE CHAIRMAN

CALL TO ORDER

The meeting was called to order by Chairman Holt. Chairman Holt led in Pledge of allegiance and Commissioner Peacock led in Prayer.

FY 1992-93 FINAL BUDGET HEARING

Chairman Holt opened the floor for discussion, questions and input from the board and audience, stating what had been done at the tentative budget hearing. He stated that after hearing all input and questions, resolutions would be passed for adoption of the 1992-93 budget.

Mr. Gene Spencer addressed the board, opposing the expenditure of funds for the Airport Authority, stating the reasons for same. He urged that the Board give the monies budgeted for the Airport Authority to the Gadsden Citizens for Healthy Babies organization or a similar organization.

Mr. Harvey Sweeney asked for and Clerk Thomas provided an explanation as to how the five percent increase in taxes was derived. Mr. Sweeney then asked and received responses pertaining to the budgets for Purchasing and Personnel; Hopkins Landing-Pat Thomas Park; County Manager; and Waste Services - 403. He also asked about funds being set aside for legal fees for Fire Assessment law suits advising that he was not going to pay his fire tax.

Mrs. Archie Mae Carter asked questions regarding the payment of funds to Waste Management, to which County Attorney Richmond responded. She also addressed the issue of laying off county employees and no decrease in Commissioners' salaries, the fire tax and taxes paid by citizens. Responses to her observations were given by Chairman Holt and County Manager Parmer.

Mrs. Celia Brown addressed Board pertaining to the increase in taxes and what the increase would cover. Chairman Holt responded, repeating Clerk Thomas' earlier explanation of the increase and advising her that the increase would support the county. She also asked and received responses pertaining to use of fire assessment funds and the county jail.

Mr. Edward Johnson addressed the issue of the fire assessment, asking what amount he would be charged for his property. He was advised that the notice he received contained this information. Mr. Johnson stated that there are a lot of citizens who are unable

to pay the assessment. He questioned the value of the assessment to him.

Reverend Gus Salter addressed the Board, encouraging it to act on matters in a manner that is palatable to the citizens.

Mr. Nolen Hancock addressed the board pertaining to the fire assessment. He advised the board that there are a lot of citizens from whom the board will not be able to collect and stated why.

Mr. Forehand addressed the board in opposition to the manner in which the board handles some matters, the economic status of the citizens of the county and the management practices of the county.

County Manager Parmer responded to the memorandum (attached) presented to the Board by Clerk Thomas, stating that he was working on some other changes that will be brought back to the board. This does not necessitate delaying adoption of the budget. The changes will be made later in the form of amendments.

County Attorney Richmond then read the 10.00 millage resolution (attached) into the record.

The board, on motion of Commissioner Davis and second of Commissioner Powell, voted unanimously to adopt the 10.00 millage resolution.

County Attorney Richmond then read the 1.797 millage resolution (attached) into the record.

The board, on motion of Commissioner Davis and second of Commissioner Powell, voted unanimously to adopt the 1.797 millage resolution.

Commissioner Davis then mad a motion, seconded by Commissioner Powell, to adopt the final budget for fiscal year 1992-93. Mr. Gene Spencer asked and was informed that this included the Airport Authority. discussion among the audience and Chairman Holt followed.

The board, on motion of Commissioner Davis and second by Commissioner Powell, voted unanimously to adopt the final budget (attached).

Chairman Holt reported on the finance, budget and taxation committee meeting he attended. He solicited ideas from the audience as to legislation they would like changed pertaining to finance, trust funds, etc. The committee will attempt to have legislation enacted which will enable counties to use funds from the trust. funds.

ADJOURNMENT

There being no further business to come before the board, the meeting adjourned.

HARRY K. HOLT, CHAIRMAN

Gadsden County Board of County Commissioners
September 21, 1992

ATTEST:

NICHOLAS THOMAS, CLERK

AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS, HELD IN AND
FOR GADSDEN COUNTY, FLORIDA, ON
OCTOBER 6, 1992, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

PRESENT: HARRY K. HOLT, CHAIRMAN
JIM C. COOPER, VICE-CHAIRMAN
FORREST DAVIS
ANTHONY POWELL
JAMES PEACOCK
HAL RICHMOND, COUNTY ATTORNEY
BUD PARMER, COUNTY MANAGER
NICHOLAS THOMAS, CLERK

CALL TO ORDER

The meeting was called to order by Chairman Holt. Commissioner Davis led in Pledge of Allegiance and Commissioner Peacock led in Prayer.

APPROVAL OF MINUTES - SEPTEMBER 8, 1992 - SPECIAL MEETING

The Board, on motion of Commissioner Powell and second of Commissioner Peacock, voted unanimously to approve the minutes of the September 8, 1992, Special Meeting.

APPROVAL OF MINUTES - SEPTEMBER 9, 1992 - SPECIAL MEETING

The Board, on motion of Commissioner Davis and second of Commissioner Peacock, voted unanimously to approve the minutes of the September 9, 1992, Special Meeting.

APPROVAL OF MINUTES - SEPTEMBER 15, 1992 - REGULAR MEETING

The Board, on motion of Commissioner Peacock and second of Commissioner Powell, voted unanimously to approve the minutes of the September 15, 1992, Regular Meeting.

APPROVAL OF MINUTES - SEPTEMBER 21, 1992 - SPECIAL MEETING

The Board, on motion of Commissioner Powell and second of Commissioner Davis, voted unanimously to approve the minutes of the September 21, 1992, Special Meeting.

CRAIG McMILLIAN - INSURANCE REFUND

Mr. Craig McMillian addressed the Board, stating that the County joined the Florida Association of Counties Trust three years ago for its liability insurance coverage. He explained that this is the group of all counties that are participating in a self-insurance fund for its general liability insurance and public officials liability insurance. As part of the self-insurance fund, a reserve pool was set up which the County participates in. As more counties join the fund, the County will receive monies back from the original bond issue which funded the pool.

He presented the County with a check in the amount of \$6,813.09 which he stated was a return because more counties have joined the pool. Mr. McMillian anticipates that the County will receive another check the first part of the coming year. He briefed the Board as the growth of membership in the pool.

RICK McCASKILL - ECONOMIC DEVELOPMENT UPDATE

Commissioner Cooper advised that Mr. McCaskill had informed him that he would not be in attendance at tonight's meeting.

Chairman Holt stated that questions relating to the items contained in Mr. McCaskill's activities report (**attached**) could be directed to Mr. McCaskill at his office.

PAVING ASSESSMENT ORDINANCE

County Attorney Richmond stated that at the request of some Board members, a tentative ordinance (**attached**) had been drafted pertaining to paving assessments for groups of landowners on a street or road who wanted to have their road paved. The drafted document reflects one route that the County can take on this matter; there may be other options which the Board may wish to discuss and give him guidance on. He then explained the method by which the drafted document would work. Commissioner Cooper addressed problems that he foresaw with the ordinance, as drafted, including some of its language. Discussion followed pertaining to the problems cited by Commissioner Cooper with Commissioner Peacock suggesting that the Board hold a workshop meeting on the matter. Chairman Holt suggested that each member think about a date and time to hold the workshop meeting. Commissioner Powell explained the type circumstances under which the Ordinance should apply. Commissioner Peacock stated that if a workshop meeting is not held, the Board members should submit their recommendations at the next regular meeting.

Celia Brown, an audience member, asked questions pertaining to road work that occurred in her neighborhood Sunday. Chairman Holt responded to the queries.

Brief Board discussion then followed in which members concurred that the roads covered in the Ordinance should be County maintained roads. Chairman Holt asked that members bring their recommendations to the next regular meeting.

Dr. Goreau, an audience member, suggested that only County maintained roads be considered in the Ordinance. He was advised that this is what the Board is advising.

AIRPORT AUTHORITY JOINT RESOLUTION

County Attorney Richmond advised the Board that the City of Quincy had voted not to join in the resolution passed by this Board.

Commissioner Davis made a motion, seconded by Commissioner Peacock, that the County not pursue the matter. Discussion followed. Commissioner Cooper addressed the proper way to dispose of this issue. He then made a motion to recall the concurrent resolution to the table for reconsideration in that the City did not want to concur with the Resolution. Commissioner Davis seconded the motion. Discussion followed as to why the City did not join the Resolution.

Commissioner Cooper then amended his motion on recall that the motion be put to rest as it stands. It will not be used as a concurrent request since there was no action by the City. Commissioner Davis seconded the motion.

The Board, on motion of Commissioner Cooper and second of Commissioner Davis, voted unanimously to nullify the matter.

CONSENT AGENDA

The Board, on motion of Commissioner Peacock and second of Commissioner Powell, voted unanimously to approve the items (**attached**) on the consent agenda (**attached**), to wit: (1) Office Lease for State Attorney's Office; (2) Addendum to Cooperative Agreement with Division of Forestry; (3) Contract Extension for Ambulance Purchase; (4) Agreement with Disc Village; (5) Agreement with St. James Church; (6) Bid Committee Recommendations; and (7) Payment for Overtime - Road and Bridge.

PROPERTY AT RESTON SUBDIVISION

County Manager Parmer advised that this item should be removed from the agenda as the individual to which it applied has bought another lot. An unidentified gentleman in the audience wanted to discuss this item. Commissioner Cooper advised him that he was going to remand this item to Planning and Zoning and that the gentleman would have to go there for a meeting. This is not something that the Board should take up.

County Manager Parmer stated that this was a specific lot on which a request was received. He wrote the Board a memorandum pertaining to it, but the matter is no longer under consideration as the individual has bought another lot.

SAND PURCHASE

County Manager Parmer advised that rains over the week end had caused a road in the Shiloh Community to wash out. Sand had to be purchased to put on the road to make it passable. He gave permission to purchase the sand, provided that the matter was brought before the Board under the provisions explained by the auditors as it relates to expenditure of funds from Transportation #2 Fund. County Manager Parmer asked that the Board approve the purchase of the sand.

The Board, on motion of Commissioner Cooper and second of Commissioner Powell, voted unanimously to approve the purchase of the sand.

DEPARTMENT OF TRANSPORTATION

County Manager Parmer read into the record a letter (**attached**) written by Mr. Mike Kelly of the CSX Transportation Group that was sent to him by Mr. Henry E. Pelt of the Department of Transportation's Rail Operations Division.

The letter, pertaining to the Woodyard Road, advised that the road would be closed as CSXT is proceeding with construction of a passing siding. Brief discussion followed.

COMMISSIONER'S REPORT - DISTRICT ONE

Commissioner Cooper addressed the issue of campaign sign litter, stating that the Board had agreed to enforce the political advertisement sign law by the states if an ordinance did not have to be created.

The thirty days have passed that candidates in the first primary should have removed their signs. The Board has authority under Florida Statute 106.1435 to allow the Road Department to remove the signs on the right-of-ways and charge the candidates a fee or penalty. Candidates in other primaries will have thirty days after election day to remove their signs.

The Road Department should pick up the signs and supply the Board with a list of persons whose signs they picked up. The County Attorney should come up with a figure not less than what it

cost the Board to penalize the candidates plus time and labor to remove the signs.

Commissioner Powell asked if the persons already past the deadline could be notified and given an extension first. Discussion followed. Commissioner Davis suggested putting an ad in the paper or sending the individuals letters notifying them that they have thirty days to remove the signs. More discussion followed.

Commissioner Peacock made a motion, seconded by Commissioner Powell, for the Supervisor of Elections to send the individuals a letter prior to action being taken on the matter.

Commissioner Cooper asked if a time specific would be given in the letter. Discussion followed as to the specified length of time for removal to be included in the letter.

Commissioner Cooper made a motion, seconded by Commissioner Peacock, that the Supervisor of Elections send the letter, return receipt requested, specifying that individuals already past the time period have seven working days from receipt of the letter to remove the signs.

Commissioner Cooper then stated what the contents of the letters should be for those already in violation and those not yet in violation.

Commissioner Cooper then made a motion that the Supervisor of Elections send a letter, return receipt requested, to the candidates who ran in the first and second primaries and who will be running in the general election. The persons running in the first primary are to be notified that they are already in violation. They have fourteen days from receipt of the letter to remove their signs. Commissioner Powell seconded the motion.

The Board, on motion of Commissioner Cooper and second of Commissioner Powell, voted unanimously that the Supervisor of Elections send a letter, return receipt requested, to the candidates who ran in the first and second primaries and who will be running in the general election notifying them of the time period for removal of their signs. The persons running in the first primary are to be notified that they are already in violation. They have fourteen days from receipt of the letter to remove their signs.

Dr. Goreau commented on the number of signs in the County erected in violation. Mr. Ray Gaines, an audience member, advised the Board of a new state ordinance relative to state right-of-way signs. He advised that a fee had to be paid to place signs on

right-of-ways and the method by which the fee is determined. The County may want to entertain this idea.

COMMISSIONER'S REPORT - DISTRICT TWO

Commissioner Powell addressed the need to have road signs erected to correctly identify roads. Roads are called by one name by the residents and the County Planning Department have them listed otherwise. For the new fiscal year, roads need to be named better. Discussion followed.

COMMISSIONER'S REPORT - DISTRICT THREE

Commissioner Peacock reported that things were running smoothly in his district.

COMMISSIONER'S REPORT - DISTRICT FOUR

Commissioner Davis reported that things were okay in his district.

COMMISSIONER'S REPORT - DISTRICT FIVE

Chairman Holt stated that a road in his district was being worked on. Everything else is okay.

STATEMENTS FOR LEGAL SERVICES - NABORS, GIBLIN & NICKERSON

Clerk Thomas advised that the fees to this firm for impact fees would be paid in the next few weeks from fiscal year 92-93 funds. The fire service fee can not be paid until fire tax monies come in.

PROPERTY APPRAISAL ADJUSTMENT BOARD

Clerk Thomas suggested that the Property Appraisal Adjustment Board reconvene at 5:30 p.m. on October 20, 1992, to approve the minutes of September 24, 1992. It was the consensus of the three Commission Board members serving on that Board that the meeting be held as suggested by Clerk Thomas. The Clerk's Office will notify the School Board and its representatives of the meeting.

CASH BALANCE REPORT

Clerk Thomas presented a Cash Balance Report (**attached**) reflecting 1.3 million dollars in the General Operating Accounts.

BUDGET AMENDMENTS - FISCAL YEAR 1991-1992

Clerk Thomas presented the following Budget Amendments for Fiscal Year 1991-1992, requesting approval:

County Transportation #1; General; Fine and Forfeiture; Hospital Renewal and Replacement; Mosquito Control/Landfill; Grants; General; General; Grants - Drug Abuse; General; 019 EMS Grants; General (Hopkins Landing); 042 - EMS; General; Transportation #2; Library; Library; Library; and Library

The Board, on motion of Commissioner Davis and second of Commissioner Powell, voted unanimously to approve the Budget Amendments for Fiscal Year 1991-1992.

CONTINGENCY REQUEST - RECYCLING GRANT BUDGET - FY 1992-1993

Clerk Thomas advised that a budget has been set up for the Recycling Grant. However, to fund a recycling program, the County has to match fifty percent this year. To meet this requirement, \$11,500.00 is needed from Contingency. Clerk Thomas requested approval of said amount from Fiscal Year 1992-93 Contingency Fund.

The Board, on motion of Commissioner Powell and second of Commissioner Davis, voted unanimously to approve the Contingency Request (**attached**).

BUDGET AMENDMENTS - RECYCLING GRANT BUDGET - FY 1992-1993

Clerk Thomas presented three Budget Amendments (**attached**) which set up the Recycling Program in the General Grants Fund. He requested a motion for approval of the Budget Amendments.

The Board, on motion of Commissioner Peacock and second of Commissioner Davis, voted unanimously to approve the Budget Amendments.

APPLICATION FOR DUPLICATE TAX SALE CERTIFICATE

Clerk Thomas presented an Application for Duplicate Tax Sale Certificate, requesting authorization for the Chairman to sign.

The Board, on motion of Commissioner Davis and second of Commissioner Powell, voted unanimously for the Chairman to execute the document.

CERTIFICATION OF COMPLIANCE

Clerk Thomas requested authorization for the Chairman to sign the County's Certification of Compliance (**attached**).

The Board, on motion of Commissioner Powell and second of Commissioner Davis, voted unanimously for the Chairman to execute the Certificate.

PAYMENT OF BILLS

Clerk Thomas requested a motion to pay the bills.

The Board, on motion of Commissioner Powell and second of Commissioner Davis, voted unanimously to pay the bills.

MISCELLANEOUS

Commissioner Cooper requested that County Manager Parmer provide him with the last twelve months revenue versus expenses break-down of the EMS Department prior to the next regular meeting.

He also wants to be advised as to when that Department last received raises and the number of employees that have resigned within the last seven months.

JAMES ROGERS - MODIFICATION TO COMPREHENSIVE PLAN AS IT RELATES TO WETLANDS

James Rogers addressed the Board, advising of problems on his land caused by excessive water which is caused by development/growth in the area. There are no provisions in the County Charter or County Growth Management Plan regarding dispersal of water in the area.

The Building Inspection Department has informed him that this is a problem that only the Environmental Department can handle. He advised as to what the concerns of the Environmental Department are. Mr. Rogers has been advised by the Building Inspection Department and Planning Department that in review of permits, the only review made is in regard to the flood plain position of the property as it relates to the one hundred year flood plain. There is no provision regarding current wetlands as denoted on the Department of Interior's Chart, located in the Planning Department.

There are houses located in the area that are within U.S. Federal wetlands that were approved by the Building Inspection Department in violation of Federal Law.

Mr. Rogers advised the Board as to how the area has been zoned in the Comprehensive Plan. Mr. Rogers further advised that he has spoken with Commissioner Davis about this problem and has requested a moratorium of construction in the area to which there was no response. Construction has to be stopped now. He then suggested

to the Board that a temporary moratorium be placed on the area until the zoning is changed to fit the current wetlands position.

Mr. Rogers stated that he has spoken to his attorney regarding this problem. Mr. Rogers advised that Union Chapel Road was widened illegally. His land was not condemned by the County. He and his father's only alternative will be to take back the road, which they will do as it is their property since it has never been condemned or maintained by the County.

Mr. Rogers stated that if the County does not institute a moratorium, his only recourse will be to reclaim the land and close the ditches.

Commissioner Davis stated that the area is a wet one and that Mr. Rogers does have a problem with the water traversing his property. Discussion followed pertaining to the County permitting construction in the wet area.

Commissioner Cooper stated that Planning and Zoning had to take a true initiative move from Planning and Zoning since they are in charge of the Comprehensive Plan and Growth Management Plan. That Commission has to decide, legally, what can and cannot be done. This Board has to ratify that decision. He then stated that the Board needed to send the directive back to Planning and Zoning. Discussion followed.

Commissioner Cooper then made a motion that the issue be sent to Planning and Zoning to be taken up as a formal issue and start the proper process if there is a moratorium level that can be accomplished. Commissioner Peacock seconded the motion.

Mr. Rogers asked if the motion included review of the wetlands. Commissioner Cooper responded that it covered everything. Commissioner Powell asked if construction was under way in the area and was advised that trailers are being moved into the area.

Lamar Kent, Building Inspector, advised that DER should be contacted regarding this matter as they have always regulated it. The Health Department is aware of the wetlands. Brief discussion followed. Dr. Goreau commented on the Comprehensive Plan as it related to the County having a population of 280,000 in the year 2001.

NORTH FLORIDA EDUCATIONAL DEVELOPMENT CORPORATION (NFEDC) -

Mr. Clarence Lewis, Chairman of the Board of North Florida Educational Development Corporation (NFEDC) addressed the Board,

stating that he had submitted a proposal to the Commission on September 30, 1992, in reference to the Old Stevens School. He stated that he was present to defend his proposal. He welcomed questions or comments from the Board pertaining to his proposal.

Dr. Goreau asked and Chairman Holt explained what the proposal pertained to. Commissioner Powell asked if the Organization's operation of the facility would relieve the County of all liability. County Manager Parmer responded. Dr. Goreau suggested that the County retain veto rights to any changes that any organization controlling the school wanted to make. County Manager Parmer recommended that the Board consider leasing the school in five year increments instead of a 99 year lease. Mr. Lewis presented photographs of the school for Board review.

MEN OF ACTION - OLD STEVENS SCHOOL

Mr. Wallace Ellis addressed the Board pertaining to leasing the school, advising their organization does not have anything in writing to present to the Board.

They feel that they can use the building for their social and civic organization meetings as well as other things they would like to do. They have been in the process for the past year trying to locate suitable facilities for their organization.

He advised that he was unaware that NFEDC was going to be at this meeting tonight requesting the building. He has been asked by the membership of his organization to appear before the Board tonight and ask that they be permitted to do a feasibility study on the building. They need time to do this study. They have contacted an organization that will do the study for them.

Commissioner Davis asked if it was possible for NFEDC and Men of Action to work out something so that both organizations could use the building. Mr. Ellis responded that he thought this could be done.

Mr. Lewis, NFEDC, responded that their cover letter to the Board reflected that they would be working with existing organizations providing services at the sight and other organizations.

Chairman Holt stated that hopefully, the two organizations could work out something while the County Manager and County Attorney worked on an agreement. Mr. Ellis asked if the Board would allow time for a feasibility study to be performed.

Mr. Lewis directed the Board's attention to information provided the Board which reflected the length of time he had been working on the project and the persons he had been working with. Discussion between Commissioner Cooper and Mr. Ellis followed pertaining to the type meetings that his organization could not hold at the school.

Mrs. Vivian Kelly addressed the Board, advising that NFEDC had Lease - Old Stevens School requests Gadsden Men of Action been working on this project for some time. She advised that NFEDC has a grant in hand to start work on the school while the Men of Action do not have their things in place. They would like the Board to make a decision on leasing the building today.

Mr. Witt Campbell addressed the Board, advising as to the length of time NFEDC had been working on this project. He encouraged the Board to consider leasing the school to NFEDC.

Discussion followed as to when a decision on leasing the school should be made. Mr. Lewis stated that all necessary information had already been submitted to the Board and asked what else his organization needed to wait on if the Board was going to make a decision.

Commissioner Peacock stated that Mr. Lewis had provided the Board with all necessary information to make a decision. It is now up to the Board to decide who the school will be leased to. Discussion followed.

Commissioner Peacock made a motion to lease the school to NEFDC with the stipulation that there be a five year lease, with option to renew, rather than a ninety-nine year lease, subject to the lease documents being drawn up for approval of the Board. Commissioner Cooper seconded the motion and stated that NEFDC should include a clause that they have a right to let other organizations, such as Mr. Ellis' use the school.

Commissioner Powell asked how soon work would start on the school once the lease is finalized. Mr. Lewis advised that work would probably start January 1, 1993. Commissioner Powell suggested a ribbon cutting ceremony when the facility is completed which the Commission could participate in.

The Board, on motion of Commissioner Peacock and second of Commissioner Cooper, voted unanimously to lease the school to NEFDC with the stipulation that there be a five year lease, with option to renew, rather than a ninety-nine year lease, subject to the lease documents being drawn up for approval of the Board and NEFDC

including a clause that they have a right to let other organizations, such as Mr. Ellis', use the school.

ADJOURNMENT

The Board, on motion of Commissioner Peacock and second of Commissioner Cooper, voted unanimously to adjourn.

HARRY K. HOLT, CHAIRMAN

ATTEST:

NICHOLAS THOMAS, CLERK

AT A REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS,
HELD IN AND FOR GADSDEN COUNTY,
FLORIDA, ON OCTOBER 20, 1992,
THE FOLLOWING PROCEEDINGS WERE
HAD, VIZ.

PRESENT: HARRY K. HOLT, CHAIRMAN
JIM C. COOPER, VICE-CHAIRMAN
FORREST DAVIS
ANTHONY POWELL
JAMES PEACOCK
HAL RICHMOND, COUNTY ATTORNEY
BUD PARMER, COUNTY MANAGER
NICHOLAS THOMAS, CLERK

CALL TO ORDER

The meeting was called to order by Chairman Holt. County Manager Parmer led in Pledge of Allegiance and Commissioner Powell led in Prayer.

APPROVAL OF MINUTES - OCTOBER 6, 1992 - REGULAR MEETING

The Board, on motion of Commissioner Peacock and second of Commissioner Powell, voted unanimously to approve the minutes of the October 6, 1992, Regular Meeting.

CITY OF MIDWAY - LOCAL OPTION TAX PROCEEDS

County Attorney Richmond directed the Board's attention to a letter (**attached**) from the City of Midway pertaining to Local Option Sales Tax proceeds. The City is requesting that the County amend Ordinance 87-011 to provide for their participation. County Attorney Richmond advised that this is at the discretion of the Board. If authorized, this matter will have to be advertised and brought back before the Board.

Commissioner Peacock asked for and received an explanation from County Attorney Richmond as to what Midway was requesting. Commissioner Peacock stated that he had a problem voting on the matter as his copy of the interlocal agreement pertaining to the matter was illegible. Discussion followed with a determination being made that Midway was included in the Ordinance. Chairman Holt stated that Midway is not presently a participant, but wants to become one. County Attorney Richmond stated that this would require the County to amend the Ordinance. The Ordinance cannot be amended tonight as the procedure for amendment, including advertising, has to be done.

Gadsden County Board of County Commissioners
October 20, 1992 Regular Meeting

Commissioner Cooper asked what the effects of amending the Ordinance would be -- is this just a procedural process. County Manager Parmer stated that this would not cost the County anything and then stated the percentages to be received by each City. Although Midway was included in the Ordinance, they did not request the money to participate in the tax. They are now requesting the money. Discussion followed.

Commissioner Cooper made a motion, seconded by Commissioner Davis, to proceed with the legal process necessary to amend the Ordinance, as requested by the City of Midway.

County Manager Parmer directed the Board's attention to the portion of the above referenced letter from the City of Midway pertaining to their not levying the tax by ordinance or resolution.

Commissioner Cooper then amended his motion, stating that at the next formal meeting of the City of Midway, that their counsel does retro the status by a resolution to the Board to substantiate the County's ordinance change. Commissioner Davis seconded the motion.

The Board, on motion of Commissioner Cooper and second of Commissioner Davis, voted unanimously to proceed with the legal process necessary to amend the Ordinance as requested by the City of Midway and that at the next formal meeting of the City of Midway, their counsel retro the status by a resolution to the Board to substantiate the County's ordinance change.

NOTICE FROM DOT TO CLOSE WATSON DAIRY ROAD RAILROAD CROSSING

County Attorney Richmond directed the Board's attention to a letter (**attached**) from the Florida Department of Transportation which advised of their intent to close Watson Dairy Road. Attorney Richmond stated that the Board had voted in September not to close the Road on a local level. He now needs instruction from the Board as to how to handle this matter -- whether he should file a request for administrative hearing or whether the local residents should file a petition for hearing.

Commissioner Cooper stated that the administrative process was a long, expensive one. He recommended that this issue be brought forth by the people and not the County as the County does not have the funds to pursue this matter. Commissioner Davis stated that he did not think there was much that could be done as work on the project has already begun.

County Attorney Richmond advised that there are thirty days in which a petition can be filed. He is not making a recommendation

to file or not file a petition, but he needs direction from the Board as to how to proceed. Commissioner Cooper recommended that the Board not file a formal proceeding, based on money and the knowledge that the County will not prevail. Chairman Holt suggested that the citizens of the affected area may want to file a proceeding. Commissioner Davis stated that they should be notified that the Board is not filing an objection, but if they want to, at their expense, they can. Chairman Holt suggested that the Board direct County Attorney Richmond to advise the residents that the County is not filing an objection.

County Attorney Richmond wanted to know which residents he should notify, advising of the risk involved. County Manager Parmer stated that Attorney Richmond could proceed under the provisions of the notification process used by Planning and Zoning -- residents within a 1000 feet of the crossing. He advised that Steve Sparks, Interim Planning and Zoning Director, could work with County Attorney Richmond on this matter, providing the names of the surrounding property owners.

It was Board consensus that County Attorney Richmond notify the residents that the Board is not filing a petition.

NORTH FLORIDA EDUCATIONAL DEVELOPMENT CORPORATION

County Attorney Richmond advised that a meeting had been held with Mr. Clarence Lewis and Mrs. Carolyn Ford of North Florida Educational Development Corporation (NFEDC).

A lease has been prepared, which he synopsisized. NFEDC has requested that if the lease is approved, the County notify the tenants occupying Stevens School that NFEDC will take over the facility January 1, 1993. NFEDC anticipates trying to obtain grants to keep the building up and making structural repairs as needed.

Commissioner Davis stated that County Attorney Richmond needed to consult with Lamar Kent to make sure that everything is covered on the transition. County Attorney Richmond responded that as far as notifying the tenants, there is an agreement outside the lease that any fuel left at the sight, as of January 1, 1993, will be paid for by NFEDC. He also advised that NFEDC had provided him with proof of insurance coverage in the amount of \$500,000. County Attorney Richmond then stated that the Chairman needed to be given authorization to execute the lease.

Commissioner Powell asked and County Attorney Richmond advised that there is no provision in the lease as to a time frame for NFEDC to refurbish the facility. This is left to the discretion of

NFEDC. There is a provision in the lease that any improvements that the County feels necessary for preservation of the building, the County can send NFEDC a letter stating same. They will have ninety days to notify the County as to their intent.

County Manager Parmer advised that there are tenants in the building who have been advised to work with NFEDC to work out necessary logistics to remain at the facility until their new location is available.

The Board, on motion of Commissioner Davis and second of Commissioner Powell, voted unanimously for Chairman Holt to execute the lease.

PLANNING AND ZONING RECOMMENDATIONS (ATTACHED)

The following projects were presented to the Board by Interim Planning and Zoning Director, Steve Sparks:

1. ROBINSON'S STYLING SALON - PROJECT #92PZ-23-207-5-10

Robinson's Styling Salon is a proposed hair salon that proposes to use a portion of their home (an additional 416 square feet for beauty salon and den/waiting room) for a hair salon. The site consists of 0.7 acres and is situated on the north side of Holt Lane (0.2 miles east of SR 267 and 0.5 miles south of I-10). The applicant is Ms. Sandra J. Robinson.

The Planning and Zoning Commission recommends approval of the project, subject to the listed special conditions.

Chairman Holt asked if there was anyone present to speak for or against the project, to which there was no response. He then recommended approval of the project.

The Board, on motion of Commissioner Peacock and second of Commissioner Powell, voted unanimously to approve the project.

2. POST PLANT ROAD SUBDIVISION - PROJECT #92PZ-17-205-2-8

Post Plant Road Subdivision is a residential subdivision for site-built homes on seven (7) lots of 7.03 acres that is seeking preliminary approval. The site is located 0.3 miles east of CR 161 on the north side of Post Plant Road. The developer is Mr. J.E. Gilbert.

Steve Sparks advised that Richard White was present, representing the development. The Planning and Zoning Commission recommends approval of the project, subject to the listed special

conditions in conjunction with the approval of the County Engineer and the Plat Review Committee.

Commissioner Powell made a motion, seconded by Commissioner Peacock, to approve the preliminary application. Chairman Holt asked if anyone wanted to speak for or against the project, to which there was no response.

The Board, on motion of Commissioner Powell and second of Commissioner Peacock, voted unanimously to approve the preliminary application.

3. PECAN GROVE SUBDIVISION - PROJECT #92PZ-24-201-2-10

Pecan Grove Subdivision is a proposed residential subdivision that is seeking preliminary approval for site-built homes on 4 lots, totaling 8.18 acres (2.05 acres average size). The site is located approximately 0.35 miles north of CR 270 on the west side of CR 159, and 0.8 miles south of Merritt Lane. The developer is Mr. Wayne Gregory and the developer's agent is Mr. Richard White.

Steve Sparks advised that Richard White was present, representing the project. The Planning and Zoning Commission recommended preliminary approval, subject to the listed special conditions in conjunction with approval of the County Engineer and the Plat Review Committee.

Commissioner Powell made a motion, seconded by Commissioner Cooper, to approve the preliminary application. Chairman Holt asked if anyone was present to speak for or against the project, to which there was no response.

The Board, on motion of Commissioner Powell and second of Commissioner Cooper, voted unanimously to approve the preliminary application.

4. C. W. ROBERTS CONTRACTING, INC.- PROJECT #92PZ-22-209-5-10

C. W. Roberts Contracting has a contract with DOT for the resurfacing of I-10 between US 90 and SR 267 and is proposing to establish a portable asphalt plant (for a 12 month period) on the west side of SR 267, approximately one mile south of Sadberry Road. The site consists of approximately 42 acres. The land use is designated Agricultural 3. The applicant is Mr. Charles W. Roberts. The property owner is Elberta Crate and Box Company.

Steve Sparks advised that Mr. Charles W. Roberts was present. The Planning and Zoning Commission recommends approval of the project, subject to the special listed conditions.

Chairman Holt recommended approval of the project. Commissioner Cooper made a motion, seconded by Commissioner Powell, to approve the project. Chairman Holt asked if anyone was present to speak for or against the project, to which there was no response.

The Board, on motion of Commissioner Cooper and second of Commissioner Powell, voted unanimously to approve the project.

5. WALDORF LIQUOR & LOUNGE - PROJECT #92PZ-6-206-1-1

Waldorf is proposing to expand their package liquor store operation with the addition of a lounge. The site is located on the south side of US 90 approximately two miles north of Lanier Road. Approximately 30 mobile homes are located to the rear of the operation in a mobile home park. The property consists of approximately 22 acres. The applicant is Mr. Carlton Hildred Sheffield.

The Planning and Zoning Commission recommended denial of the project due to the project being inconsistent with the intent of Neighborhood Commercial uses in the Comprehensive Plan, along with not allowing the jeopardization of the safety of children and property in the surrounding area.

Commissioner Cooper made a motion, seconded by Commissioner Peacock to deny the project. Commissioner Cooper then addressed the issue of this project's summary not reflecting the conditions on which the liquor lounge was originally approved, specifically that there would be no lounge. Mr. Sparks advised that this is contained under the special conditions. Commissioner Cooper wanted to know why it was not in a footnote and then addressed the issue that projects were to be viewed based on the elements of the Comprehensive Plan. The personal feelings of Commission members should have no effect on their decisions.

The Board, on motion of Commissioner Cooper and second of Commissioner Peacock, voted unanimously to deny approval of the project.

6. CHASON FLEA MARKET - PROJECT #91PZ-37-207-4-8

Chason Flea Market is a flea market that includes small used and surplus goods, farmers market produce and food stands that proposes to locate on the southwest side of the intersection of US 90 and Bostick Road (CR 274). The property consists of approximately 5.7 acres. The applicant is Mr. Acye Chason and the property owner is Mr. M. E. Craig.

Steve Sparks advised that Mr. Acye Chason was present. The Planning and Zoning Commission recommends approval of the project, subject to the listed special conditions. Mr. Sparks stated that under Special Conditions, item #5, pertaining to access, he would like it added that access off Bostick Road also be allowed for cars and small trucks, no semi's. He stated the reason for this.

Commissioner Davis stated that he has some real problems with the flea market, stating that he had received numerous calls about its appearance the last time it was located there. He then made a motion that the project be denied. Commissioner Cooper asked what part of the Comprehensive Plan and Ordinance the denial was based on, stating that the project could not be denied because the market was junky. Discussion followed as to what had been previously authorized for Mr. Chason with Commissioner Davis stating that Mr. Chason was supposed to have done since his last appearance before the Board. Mr. Chason responded to this. The procedure in which this item was being handled by the Board was addressed by Commissioner Peacock. Chairman Holt then asked that Commissioner Davis restate his motion.

Commissioner Davis made a motion that the Planning and Zoning recommendation be overridden. The motion died for lack of a second.

Commissioner Cooper stated that the project automatically becomes approved.

7. GOOD NEW COMMUNITY FARM - PROJECT #92PZ-20-208-4-8

Good News Community Farm is a non-profit social service agency (provides support in the form of shelter, food, work, evangelism, counseling and rehabilitation to the homeless, abused teens, drug and alcohol addicts), licensed as a charitable organization by HRS, that is proposing to establish further facilities (15 site-built homes/houses to be moved in and church sites) on the north side of CR 65A (0.7 miles west of SR 65 and 0.5 miles south of Thigpen Road). The property consists of 150 acres. The subject property is being proposed to change from an Agricultural 2 to a Commercial land use. The developers are Good News of Tallahassee, Inc., and the developer's representative is Mr. Chuck White.

The Planning and Zoning Commission tabled this project due to the claim that a property owner within 1000 feet of the site was not contacted and was erroneously led to believe that he would not be allowed to provide public input at the meeting.

It was Board consensus that as the matter had been tabled, the Board did not need to address the matter.

8. WHIP-POOR-WILL SPORTSMAN'S LODGE- PROJECT #92PZ-19-209-5-8

Whip-Poor-Will Sportsman's Lodge is a proposed recreational vehicle park (6 campsites) and lodge at an existing fish camp, just across from Ingram's Marina and the Cooks Corner townhouses at the end of Cook's Landing Road. The site consists of approximately 0.96 acres and is being proposed to change from Rural Residential to a Commercial land use. The developer is Mr. Jeffrey T. DuBree.

The Planning and Zoning Commission moved to approve the proposal as a continuance of an existing land use/development that is vested in the Comprehensive Plan along with a set-back variance and vegetative buffering on the rear and eastern borders of the site. Mr. Sparks stated that some representatives for the project were present.

Chairman Holt asked that County Attorney Richmond brief the Board on this matter prior to the Board taking action. County Attorney Richmond complied, stating that Planning and Zoning representatives were informed by the developer that HRS had given approval to the project as designed. He further stated that Lamar Kent, County Building Inspection Supervisor, had advised him this afternoon that this is not so; Mr. Kent advised him that the project would probably be approved, but it had not been approved at this time. County Attorney Richmond stated that there is a lot of public discussion about this project and that it may not be necessary to bring this project to the Board if approval is not obtained from HRS.

Commissioner Cooper stated that this project has almost the air of a completely new project. County Attorney Richmond advised the Board as to what transpired at the Planning and Zoning Commission meeting pertaining to this project. He stated that Mr. Kent spoke with Mr. Whittle of HRS who informed Mr. Kent that the site had not been approved and that the developer had not yet paid the money for HRS to perform the inspection. When the money is paid, an inspection will be made and approval will or will not be given, based on the inspection. County Attorney Richmond advised that it is not the proper time for the Board to consider this project until HRS has ruled on the matter as it is the only issue and is crucial.

The Board, on motion of Commissioner Cooper and second of Commissioner Peacock, voted unanimously to remand this project to the Planning and Zoning Commission.

Commissioner Cooper stated to Steve Sparks that pertaining to the project, there were going to be a lot of questions. The legal questions need to be answered as there are so many things that affect this project that are absolutely new questions.

Commissioner Cooper is of the opinion that this is a totally new project and it should be approached as such.

Chairman Holt questioned the availability of toilet facilities for the project when the bait house and lodge are closed. He asked that an in-depth study be done on the project prior to it being brought back to the Board. Commissioner Peacock stated that the Health Department needed to sign off fully on this project prior to it being brought back to the Board.

An unidentified gentleman in the audience stated that a lot of campers are self contained and that toilet facilities are accessible when the store is closed. He also addressed the issue of the project not being a new one.

REQUEST FROM DISC VILLAGE, INC.

County Manager Parmer read into the record a letter (**attached**) from Tom Olk requesting that the County donate use of property located at the intersection of Clark and Monroe Streets in the City of Quincy.

County Manager Parmer recommended that should the Board donate the use of the property, that it be done on a year to year lease/permit basis so that should the County need the property, it could have expeditious access.

Commissioner Powell made a motion, seconded by Commissioner Davis, to donate use of the property to DISC Village and authorized County Attorney Richmond to prepare the necessary documents. Pertaining to DISC Village's request to the City of Quincy to provide the necessary sewage and water hook-ups, Commissioner Powell asked and County Manager Parmer advised that the County would not be responsible for these costs if the City did not provide the services.

The Board, on motion of Commissioner Powell and second of Commissioner Davis, voted unanimously to donate use of the property to DISC Village and authorized County Attorney Richmond to prepare the necessary documents.

AGRICULTURAL LAND CLASSIFICATIONS AND ASSESSMENTS

County Manager Parmer read into the record a letter (**attached**) from George Hamilton, County Property Appraiser, requesting that the Board/County grant him authorization to waive the requirement, for the year 1993 onward, that an annual application or statement be made for classification of property within the County after an initial application is made and the classification granted.

The Board, on motion of Commissioner Davis and second of Commissioner Peacock, voted unanimously to grant George Hamilton, County Property Appraiser, authorization to waive the requirement, for the year 1993 onward, that an annual application or statement be made for classification of property within the County after an initial application is made and the classification granted.

PROPOSED ORDINANCE FOR THE STATE HOUSING INITIATIVE PROGRAM (SHIP)

County Manager Parmer stated that the Board was in possession of the proposed ordinance. The ordinance provides for the County's receipt of \$250,000 annually for housing programs. The ordinance is voluminous with most of its contents being required by the statutes which adopts it. He asked that the Board members carefully review the ordinance and make note of questions they may have. The new Commission may want to hold a work shop on this matter.

Commissioner Cooper recommended that County Manager put the initiative forth to the new Board after the first meeting in November, citing the voluminousness of the ordinance as the reason.

Commissioner Cooper made a motion, seconded by Commissioner Peacock, to present the proposed ordinance to the new Board for handling/execution.

Commissioner Powell asked County Manager Parmer for a time frame with reference to the Board acting on this matter. He stated that the new Board may want to hold a few work shops on it and that it would be good to have someone from DCA present at the work shops.

Chairman Holt stated that the bill was still being worked on. Mr. Edward J. Butler, County Grants Administrator, advised the Board that the final rule would not be out until late October. The information that he has provided is advance information -- a draft. The Board needs to take action on this matter by the latter part of November or early December so that the County can be ready by the first of the year.

Commissioner Powell asked if other local governments should be invited to the work shops. Mr. Butler advised that he had spoken with the cities and they are willing to join with the County. They do not have to be a part of this particular program because none of them are entitlement cities. By entitlement, he means that they receive money automatically. The County can come up with an interlocal agreement for the cities to partake with the County, but they do not have to. A gentleman's agreement was made with the cities that he has spoken with that the program would be county-

wide. No matter where the program could be used, it was not going to be exclusively in the unincorporated area.

Chairman Holt stated that the monies would be received monthly and that the medium sized counties are asking for the monies also, so, when the monies are appropriated another year, the county's share may not be as large if the medium sized counties are incorporated in the bill. Mr. Butler advised that all counties but Dade County are included. Every county will receive a minimum of \$250,000. Dade County will not be involved until about 1994. At that time, a different formula will be used. He advised the Board that the monies started accumulating September, 1992. Once all formalities are taken care of, counties will receive monies that have accumulated at the point that their ordinance and resolution were approved by DCA. They will then receive monies on a monthly basis.

Mr. Clarence Lewis, an audience member, asked and was advised that his organization, NFEDC, could attend and have input at the workshop meetings pertaining to this matter.

The Board, on motion of Commissioner Cooper and second of Commissioner Peacock, voted unanimously that the proposed ordinance be presented to the new Board for handling/execution.

CONSENT AGENDA

The Board, on motion of Commissioner Peacock and second of Commissioner Cooper, voted unanimously to approve the items (**attached**) on the Consent Agenda (**attached**), to wit: Copier Contract; and Request for Letter of Concurrence - Talquin Electric - Mount Pleasant FMHA Project.

COMMISSIONER'S REPORT - DISTRICT ONE

Commissioner Cooper presented no report.

COMMISSIONER'S REPORT - DISTRICT TWO

Commissioner Powell presented no report.

COMMISSIONER'S REPORT - DISTRICT THREE

Commissioner Peacock stated that things in his district were running smoothly.

COMMISSIONER'S REPORT - DISTRICT FOUR

Commissioner Davis advised of complaints he had received

pertaining to the need to cut bushes along the roadways and the need to resolve the problem. Chairman Holt advised the Board of a machine that is capable of performing this type of work, stating that it could do the work in an hour of what 5 to 10 men could do in a day.

COMMISSIONER'S REPORT - DISTRICT FIVE

Chairman Holt recommended that the next regular meeting, scheduled for November 3, 1992, be rescheduled to November 4, 1992, at 6:00 p.m. as November 3rd is a general election. This change can be given to the newspapers for publication this week and next week.

Commissioner Cooper stated that representatives from both papers were present. Steve Sparks, Interim Planning and Zoning Director, advised that the Planning and Zoning Commission will meet on November 4. Brief discussion followed pertaining to the Planning and Zoning meeting. It was Board consensus that the next Board of County Commissioner's meeting be held on Monday, November 2, 1992, at 6:00 p.m.

BUDGET CHANGES ADVERTISEMENT

Clerk Thomas advised the Board that there needed to be an advertised budget change in next week's paper. This change will enable the County to pay bills that were deferred until now.

APPROVAL OF BONDS FOR CLERK, SHERIFF AND PROPERTY APPRAISER

Clerk Thomas presented the bonds (**attached**) of the Clerk Thomas, Sheriff Woodham and Property Appraiser Hamilton in the amounts of \$5,000; \$4,000; and \$2,000, respectively, requesting approval.

The Board, on motion of Commissioner Powell and second of Commissioner Davis, voted unanimously to approve the Bonds.

TAX COLLECTOR END OF YEAR REPORT (ATTACHED)

Clerk Thomas presented the year end report of Tax Collector Summerford, advising of the Tax Collector's return of \$18,219.99 to the County.

CASH BALANCE REPORT

Clerk Thomas presented a Cash Balance Report (**attached**) reflecting \$941,644.58 in the General Operating Accounts.

CONTINGENCY REQUEST

Clerk Thomas presented a Contingency Request (**attached**) in the amount of \$2,000.00, recommending disapproval. Brief discussion followed.

Commissioner Peacock made a motion, seconded by Commissioner Cooper to approve the request. Commissioner Powell asked and Clerk Thomas advised as to why he recommended disapproval of the Request.

The Board, on motion of Commissioner Peacock and second of Commissioner Cooper, voted unanimously to approve the Contingency Request.

BUDGET AMENDMENTS

Clerk Thomas presented no budget amendments.

PAYMENT OF BILLS

Clerk Thomas requested a motion to pay the bills.

The Board, on motion of Commissioner Peacock and second of Commissioner Powell, voted unanimously to pay the bills.

HUGH STEPHENS - SHAW SUBDIVISION

County Manager Parmer advised that Mr. Stephens had telephoned him, advising that he wanted this item withdrawn from the agenda.

DORISENE COLVIN

Dorisene Colvin addressed the Board pertaining to County Manager Parmer's qualifications to serve as County Manager. She stated that he did not meet the educational requirement in that he did not have a college degree.

She then stated that County Manager Parmer and others had cost the County quite a bit of funds and then made reference to his contract and the ordinance creating the position. She suggested that the Board, tonight, should ask County Manager Parmer to resign as his record is not correct relative to the ordinance and compensation that he receives.

She continued, stating that if the County needs a County Manager, there are people in the County who are qualified, with a degree. The County could hire an engineer, with a degree, who would work with the Commissioners, alleviating the need for a County Manager position. She then recommended that the Board

discuss this matter before adjourning the meeting.

Chairman Holt responded that Ms. Colvin had requested time to do a presentation, which had been granted, but no action had to be taken on the presentation. Commissioner Peacock stated that this matter did not need to be discussed any further. He suggested that Ms. Colvin read County Manager Parmer's contract and the ordinance, to which she responded she had.

Commissioner Cooper stated that this matter did not need to be left as it is. Commissioner Cooper made a motion that Chairman Holt, County Attorney Richmond, County Manager Parmer, and Jean Fletcher meet and review the contract, address the issues, and bring to the Board on November 2, 1992, clarity as to whether there has been an infraction in reference to the educational requirements. The motion died for lack of a second.

ADJOURNMENT

The Board, on motion of Commissioner Davis and second of Commissioner Powell, voted unanimously to adjourn.

HARRY K. HOLT, CHAIRMAN

ATTEST:

NICHOLAS THOMAS, CLERK

AT A REGULAR MEETING OF THE BOARD
OF COUNTY COMMISSIONERS, HELD IN
AND FOR GADSDEN COUNTY, FLORIDA,
ON NOVEMBER 2, 1992, THE FOLLOWING
PROCEEDINGS WERE HAD VIZ.

PRESENT: HARRY K. HOLT, CHAIRMAN
JIM C. COOPER, VICE-CHAIRMAN
FORREST DAVIS
ANTHONY POWELL
JAMES PEACOCK
HAL RICHMOND, COUNTY ATTORNEY
BUD PARMER, COUNTY MANAGER
NICHOLAS THOMAS, CLERK

CALL TO ORDER

The meeting was called to order by Chairman Holt. Commissioner Davis led in Pledge of Allegiance and Commissioner Cooper led in Prayer.

APPROVAL OF MINUTES - OCTOBER 13, 1992 - SPECIAL MEETING

The Board, on motion of Commissioner Davis and second of Commissioner Powell, voted unanimously to approve the minutes of the October 13, 1992, Special Meeting.

APPROVAL OF MINUTES - OCTOBER 20, 1992 - REGULAR MEETING

The Board, on motion of Commissioner Powell and second of Commissioner Peacock, voted unanimously to approve the minutes of the October 20, 1992, Regular Meeting.

RICK McCASKILL - ECONOMIC DEVELOPMENT UPDATE

Rick McCaskill addressed the Board, briefing it on the Economic Development Activities (**attached**), highlighting the following: NRT Corporation locating in Havana; EZ Pull; Holiday Inn Express ground-breaking; Confidential Prospect from Sun Bank; and Working with Prospects on Department of Commerce.

UPDATE ON CLOSING OF WATSON DAIRY ROAD

County Attorney Richmond advised that the closing of Watson Dairy Road was published, stating what the Board's action and the Department of Transportation's action had been on the matter.

Beefstake/Gargiulo Tomato Company has filed a protest and is going to proceed to attempt to block the closing of the road. If anyone else is interested in joining the law suit, they can contact Beefstake/Gargiulo.

COUNTY MANAGER

County Manager Parmer did not address the Board.

COMMISSIONER'S REPORT - DISTRICT ONE

Commissioner Cooper did not present a report.

COMMISSIONER'S REPORT - DISTRICT TWO

Commissioner Powell stated that he would contact the Road and Bridge Department regarding his concerns.

COMMISSIONER'S REPORT - DISTRICT THREE

Commissioner Peacock stated that everything was running smoothly in District Three.

COMMISSIONER'S REPORT - DISTRICT FOUR

Commissioner Davis reported that there are problems with the detour in his District. At night, the County needs to put some lines on the roads where they are going around with the trucks. The Department of Transportation needs to be contacted regarding this.

County Manager Parmer responded that he had called and left a message for Mr. Waddell to return his call; he has not yet returned the call. Commissioner Davis stated that a sign needed to be erected to direct traffic to I-10. County Manager Parmer stated the route that could be directed.

COMMISSIONER'S REPORT - DISTRICT FIVE

Chairman Holt stated that District Five was working. He then introduced and welcomed Mr. Mike Sherman, the County's new Planning and Zoning Director.

APPROVAL OF BONDS FOR COUNTY OFFICIALS

Clerk Thomas presented the Bonds of W. Dale Summerford, Tax Collector; Denny Hutchinson, Supervisor of Elections, Bill McGill, County Commissioner-Elect; and Edward J. Dixon, County Commissioner-Elect, in the amounts of \$5,000; \$5,000; \$2,000; and \$2,000, respectively, requesting approval.

Commissioner Davis made a motion, seconded by Commissioner Powell, to approve the Bonds. Commissioner Cooper wanted to know the effective date of the bonds. Discussion pertaining to effective date and payment of premium followed. Commissioner Powell questioned whether Commissioner-Elect Bill McGill's bond should reflect the name William McGill rather than Bill McGill. Brief discussion followed.

The Board, on motion of Commissioner Davis and second of Commissioner Powell, voted unanimously to approve the Bonds.

ANNUAL REPORTS OF CONSTITUTIONAL OFFICERS

Clerk Thomas presented the annual reports (**attached**) of George Hamilton, Property Appraiser; W. A. Woodham, Sheriff; and Nicholas Thomas, Clerk, stating the amount of monies, each was returning to the Board. He stated that no report is received from the Supervisor of Elections because the Clerk handles the Supervisor of Elections' books.

ADVERTISED BUDGET CHANGE

Clerk Thomas presented a budget change which was advertised, explaining the reason for advertising and the purpose of the changes.

The Board, on motion of Commissioner Peacock and second of Commissioner Powell, voted unanimously to approve the budget changes.

BUDGET AMENDMENTS

Clerk Thomas presented and detailed the following Budget Amendments (**attached**), requesting approval:

General Fund (6); Mosquito Control/Landfill (1)

The Board, on motion of Commissioner Peacock and second of Commissioner Davis, voted unanimously to approve the Budget Amendments.

Clerk Thomas advised that the budget amendments that were submitted to the Board just prior to the meeting would be re-submitted for action at the next Board meeting. Commissioner Davis asked and discussion followed as to whether these budget amendments were needed for the auditors.

COURT REPORTER PAY RAISE

Clerk Thomas advised the Board of the Court Administrator's concern that the Court Reporter had not received a 2% raise. Clerk Thomas directed the Board's attention to correspondence (**attached**) pertaining to this matter.

He then advised as to the savings to the County by granting the raise as opposed to the County being billed for court reporting services, stating that he was not making a recommendation, but was just advising of the facts.

Chairman Holt recommended that since the Budget had been approved without a pay increase, County Manager Parmer and his budget staff re-work the matter and bring it back to the Board. Brief discussion followed.

It was Board consensus that County Manager Parmer review this matter and bring it back to the Board.

PAYMENT OF BILLS

The Board, on motion of Commissioner Peacock and second of Commissioner Davis, voted unanimously to pay the bills.

SMOKE-FREE WORKPLACE

Commissioner Powell asked and County Manager Parmer advised that the Smoke-Free Workplace was in effect in the County Offices. Commissioner Powell commented on the number of cigarette butts visible in the offices and County Manager Parmer responded that this was something that needed to be addressed. Brief discussion followed with Lamar Kent, Building Inspection Supervisor, advising that the law was effective as of October 1, but he has not yet received a copy of the law.

FLORIDA ASSOCIATION OF COUNTIES

Chairman Holt updated the Board on the Association's progress in acquiring trust fund resources. They are recommending that the Radon Trust Fund be taken before the legislature for amendment. The Association wants other chemical contaminants included.

DORISENE COLVIN

Ms. Colvin addressed the Board, stating her concerns pertaining to the garbage pile-up at the campgrounds at Joe Budd's Fish Camp. She suggested that a few prisoners could be used to clean up the area and asked that this matter be dealt with.

She then stated her concerns pertaining to the qualifications of County Manager Parmer. She made reference to the Ordinance creating the position of County Manager and an advertisement for the position/job. She stated that a person should be hired based on the qualifications published in the job announcement. She proceeded to enumerate the qualifications listed in the Ordinance, stating that work experience could not be substituted for a college degree. She recommended that the Board appoint an independent special committee to review the facts. She stated that other County employees must meet job qualifications, but the County Manager does not. She addressed and expounded on the quality of

County Manager Parmer's management and violation of personnel policy; Poor Management and Consulting of Consulting Engineers and Employees; Wavering of Policy and Exceptions; Bad Bidding Information; Failure to Follow Contract; Failure to follow permitting procedures; Time Keeping - employees' failure to sign leave slips while off on County time; Bad Budget Management; A Road and Bridge Employee being paid \$20,000 annually to follow an employee being paid \$5.00 per hour to mow grass; Disrepair of Road and Bridge tractors; Person at Hopkins Landing being paid \$27,000 and a \$2.00 boat ramp fee.

Ms. Colvin stated that she personally had nothing against County Manager Parmer, but she does not think he is qualified to perform the job of County Manager. Chairman Holt asked and Ms. Colvin stated that she would provide the Board with the information she had just addressed so that a response to her statements could be provided. Commissioner Cooper stated that he would like to receive, prior to expiration of his term, a response to Ms. Colvin's statement regarding County employees being compensated when they are off work without having completed leave slips. He then recommended that the full new Board needed to address the remainder of the allegations made by Ms. Colvin. County Manager Parmer will provide copies of the information provided by Ms. Colvin to each Board member.

Commissioner Peacock then enumerated some of the accomplishments made by the Board and County Manager Parmer in the past three to four years and the savings to the County. He stated that he would provide Ms. Colvin with a copy of the accomplishments.

MISCELLANEOUS

An unidentified gentleman in the audience addressed the Board pertaining to a school bus still being hooked up with electricity and used. Chairman Holt stated that this would be checked on.

An unidentified gentleman in the audience addressed the Board pertaining to the condition of a house in his neighborhood, Ochlocknee Estates. The house has burned, but has not been torn down. The Health Department has informed him that the owner cannot be forced to move it. He gave a brief history as to the type activities that had occurred at the dwelling. This dwelling and others are devaluing the property in Ochlocknee Estates. Commissioner Cooper advised that citizens would have to complain directly to the Secretary of HRS pertaining to matters like this as HRS is the only one, through the State Attorney's Office, who can issue a condemnation of a private piece of property. The Board does not have this authority.

An unidentified gentleman addressed the issue of Commission members mumbling among themselves, making the Commission meetings a non-public meeting. Commissioner Cooper responded, citing the impracticability of being able to make decisions on matters without talking to fellow Board members because of the Sunshine Law.

Celia Brown, an audience member, addressed the Board on expenditure of County funds.

ADJOURNMENT

The Board, on motion of Commissioner Peacock and second of Commissioner Powell, voted unanimously to adjourn.

HARRY K. HOLT, CHAIRMAN

ATTEST:

NICHOLAS THOMAS, CLERK

AT A REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS,
HELD IN AND FOR GADSDEN COUNTY,
FLORIDA, ON NOVEMBER 17, 1992,
THE FOLLOWING PROCEEDINGS WERE
HAD, VIZ.

PRESENT: ANTHONY POWELL, CHAIRMAN
JAMES PEACOCK, VICE-CHAIRMAN
FORREST DAVIS
EDWARD DIXON
BILL MCGILL
HAL RICHMOND, COUNTY ATTORNEY
BUD PARMER, COUNTY MANAGER
NICHOLAS THOMAS, CLERK

CALL TO ORDER

The meeting was called to order by Commissioner Peacock. Commissioner Davis led in Pledge of Allegiance and Reverend Charles Cloy of Saint James, A.M.E. Church led in Prayer.

SWEARING IN OF NEW COMMISSIONERS BY THE CLERK

Clerk Thomas swore in Commissioners Edward Dixon, Bill McGill, and James Peacock.

ELECTION OF CHAIRMAN

The Board, on motion of Commissioner Davis and second of Commissioner McGill, voted unanimously for Commissioner Powell to serve as Chairman of the Board of County Commissioners for the year 1992-93.

ELECTION OF VICE-CHAIRMAN

The Board, on motion of Commissioner Davis and second of Commissioner McGill, voted unanimously for Commissioner Peacock to serve as Vice-Chairman of the Board of County Commissioners for the year 1992-93.

APPROVAL OF MINUTES - NOVEMBER 2, 1992 - REGULAR MEETING

The Board, on motion of Commissioner Peacock and second of Commissioner Davis, voted unanimously to approve the minutes of the November 2, 1992, Regular Meeting.

COUNTY ATTORNEY - MISCELLANEOUS ITEMS

County Attorney Richmond stated that he had no items to present to the Board, but advised that he is preparing an outline of pending cases and other items for the benefit of the new commissioners.

PLANNING DIRECTOR - PLANNING AND ZONING RECOMMENDATIONS (ATTACHED)

Michael F. Sherman, Planning and Zoning Director, addressed the Board. He advised that a quorum was not present at the November 4, 1992, Planning and Zoning Board meeting, so no formal recommendations were received from the Planning and Zoning Board. Mr. Sherman then presented the following items, stating that Planning and Zoning staff made the recommendations on the projects:

1. MICKLE STREET AND ADJACENT EASEMENT CLOSING

The Department of Planning and Zoning has received a request for a road and easement abandonment for the southernmost 300 feet of Mickle Street (60 foot right-of-way) and a 20 foot easement that extends from Mickle Street to Laing Street. The

proposed road and easement abandonment are situated 150 feet east of US 27 in the Hinson area between Williams Street and Bruton Street.

The Department of Planning and Zoning is advising the County Commission to request the County Attorney to prepare a resolution setting a public hearing date and Notice of Public Hearing.

The Board, on motion of Commissioner Davis and second of Commissioner Peacock, voted unanimously to advertise the closing.

2. GREATER FARMS AT QUINCY - PROJECT #92PZ-05-203-4-11

The Greater Farms Subdivision, Units 4-15 (consisting of 129 lots on 325 acres) has received preliminary approval earlier this year by the County Commission. The developer is now seeking final plat approval for Unit 6, Block A, lots 1-6 and lots 17-23 and Block B, lots 11-13. This unit consists of 16 lots on 49.73 acres, with the lots averaging 1.98 acres in size. The project is located on the west side of CR 379A, just north of CR 268. The developer is Mr. William G. Crawford.

Staff recommends approval, subject to the listed special conditions.

Commissioner Davis made a motion to approve the final plat, subject to the listed special conditions. Commissioner McGill asked and discussion followed on the Board being asked to take action on matters that the Planning and Zoning Board has not made a recommendation on. County Attorney Richmond stated that it was legal for the Board to make a decision on the recommendation of Planning and Zoning staff. Commissioner Dixon stated that he would like the Planning and Zoning Board to hear this matter and make a recommendation to the Board of County Commissioners, as public input was to be received, but what was held by the Planning and Zoning Board was basically a workshop. He asked if only proposals were heard.

Mr. Shepard responded that the people in the audience were given to opportunity to speak on the proposals. Since a quorum was not present, the recommendations on projects presented to the Board of County Commissioners tonight are staff recommendations. More discussion followed with Commissioner Dixon stating that he would not want the Board to get into the habit of making decisions on projects with Planning and Zoning staff's recommendation.

County Attorney Richmond stated that Commissioner Dixon had a valid point and addressed the issue of there having not been a quorum of the Planning and Zoning Board on several occasions and the hardship this created for developments and landowners. He suggested that the Board of County Commissioners may want to fill vacancies on the Planning and Zoning Board or possibly replace some of the members of the Planning and Zoning Board. Discussion followed pertaining to appointments. Commissioner McGill suggested that the reason for the lack of a quorum be determined. County Manager Parmer responded, citing church activities of the members as a reason and suggested that Planning and Zoning Board meetings be changed to a night other than Wednesdays.

Chairman Powell stated that Commissioner Davis' motion had died for lack of a second and asked what the Board's pleasure was. Commissioner Davis expressed his concern that the development was being delayed because there had not been a quorum of the Planning and Zoning Board. The responsibility falls back on the Board of County Commissioners.

Commissioner Peacock made a motion, seconded by Commissioner Davis, to approve the final plat, subject to the listed special conditions. Brief discussion followed.

The Board, on motion of Commissioner Peacock and second of Commissioner Davis, voted unanimously to approve the final plat, subject to the listed special conditions.

3. ESCAPE - PROJECT #92PZ-23-201-2-11

Escape is a proposed lounge to be located in an existing building on the west side of US 27, approximately 0.15 miles north of the Havana Town Limits. The property consists of 3.19 acres. The applicant is Mr. Vickie Dillard and the property owner is Mr. M. E. Craig.

Staff recommends approval, subject to the listed special conditions.

Chairman Powell recommended approval of the project, subject to the listed special conditions.

Commissioner Peacock made a motion, seconded by Commissioner Dixon, to approve the project, subject to the listed special conditions. Chairman Powell then asked if anyone was present to speak on this project. In response, Mr. Vickie Dillard addressed the Board in an effort to ascertain if he had to meet the requirements of special condition number 2. He was advised that he must meet the requirement, as the Board does not have the authority to over-ride DER. He must also meet the requirements of the other listed Special Conditions.

The Board, on motion of Commissioner Peacock and second of Commissioner Dixon, voted unanimously to approve the project, subject to the listed special conditions.

4. WESTRIDGE PARK - PROJECT #92PZ-24-207-4-11

Westridge Park is a proposed 139 unit (0.25 acre sites) mobile home park on 61.64 acres of which 10.3 acres will remain vacant for future commercial use. The project is located approximately 0.15 miles west of the Quincy city limits (just west and to the south of the Chason Flea Market). The developers are Wetterau Food Distribution Group and the developers' representative is Mr. Patrick Hodges of Nobles, Varnum and Hodges, Inc.

Staff recommends approval of the project, subject to the listed special conditions. Mr. Sherman advised that the County has not received any information from the health department pertaining to the soil suitability for 139 septic tanks. Staff determined that the project meets the location criteria as set forth in the growth management plan; however, from a development standpoint, staff is unsure that 139 septic systems will work at the location without causing serious problems to the area, aquifer, and adjacent properties.

Staff advises that if the Board would like to defer this project until appropriate permits are received from the health department, staff would concur with this decision.

Chairman Powell suggested that the Board should table this matter until Planning and Zoning has gathered all facts. Commissioner Davis made a motion, seconded by Commissioner Peacock, to defer this project back to Planning and Zoning. Discussion followed with Commissioner Peacock stating his desire that the health department sign off on projects before they are presented to the Board. He also addressed his uncertainty as to the actual

amount of land to be used for the project after allowances are made for the pond on the property, roads, and road right-of-ways.

Commissioner McGill expressed concern that mixing the residential community with the industrial community would not meet the overall comprehensive plan. He also expressed concern that underground water seepage could occur because of the number of septic tanks to be located on the property. Should this occur, the seepage could possibly enter the underground water supply and cause water borne diseases. He would like to see a health department study prior to this project being brought back to the Board.

Commissioner Dixon stated that he would like for developments the size of this one, being located close to the city limits, to be encouraged to hook-up with city water and sewage. Mr. Sherman stated that the City of Quincy will provide this development with central water; however, at this time, the City does not want to provide sewer services. The City has capacity to provide this service, but is reserving it for development inside the City.

County Manager Parmer suggested that a way to alleviate some of the problems with these type issues, prior to presentation to the Board, is to have a joint pre-development conference with the Department of Transportation (DOT) pertaining to ingress and egress; the Department of Environmental Regulation (DER); the Department of Health and Rehabilitative Services (HRS); and any other pertinent agency.

The Board, on motion of Commissioner Peacock and second of Commissioner Davis, voted unanimously to table this project.

Mr. Patrick Hodges then asked and was allowed to address the Board pertaining to this project. Mr. Hodges spoke in support of the project, stating that he was one of the consultants involved in the preparation of the plan submitted to the Planning and Zoning Department and reviewed by them and the Planning and Zoning Board. He addressed the concerns expressed by the Board, stating that the listed special conditions would take care of the concerns expressed by the Board.

He then provided the Board with a copy of the referenced plan and special conditions which he stated are a part of the plan drawing and an attachment which lists the conditions separately. He asked for further consideration and stated that they would like to receive comments and concerns from citizens of the community pertaining to the project so that they can be addressed in future design plans and engineering drawings.

Chairman Powell asked if there was anyone in the audience who wished to speak for or against the project, to which there was no response.

5. GOOD NEWS COMMUNITY FARM - PROJECT #92PZ-20-208-4-8

Good News Community Farm is a non-profit social service agency (provides support in the form of shelter, food, work, evangelism, counseling and rehabilitation to the homeless, abused teens, drug and alcohol addicts), licensed as a charitable organization by HRS, that is proposing to establish further facilities (15 site-built homes/houses to be moved in and church sites) on the north side of CR 65A (0.7 miles west of SR 65 and 0.5 miles south of Thigpen Road). The property consists of 150 acres. The developers are Good News of Tallahassee, Inc. and the developers' representative is Mr. Chuck White.

Mr. Sherman advised the Board that the petitioner has requested that this item be withdrawn for consideration by the

Board of County Commissioners tonight.

6. REQUEST FOR HARDSHIP EXEMPTION

Mr. Sherman stated that this was a request for hardship exemption to place another mobile home on a property in the County, without following the subdivision requirement of the Subdivision Ordinance. He requested Board action on the request.

Discussion among the Board followed on the request and County Manager Parmer explained the reason for the request. Commissioner Dixon asked and Mr. Sherman, Planning and Zoning Director, explained what the problem was with granting the request in relation to Planning and Zoning regulations.

Commissioner Davis made a motion, seconded by Commissioner Peacock that the hardship variance be granted. Commissioner Dixon asked if there would be any problems with Planning and Zoning regulations. County Attorney Richmond responded that anytime that a hardship exemption is granted, a precedent is being set that someone can take the County to court on if the County fails to grant an exemption. Commissioner Dixon asked if the property in question was all that was located at the sight and Mr. Robert Kimmel, the property owner, responded to the question and the further clarified what was being requested and why, stating that no mobile home was involved in this matter.

The Board, on motion of Commissioner Davis and second of Commissioner Dixon, voted unanimously to grant the hardship exemption.

COURT REPORTER TWO PERCENT RAISE

County Manager Parmer advised the Board of the receipt of a letter (**attached**) from Judge William Gary pertaining to a two percent raise for the Court Reporter. He also advised the Board as to what the cost to the County would be if the two percent raise were not given. County Manager Parmer recommended approving the raise. Discussion followed as to what the dollar figure of the raise would be and what the current salary is.

Commissioner Dixon made a motion, seconded by Commissioner Davis, to approve the two percent pay raise. Commissioner McGill expressed concern that the Board is being forced to grant the increase, considering the County's financial condition. Discussion followed. Dave Berry, Deputy Court Administrator, was present and addressed the Board. He advised that they are aware of the County's financial problems. The two percent raise is an effort to treat this court reporter as equitably as the other seven court reports serving the second circuit.

Commissioner McGill asked and was advised that the other counties in the circuit are also paying the two percent increase. Mr. Berry advised of additional services that the County receives at no charge.

The Board, on motion of Commissioner Dixon and second of Commissioner Davis, voted unanimously to approve the two percent pay raise.

CONSENT AGENDA

The Board, on motion of Commissioner Peacock and second of Commissioner McGill, voted unanimously to approve the items (**attached**) on the Consent Agenda (**attached**), to wit: Costs Incurred on Atwater Road; Lime Rock Bid for 12 Months; Typewriter Maintenance Bid for 12 Months; Copier Contract Maintenance for 12

Months; Drunk and Drugged Driving Prevention Month; and State Aid to Libraries - Certification of Credentials.

COMMISSIONER'S REPORT - DISTRICT ONE

Commissioner McGill reported that there was a need for a road sign in the Hinson Heights section. He advised that he had suggested to the persons in the neighborhood that they meet and come up with some suggested names which he would recommend to the Board at the first meeting in December. He would like the Board to approve this conception so that the County Manager can work with them on this matter.

County Manager Parmer explained that the County has a Road Naming Committee which meets periodically. Discussion followed as to the composition of the Committee, with Commissioner McGill being advised that the Commissioner in whose district the affected road is located serves on the Committee when the item is addressed.

COMMISSIONER'S REPORT - DISTRICT TWO

Chairman Powell appointed members to Committees as follows: Governmental Affairs - Commissioner Bill McGill; Insurance Committee - Commissioner James Peacock, Serving as Chairman; Capital Outlay - Chairman Anthony Powell; Regional Planning Council - Commissioner Edward Dixon, Alternate - Commissioner Forrest Davis; Computer User - Chairman Anthony Powell; Bid Committee - Commissioner Bill McGill, Serving as Chairman; Transportation Disadvantaged - Commissioner Edward Dixon; Civil Defense - Chairman Anthony Powell; Grant Committee - Commissioner Forrest Davis; and Road Naming Committee - The Commissioner representing the affected district -- he acts as Chairman; Auditor Selection Committee - Chairman Anthony Powell.

COMMISSIONER'S REPORT - DISTRICT THREE

Commissioner Peacock stated that things were running smoothly in his district.

COMMISSIONER'S REPORT - DISTRICT FOUR

Commissioner Davis reported that the detour in his district was causing a lot of problems. Traffic is tearing the road up, so County Manager Parmer needs to keep in contact with DOT in an effort to get them to patch the road.

COMMISSIONER'S REPORT - DISTRICT FIVE

Commissioner Dixon reported on the need for the Road and Bridge Department to correct a road problem in the Shiloh Community. He also inquired as to whether the Department had a schedule for scraping roads as some roads in his district have not been scraped in months. If there is no schedule, one needs to be implemented.

TAX DEED SALE OF OCTOBER 30, 1992, MEMORANDUM

Clerk Thomas paraphrased a memorandum (**attached**) pertaining to applications made by the Board of County Commissioners on twenty properties. The Board has ninety days after the date of sale to purchase the remaining nine properties listed in the memorandum.

BUDGET SUMMARY REPORT (PRINT-OUT)

Clerk Thomas provided the Board with a Budget Summary Print-Out, stating what it reflected. He advised the Board that he would provide them with any type financial report, in addition to what is

already provided, upon request.

CASH BALANCE REPORT

Clerk Thomas provided the Board with a Cash Balance Report (**attached**) reflecting \$577,657.06 in the Board's General Operating Accounts. Monies have not yet been received from the Tax Collector, but some are expected Friday.

FISCAL YEAR 1991-1992 BUDGET AMENDMENTS

Clerk Thomas presented the following 1991-1992 Budget Amendments (**attached**), requesting approval:

042 EMS; 019-024 EMS Grants; 019-026 EMS Grants; 019-026 EMS Grants; Mosquito Control/Landfill; Waste Services; General; General; General; General; General; General; General; Fine & Forfeiture; General; Correctional; County Transportation #1; Hospital Interest and Sinking; EMS; Waste Services; and County Transportation #1

The Board, on motion of Commissioner Dixon and second of Commissioner Peacock, voted unanimously to approve the 1991-1992 Budget Amendments.

Clerk Thomas advised the Board that the auditors are expected next week to start the 1991-1992 audit.

FISCAL YEAR 1992-1993 BUDGET AMENDMENTS

Clerk Thomas presented, for approval, the following 1992-1993 Budget Amendments (**attached**), stating that although it was the beginning of the fiscal year, some departments wanted to do budget amendments and that the other budget amendments were for the purpose of setting up grants:

Library Fund; Grants/Special Projects Fund; Rural Planning Grant; Comprehensive Planning Grant; General Fund; General Fund; 019 Emergency Management Grant; Library Fund; General Fund; General Fund; and Library Fund

Commissioner McGill expressed concern that Budget Amendments were being made this early in the fiscal year. He asked what could be done to insure that department heads give the Board a more reasonable budget at the beginning of the year so that budget amendments will not have to be done so early in the year.

Clerk Thomas concurred with Commissioner McGill and explained that most of the budget amendments were for setting up grants which could not be controlled as it is not known during the budget process the amount of monies or what grants will be received.

County Manager Parmer advised that there is a department head meeting tomorrow and that this concern of Commissioner McGill's could be discussed.

The Board, on motion of Commissioner Dixon and second of Commissioner Peacock, voted unanimously to approve the 1992-1993 Budget Amendments.

HOSPITAL LOAN STATUS

Clerk Thomas advised the Board that the hospital had five months to draw down the line of credit. They drew down \$997,000

which is all but \$3,000 of the money. During the five months, they only had to pay interest on the money that they drew. They made each payment on time and now a schedule will be set up for them to begin paying the interest and principal. They will be paying about \$18,500 monthly over a period of about sixty-seven (67) months to repay the money drawn from the line of credit that the County enabled them to get.

PAYMENT OF BILLS

Clerk Thomas requested a motion to pay the bills.

The Board, on motion of Commissioner Peacock and second of Commissioner McGill, voted unanimously to pay the bills.

KIMBREL BROWN - FALSE AND INACCURATE STATEMENT BY ROAD AND BRIDGE EMPLOYEES

Mr. Kimbrel Brown, also known as Bo Brown, addressed the Board pertaining to accusations made in reference to his purchase and the delivery of some equipment from the County through bidding. He advised that he hauled all equipment purchased, except a dozer, to his property. The dozer was left by the Road and Bridge Department on the State's right-of-way at his house. A bill was submitted to him for this service and he paid it. He does not like the way the newspaper wrote the article pertaining to this matter and would like for the Board to check into the manner in which the paper covers Road and Bridge matters.

Chairman Powell stated that this matter would be checked into.

Commissioner McGill asked what the County's policy is pertaining to the sell and delivery of items bought through bidding. County Manager responded, stating the bid process and who comprises the Bid Committee. Commissioner McGill then repeated his question and County Manager Parmer responded by stating the circumstances surrounding the sale and delivery of the equipment to Mr. Bo Brown.

Commissioner McGill stated that the County should have an established policy for exceptions to the County's rules pertaining to the delivery of items bought from the County.

NOLAN HANCOCK - OPPOSITION TO FIRE TAX

Mr. Nolan Hancock, representing Gadsden Tax Watch, addressed the Board in opposition to the fire tax. He asked that the Board repeal the fire tax. He advised the Board that the law firm representing his group were of the opinion, based on the Florida Constitution, Florida Statutes, and landmark cases, that they can win the case. He briefed the Board as to the result of special assessments being levied or had been considered for levying in Madison, Jefferson, and Wakulla Counties.

Mr. Hancock advised that the manner by which Gadsden Tax Watch proposes to pay its legal fees is that they are asking every person opposed to the fire tax to contribute at least one year's assessment to the cause. Mr. Hancock stated that upon the advice of three lawyers, they are asking Gadsden County residents to withhold payment of their taxes until this matter is resolved by the courts.

He questioned the County's need for the monies generated by the fire tax; collection of the tax; the constitutionality of the tax; issuance of tax certificates; income exempt from the tax; cited cases pertaining to special assessment; homestead exemptions; and the ten mill cap.

Mr. Hancock then advised the Board as to individual Commissioner's stance on the fire tax and stated that if the tax is not rescinded, his group would file their law suit.

DORISENE COLVIN

Doriscene Colvin addressed the Board, requesting a response to her questions at the previous two meetings concerning the County Manager. She stated that Coastal Lumber Company had sold their property to St. Joe Paper Company who has now transferred the land holdings to the Forestry Unit. There will be no fire assessment on the land. She wanted to know how the County would derive the money that was designated to be collected from St. Joe Paper Company.

Chairman Powell responded that he did not know if this was true, but the Board would try to ascertain an answer by the next meeting. A response would be given to her queries pertaining to County Manager Parmer at the next meeting also.

ADJOURNMENT

The Board, on motion of Commissioner Davis and second of Commissioner Peacock, voted unanimously to adjourn.

ANTHONY A. POWELL, CHAIRMAN

ATTEST:

NICHOLAS THOMAS, CLERK

GADSDEN COUNTY CONSTRUCTION INDUSTRY LICENSING BOARD

The meeting was called to order by Chairman Powell.

County Manager Parmer presented the License Application of Clinton Smith, for a Master Plumber license, recommending approval.

The Board, on motion of Commissioner Dixon and second of Commissioner Peacock, voted unanimously to approve the license.

ADJOURNMENT

The Board, on motion of Commissioner Dixon and second of Commissioner Peacock, voted unanimously to adjourn.

ANTHONY A. POWELL, CHAIRMAN

ATTEST:

NICHOLAS THOMAS, CLERK

AT A REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS,
HELD IN AND FOR GADSDEN COUNTY,
FLORIDA, ON DECEMBER 1, 1992,
THE FOLLOWING PROCEEDINGS WERE
HAD, VIZ.

PRESENT: ANTHONY A. POWELL, CHAIRMAN
JAMES PEACOCK, VICE-CHAIRMAN
FORREST DAVIS
EDWARD DIXON
BILL MCGILL
HAL RICHMOND, COUNTY ATTORNEY
BUD PARMER, COUNTY MANAGER
NICHOLAS THOMAS, CLERK

CALL TO ORDER

The meeting was called to order by Chairman Powell. Clerk Thomas led in Pledge of Allegiance and Commissioner Peacock led in Prayer.

APPROVAL OF MINUTES - NOVEMBER 13, 1992 - SPECIAL MEETING

The Board, on motion of Commissioner Davis and second of Commissioner Peacock, voted unanimously to approve the minutes of the November 13, 1992, Special Meeting.

COMMUNITY ECONOMIC DEVELOPMENT ORGANIZATION (CEDO) LAW SUIT

County Attorney Richmond briefed the Board on the law suit filed by CEDO against Dale Summerford, Tax Collector and George Hamilton, Property Appraiser, to have an exemption granted to the CEDO housing project in Gretna. Judge Padovano ruled that CEDO was entitled to the exemption. A review of the decision, given the case law that was closely followed by CEDO, indicates that the Judge had no discretion, except to allow CEDO to have the exemption. At this point, the exemption that CEDO has been granted is for the year that they filed, 1987 or 1988. This money will be paid back to CEDO. CEDO has not filed for exemption subsequent to 1987 or 1988, but County Attorney Richmond thinks that they will file each year in the future. The question is whether to appeal the Court's decision, but County Attorney Richmond does not think it will be cost efficient to appeal the matter, considering the case law under which the determination was made. He is advising the Board of the Court's decision, but does not think the Board needs to take action on this matter. The appeal period runs within

the next week.

CITY OF QUINCY CONTRACT WITH WASTE MANAGEMENT

County Attorney Richmond advised that the County has received a letter of request from the City Commission. They have entered into a contract with Waste Management to provide a waste transfer station for the transfer of solid waste to a Waste Management landfill in Jackson County. The City is requesting that Gadsden County permit them, under the interlocal agreement between the County and City, which runs through 1994, to begin to transfer said waste to Jackson County at this time so that they will not use up the space and not have to use the new cell. There would be no additional cost to the County under this proposal. Board action or response is needed on this matter.

The City has requested that the County go along with this in their new contract. Attorney Richmond is sure there will be a substantial expense to the County at the end of 1994, the end of the interlocal agreement, but this would have happened anyway.

Commissioner Dixon stated that this was not a miscellaneous item. He should have been provided information concerning this matter. County Attorney Richmond responded that Commissioner Dixon was correct. County Attorney Richmond was provided the information and told that the matter had to be addressed at this meeting. County Manager Parmer stated that the City Manager came by his office late this afternoon and asked that the matter be addressed at this meeting as it was urgent that they follow through on the matter.

Commissioner Dixon stated that his problem with this item was that the City had voted on it three weeks ago, but waited until just yesterday to bring it to the County for a decision at this meeting. Commissioner Dixon has not read any information, so he does not know what is contained in the contract.

Commissioner McGill stated that he has the same concern expressed by Commissioner Dixon with regard to the CEDO law suit. He was not aware until a few weeks ago that the suit was pending. Nothing in his commission packet suggests that this matter was to be discussed. He also has this concern with regard to the Waste Management matter requested by the City. Information should have been provided for the Commissioners to read regarding these items so that they would be prepared to discuss the matters. As information was not provided, he is not prepared to vote on these

matters tonight.

Chairman Powell responded that he did not think a vote was needed on the CEDO matter tonight. County Attorney Richmond responded, stating that Mr. Luther C. Smith, CEDO's Attorney, was present in the audience. He then proceeded to apprise the Board as to what had transpired with regard to the County's filing of a Motion for New Trial in the CEDO court proceeding. Commissioner McGill asked what the cost of appealing the matter would be. County Attorney Richmond responded that he was recommending that the County not appeal the matter. He does not believe that there is a basis for appeal. Discussion followed with County Attorney Richmond explaining the appeal time period. If this cause is to be appealed, CEDO wants to know as they are entitled to have their money from 1988 paid from the first monies received. Mr. Summerford and Mr. Hamilton are prepared to pay the monies if there is no appeal.

Mr. Luther C. Smith then addressed the Board, stating that County Attorney Richmond had correctly summarized this matter. Mr. Smith would like the Board to approve, tonight, Mr. Richmond's recommendation that the matter not be appealed. Mr. Smith stated that he does not feel that it would be in the best interest of the County to appeal the matter and cited the cost to the County to appeal the matter and the futility of appealing, considering the case law precedents that stated CEDO was entitled to the exemption.

Commissioner McGill responded that he understood this, but his problem was that he had not seen any written information on this matter. He, essentially, will be voting in the dark. He agrees that the County should not spend money on an appeal, knowing that it will lose, but he has not seen anything stating that a suit was filed, a judgment entered, and the Board needed to decide whether to appeal the matter. Discussion followed.

Commissioner Peacock made a motion, seconded by Commissioner Davis, not to appeal the matter. Commissioner McGill stated that he was going to vote not to appeal the matter, but in the future, the Board should be provided information prior to having to vote on an issue.

The Board, on motion of Commissioner Peacock and second of Commissioner Davis, voted unanimously not to appeal the CEDO matter.

Gadsden County Board of County Commissioners
December 2, 1992 Regular Meeting

Commissioner Dixon stated that pertaining to the Waste Management Matter, he was at the City Commission meeting and was apprised of the benefits the City was getting from the transaction. He inquired as to whether anyone had taken time to determine if there were any ramifications or benefits to the County on the transaction as the County would be breaking the interlocal agreement, at the request of the City. County Attorney Richmond responded, synopsisizing what was being requested by the City. He was advised this afternoon that County Manager Parmer would address this issue at this meeting as Mr. Cowen had talked with County Manager Parmer. Discussion followed as to the length of the interlocal agreement; clarification of what is being requested of the County; what happens when the interlocal agreement terminates; and how solid waste would be handled if the City's request is granted.

Commissioner Dixon stated that his present concern is maintaining the interlocal agreement so that the County and City can bargain as one group rather than a bunch of separate entities. Brief discussion followed as to how household items would be disposed of at the Byrd Landfill. Mr. Nolan Hancock, an audience member, asked if Waste Management had made a bid of \$38 per ton so that a private company could not buy the Byrd Landfill and then ran the price up to \$44 per ton. County Attorney Richmond explained that the City of Quincy had come out with a bid proposal that precluded anybody from bidding on the landfill except for Waste Management. This eliminated any of the local people who were prepared to run the Byrd Landfill and the purchase of another thousand acres which would have provided landfill for the County, under the current regulations, for forty years.

Commissioner Dixon made a motion to authorize the Chairman to send a letter to the City authorizing transport of the solid waste and to include in the letter the County's wish that in the future, the County and City cooperate in terms of waste proposals. Commissioner Peacock seconded the motion.

The Board, on motion of Commissioner Dixon and second of Commissioner Peacock, voted unanimously to authorize the Chairman to send the letter.

Commissioner McGill asked that the letter also request that the City present requests in a more timely manner as he has a problem voting on issues on which he has not been provided written information.

COUNTY MANAGER

County Manager Parmer did not present any items to the Board.

CONSENT AGENDA

The Board, on motion of Commissioner Peacock and second of Commissioner McGill, voted unanimously to approve the items **(attached)** on the consent agenda **(attached)**, to-wit: GARC Public Donor Contract.

CASH BALANCE REPORT

Clerk Thomas presented a Cash Balance Report **(attached)** reflecting \$1,064,997.02 in the General Operating Accounts, explaining that \$150,000 had been received last week and \$600,000 had been received this morning in ad valorem taxes from the Tax Collector.

BUDGET AMENDMENTS

Clerk Thomas presented the following Budget Amendments **(attached)**, requesting approval:

General Fund; General Fund; General Grants;
General Grants; EMS Billing Fund; General
Fund; Find & Forfeiture Fund; Transportation
#2 Fund; and Hospital Renewal and Replacement
Fund

Commissioner Peacock made a motion, seconded by Commissioner Dixon, to approve the Budget Amendments. Commissioner McGill stated that he had requested at the last meeting that there be a budget mechanism set up so that the Board would not have to entertain so many Budget Amendments at each meeting. He expressed concern that amendments were being made so early in the budget year. He would like a realistic budget developed and he would like to see the total budget so that he can see the effect that the line item changes have on the remainder of the budget.

Clerk Thomas concurred with Commissioner McGill pertaining to the presentation of Budget Amendments at each meeting and explained the reason for the presentations.

Commissioner McGill expressed his desire that prior to the end of this fiscal year, as preparations are made for the next fiscal year budget, that the County starts with a zero based budget and that each Department work up to a dollar amount that it perceives that it needs to operate for the fiscal year. If monies are carried over from this year's budget, it should not be assumed that it is money that will be available for the next fiscal year. He explained the process that should be followed in coming up with a realistic budget so that hopefully, amendments would not be necessary so early in the budget year. He stated that he would propose, at a later date, that the County have a zero-based budget concept and that it be voted a policy issue. Commissioner Davis asked if County Manager Parmer had any extra budgets that could be given to Commissioners Dixon and McGill. County Manager Parmer responded that a copy had been furnished Commissioner Dixon today and that Betty Miller had a copy for Commissioner McGill. Clerk Thomas advised that he could provide any budget report desired. More discussion followed on the presentation of budget amendments.

Commissioner McGill stated that at some point, he will propose that the Commission meet once a month on Saturday, for at least a half day, to get a real good grip on its policies and budget procedures so that when the matters come up prior to the end of the fiscal year, the Board will know that it has concrete policy. This can be done in a work-shop, open to the public.

The Board, on motion of Commissioner Peacock and second of Commissioner Dixon, voted unanimously to approve the Budget Amendments.

INTRODUCTION OF STAFF MEMBER

Clerk Thomas introduced Betty Sue Sadberry, a member of his staff, who was present in the audience. She has been with the Clerk's Office twenty-five (25) years.

PAYMENT OF BILLS

The Board, on motion of Commissioner Dixon and second of Commissioner Davis, voted unanimously to pay the bills.

DORISENE COLVIN

Mrs. Colvin addressed the Board, stating that County Manager Parmer had provided her with information which he stated would answer her previous questions to the Board. She made reference to

County Ordinance Number 89-002, stating that it reflected that the Board required a County Manager to have a college degree. County Manager Parmer does not possess a college degree, so he should not have been considered for the position.

She wanted to know why the Board enacts ordinances that it does not abide by. She also wanted to know why County Manager Parmer was given the job when he is not a college graduate. Mrs. Colvin then stated that she was going to yield the remainder of her time to **Mr. Nolan Hancock**.

Mr. Nolan Hancock, representing Tax Watch, addressed the Board, stating what the organization was interested in and the three questions that should be answered whenever the Board entertained proposals. He stated that Tax Watch does not believe the County is getting its dollar's worth with the County Manager and cited the costs and benefits of the County Manager. Mr. Hancock stated that Tax Watch believes that the County Manager position should be abolished and stated the reasons why.

Chairman Powell advised Mrs. Colvin that since she had not specified what she wanted to address the Board on, her questions would be answered at the next Board meeting. Commissioner Peacock stated that he and Commissioner Davis were the only Commissioners on the Board now who were on the Board when County Manager Parmer was hired. He stated that he would answer Mrs. Colvin's question pertaining to hiring County Manager Parmer now.

He stated that when County Manager Parmer was hired, each of the five Commissioners reviewed Mr. Parmer's resume' and interviewed several other people who applied for the position. At that time, the Commission knew that Mr. Parmer did not have a college degree. He stated that Ordinance 89-002 stated the reasons the Board could do this. The Board can hire who ever it sees fit to hire as long as the majority votes to hire the person. The Board knew Mr. Parmer did not have a college degree. Mr. Parmer's application reflected that he had attended college, but did not have a degree.

Mrs. Colvin responded that she was not denying that Mr. Parmer attended college. Commissioner Peacock responded that it was not up to the public to fire Mr. Parmer. It is up to the Board to fire Mr. Parmer. As far as Commissioner Peacock is concerned, this matter can be put to rest until such time as the Board has a majority to vote to fire Mr. Parmer.

Mrs. Colvin stated that the County has an ordinance. Commissioner Peacock responded that the County had an ordinance, but the Board had the right to hire whoever it wants as long as the Board votes on it. Mrs. Colvin stated that this was true, but when there is an ordinance, it is what she goes by. Discussion between Mrs. Colvin and Commissioner Peacock followed as to the contents of Ordinance 89-002 and when it was passed, with Commissioner Peacock asking what was the date on the Ordinance. Mrs. Colvin stated that a date was not on the Ordinance and Chairman Powell suggested that this matter be researched and finalized at the next meeting.

Mrs. Colvin then questioned the County's not applying the Ordinance to County Manager Parmer. Discussion again followed pertaining to the contents of the Ordinance and the interpretation of same. Mr. Nolan Hancock stated that the date of the Ordinance was June 6, 1989. County Manager Parmer stated that he was hired May 1, 1989. Mrs. Colvin stated that if a poll were taken, under the circumstances, County Manager Parmer would be fired today. County Manager Parmer responded, explaining to Mrs. Colvin the type jobs which required an equivalency for college education and citing and explaining the case of Griggs vs. Duke Power of North Carolina as the reason for this. Mrs. Colvin responded that she was not questioning County Manager Parmer's integrity; she is questioning the way the ordinance is written. Discussion between Mrs. Colvin and County Manager Parmer followed pertaining to the contents of the ordinance with County Manager Parmer advising that he had written the ordinance.

An unidentified gentleman in the audience asked if citizens were going to have to mow their own roads. Mr. Nolan Hancock questioned the propriety of the Board having allowed County Manager Parmer to write the ordinance. County Manager Parmer responded, stating the procedure he had followed to write the ordinance. Mr. Hancock questioned the propriety of individuals affected by an ordinance being allowed to write it. An unidentified gentleman asked and County Manager Parmer explained why the ordinance was written when he already had the job. The gentleman stated that he did not blame County Manager Parmer for accepting the position, but he did blame the Commission for offering him the job as County Manager Parmer is not needed. Another unidentified gentleman asked if the County needed a County Manager, stating that a lot of people had this question.

Chairman Powell interjected, stating that the persons speaking

were out of order and stated that if they wanted to address the Board, they should have gotten on the agenda. There is an official agenda for the meeting; people speaking at will interrupts the meeting. Another unidentified gentleman in the audience explained to the Board that on Monday he had tried to get on the agenda to address the Board, but had been refused because he had not called with his request before the holidays. He does not think this is right, considering the items being discussed at this meeting that were received just this afternoon. He has no problem with the rule stating that the request has to be made two days in advance of the meeting, but if this rule applies to the citizenry, it should apply to everyone. Another gentleman in the audience, Mr. Forehand, addressed the Board pertaining to the manner in which the Board treats its constituents.

COMMISSIONER'S REPORT - DISTRICT ONE

Commissioner McGill re-addressed the issue, from the last meeting, of a road in his district needing to be named and a sign erected reflecting the name. Since that time, he has received a signed petition requesting that the road be named Hinson Circle Drive South and Hinson Circle Drive North. He would like the Board to act on this matter. He realizes the procedure this matter was to follow, but the name was provided very quickly. He will defer this matter to go through the procedure if the Board wishes.

County Manager Parmer suggested that the Board act on this matter tonight, pending research to ensure that no other roads have these names. Commissioner McGill stated that the research had already been done, but the road committee could do this also. Commissioner McGill also wants signs erected reflecting the names.

The Board, on motion of Commissioner McGill and second of Commissioner Peacock, voted unanimously to name the road Hinson Circle Drive South and Hinson Circle Drive North, pending research by the Sheriff's Department, Ambulance Service and Planning and Zoning Department and to erect signs reflecting the names.

Commissioner McGill informed the Board of a potential hazard on St. John Church Road caused by a drainage pipe with a large hole in it. He recommends that the Road and Bridge Department replace that section of the pipe. He would also like for the Road and Bridge Department not to leave mounds of dirt and materials in the middle of roads when they perform road scraping.

COMMISSIONER'S REPORT - DISTRICT TWO

Gadsden County Board of County Commissioners
December 2, 1992 Regular Meeting

Chairman Powell advised of the need for the Board to hold a work-shop meeting on the SHIP money to discuss how the money is to be spent. The meeting will be open to the public and the municipalities in the County who will be able to ask questions. Chairman Powell suggested holding the work-shop on December 16, 1992, at 6:00 p.m. Commissioner McGill questioned if this would be adequate time for discussion. County Manager Parmer responded that this matter would probably take several meetings. Commissioner McGill suggested holding an all-day meeting on a Saturday. Commissioner Peacock stated that the Board did not need to do it on a Saturday. Commissioner McGill responded that he was trying to make it more convenient for the public. Chairman Powell advised him that there would be several work-shop meetings. Brief discussion followed on the convenience to the public of having the meeting on a Wednesday night. County Manager Parmer suggested holding the work-shop meeting after or before the regular meeting of December 15, 1992. Brief discussion followed with Chairman Powell stating that most citizens would not be available an hour before the regular meeting and Commissioner Dixon stating that the SHIP Program was an extensive program and the Board needed to concentrate only on it.

Commissioner Dixon made a motion, seconded by Commissioner Davis, to hold the first public work-shop meeting on the SHIP program on Wednesday, December 16, 1992, at 6:00 p.m. in the courtroom. Discussion followed with Commissioners Dixon and McGill stating the need to advise the public of what acronyms stand for whenever they are used so that the public will know what the Board is talking about. Commissioner Dixon suggested that a small summary of the SHIP program needed to be available for persons who attend the SHIP program work-shop meeting.

Chairman Powell asked and Mr. Edward Butler provided a synopsis of the SHIP program, inclusive of stating that it stood for State Housing Initiative Program. He also entertained questions from the Board and audience members.

Chairman Powell then advised that the Road Naming Committee had met and named a previously unnamed road in his district Mat Lane, as suggested by the residents living on the road who signed a petition.

The Board, on motion of Commissioner Peacock and second of Commissioner Dixon voted unanimously to name the road Mat Lane.

Chairman Powell then advised the public that if they wished to address the Board, they needed to get on the agenda by 12 noon the Thursday prior to the Tuesday meeting. Everyone will be given the opportunity to speak, but the time will be limited. If a person has a pressing issue that takes 15 or 20 minutes, this is fine. If a person in the audience wishes to speak, they will be allotted two to three minutes to speak. He then suggested that constituents meet with their individual commissioner to try to resolve issues prior to bringing them to the Board. If this cannot be done, bring the issue to the Board. However, the Board needs to know in advance what the issue is so that action can be taken on the matter. An unidentified gentleman inquired about the Board taking action on a matter that he had inquired about in August. Chairman Powell suggested that he discuss the matter with Commissioner Dixon.

COMMISSIONER'S REPORT - DISTRICT THREE

Commissioner Peacock stated that things were running smoothly in his district.

COMMISSIONER'S REPORT - DISTRICT FOUR

Commissioner Davis stated that things were running smoothly in his district.

COMMISSIONER'S REPORT - DISTRICT FIVE

Commissioner Dixon addressed the need for the Board to become proactive in legislative matters. There needs to be more consultation with the County's local legislative delegation regarding the needs of Gadsden County. He noted that the Florida Association of Counties has a meeting starting tomorrow, but nothing has been said about it. He has been informed that the County is a member of a Small County Coalition. He received a package in the mail a few days ago stating that reservations had to be made by yesterday. Nothing was said about this either. Commissioner Dixon expressed concern that the Board is waiting for someone to bring the County something; no one is bringing anything. The Board has to convince its legislators to get the County some more revenue sources; the Board has to be pro-active in this endeavor. He noted that the small county coalition will meet on the 8th, and asked what the County's agenda was for the meeting. The County needs to be involved.

County Manager Parmer stated that the Board had been represented by Commissioner Cooper on the Small County Coalition and that Commissioner McGill has now been assigned to represent the County. Commissioner Dixon expressed concern that the legislature is about to go into session and the County has yet to meet with its local delegation and give them a list of the County's priorities for them to work on. The constituents of Gadsden County cannot hold the delegates accountable for things that the County needs if no list has been presented to the delegates. He encouraged all of the commissioners to be more involved in legislative matters on a daily basis.

Commissioner McGill advised that he has spoken with Representative Al Lawson and has been informed that Rep. Lawson proposes to hold a public hearing in Gadsden County to ascertain what issues confront the County. Discussion followed. Commissioner McGill advised that Representative Lawson had informed him that he would hold the hearing during this month. Commissioner Dixon would like for the Board to develop and vote on a list to be presented to its legislative delegation. Commissioner McGill recommended that if Commissioner Dixon's suggestion was going to be accomplished through a resolution, that the Board try to get each municipality in the County to adopt a similar resolution. Commissioner Dixon has no problem with this suggestion, but the County must be pro-active and not wait to see what everyone else is going to do. Commissioner McGill concurred, stating that the Board should pass a resolution and take it to the municipalities. Commissioner Dixon advised that he is available four hours per day for legislative attendance. He plans to attend the small county coalition meeting and encouraged the other commissioners to attend. County Manager Parmer stated that the meeting may be one that Clerk Thomas may want to consider attending as several Clerks were in attendance the last time it met.

Chairman Powell then asked and Clerk Thomas advised him that he would have information available at the next meeting pertaining to instituting direct deposit for County employees.

ADJOURNMENT

The Board, on motion of Commissioner Peacock and second of Commissioner Davis, voted unanimously to adjourn.

ANTHONY A. POWELL, CHAIRMAN

Gadsden County Board of County Commissioners
December 2, 1992 Regular Meeting

ATTEST:

NICHOLAS THOMAS, CLERK

GADSDEN COUNTY CONSTRUCTION INDUSTRY LICENSING BOARD

The meeting was called to order by Chairman Powell. County Manager Parmer presented the license application of Rex Alan Anderson, recommending approval.

The Board, on motion of Commissioner Peacock and second of Commissioner McGill, voted unanimously to approve the license.

ADJOURNMENT

The Board, on motion of Commissioner Peacock and second of Commissioner Dixon, voted unanimously to adjourn.

ANTHONY A. POWELL

ATTEST:

NICHOLAS THOMAS, CLERK

AT A REGULAR MEETING OF THE BOARD
OF COUNTY COMMISSIONERS, HELD IN
AND FOR GADSDEN COUNTY, FLORIDA, ON
DECEMBER 15, 1992, THE FOLLOWING
PROCEEDINGS WERE HAD, VIZ.

PRESENT: ANTHONY A. POWELL, CHAIRMAN
JAMES PEACOCK, VICE-CHAIRMAN
FORREST DAVIS
EDWARD J. DIXON
BILL MCGILL
HAL RICHMOND, COUNTY ATTORNEY
BUD PARMER, COUNTY MANAGER
NICHOLAS THOMAS, CLERK

CALL TO ORDER

The meeting was called to order by Chairman Powell. Commissioner Davis led in Pledge of Allegiance and Commissioner Peacock led in Prayer.

APPROVAL OF MINUTES - DECEMBER 1, 1992 - REGULAR MEETING

The Board, on motion of Commissioner McGill and second of Commissioner Peacock, voted unanimously to approve the minutes of the December 1, 1992, Regular Meeting.

REQUEST FOR RELEASE OF JUDGMENT

County Attorney Richmond advised the Board of a request that he had received to bring to the Board a request to release a judgment on property belonging to an individual named Williams. County Attorney Richmond advised that the person who had spoken with him regarding the release was Mr. George Brown. Mr. Brown wants the County to release the judgment that the County holds as Gadsden County Waste Service for past garbage because the owner, Mrs. Williams, now wants to sell the property. There is sufficient other property owned by Mrs. Williams to attach the judgment to. The judgment amounts to \$731.

Mr. George Brown then addressed the Board, stating that he represented Chadwick Homes. He advised as to the location of the property on which the lien is held. A loan has been approved through the Farmers' Home Administration to build a low income house for Ms. Judy Russ. The loan includes enough funds to pay off a paving lien on the property, but not enough for the lien. Mr. Brown stated that the owner has other property to which the lien could be attached.

Questions and discussion from the Board followed in which County Attorney Richmond advised that the Board could release the lien if it so desired. It was also determined that the only other property owned by Mrs. Williams was homestead, to which a lien could not be attached and that the contractor and owner of the property are both unwilling to pay the lien. Commissioner McGill asked and County Attorney Richmond confirmed that the Board would be setting a precedent if the lien were released.

The Board, on motion of Commissioner Peacock and second of Commissioner McGill, voted unanimously to deny releasing the lien.

UNEMPLOYMENT COMPENSATION APPEAL OF LENWOOD HERRON

County Attorney Richmond advised the Board that he had received a telephone call this afternoon from Mr. Tom Brooks, the

attorney representing Lenwood Herron in his unemployment compensation appeal. Mr. Brooks would like to send some information pertaining to the case to each Commissioner. Attorney Richmond has advised Mr. Brooks that unless he hears otherwise, he can submit anything he wishes to the Board members.

Commissioner Dixon asked and County Attorney Richmond confirmed that the County had lost on all counts in the unemployment compensation hearing. He also advised as to the ruling in the matter. Commissioner McGill asked and County Attorney Richmond advised as to the County's chances of winning an appeal. Commissioner Dixon asked what the County planned to win by appealing. County Attorney Richmond responded that Lenwood Herron was not being paid unemployment compensation at this time. Commissioner Dixon asked and County Attorney confirmed that the County was fighting to avoid paying Lenwood Herron unemployment compensation. Commissioner Peacock asked and County Attorney Richmond advised that Attorney Brooks would mail the information to the Commissioners within the next week. Commissioner Peacock would like to see the information before making a decision. Discussion followed as to what the cost would be to the County to appeal the matter with County Attorney Richmond advising why it would be difficult to win the appeal. Commissioner McGill commented on the rarity of appeals being won, stating that it would not be in the County's best interest to expend funds on a matter it is likely to lose. County Attorney Richmond responded that the brief had not been done at this time, so there is no money expended by the County except for that at the initial hearing.

Commissioner Dixon made a motion to halt all proceedings in the appeal. Commissioner Peacock asked if law suits would be open further down the line if the Board decided not to appeal. County Attorney Richmond advised that there is always this possibility, but he does not know what Mr. Herron plans to do. Mr. Herron served at the pleasure of Mr. Parmer. With or without cause, he could be discharged as an employment head. Mr. Herron's only law suit might come from any type of discrimination if there was any. County Attorney Richmond did not see any represented throughout the proceedings. Commissioner McGill asked and County Attorney Richmond confirmed that Mr. Herron could sue even if he won the case on appeal.

The Board, on motion of Commissioner Dixon and second of Commissioner McGill, voted unanimously to halt all proceedings in the Lenwood Herron issue/appeal.

County Attorney Richmond will notify the Department of Unemployment Compensation, Department of Labor that the County is withdrawing the appeal.

COMPLAINT FOR DECLARATORY RELIEF AND INJUNCTIVE RELIEF

County Attorney Richmond advised that some of the Commissioners had been served by the Sheriff's Department with a Complaint for Declaratory Relief and Injunctive Relief. It is Attorney Richmond's understanding that there are going to be many more law suits before this is over. This is the first law suit that has been filed by Gadsden County Tax Watch with Mr. Hancock, Mr. Black and Mr. Sweeney represented as Plaintiffs. These matters require some immediate action as to the defense. Mrs. Sarah Bleakley of the law firm Nabors, Giblin and Nickerson is present to brief the Board on this matter. County Attorney Richmond and Mrs. Bleakley have discussed the proper proceeding to defend the law

suit.

Chairman Powell advised that Mrs. Bleakley would brief the Board on the Fire Assessment and the pending law suit, but as a law suit is pending, no questions would be entertained on the matter.

SARAH BLEAKLEY - FIRE ASSESSMENT REPORT

Mrs. Bleakley stated that she was present to talk to the Board about the status of the Fire Assessment and the status of the litigation and recommend a course of action to the County in the litigation.

She advised that she had reports from the Tax Collector's office that collection of the assessment is going well. Approximately one-third of the revenue that was anticipated to be generated from the fire assessment has been collected. This amounts to over \$200,000 which is available for expenditure as of the budget the Board approved this summer.

Pertaining to the litigation, she stated who had been served and the number of other law suits expected -- some representing agricultural interests and commercial interprises. At this point it is appropriate to think about how to proceed in the litigation. Mrs. Bleakley's firm developed the legal theory underlying the Ordinance that the Board adopted and the methodology for the special assessment. They are professionally responsible in this regard and intend to stand behind their legal theory as far as the law and methodology is concerned.

Mrs. Bleakley's firm is in an ethical delemma. They anticipate that members of the firm being called as expert witness to give the firm's explanation of the methodology and underlying legal theory involved in the development of the assessment program. This puts them in an awkward situation that would require, if they litigated this issue for the County, of having to be a lawyer and a witness in the same trial. Therefore, the firm thought about a couple of ways of addressing the issue. One option would be to hire another expert which would cost the County some money and their firm would have to educate the expert and that expert's opinion would not have the same clout and validity as the firm's. The other option is that their firm not serve as the attorney of record in the proceeding and allow the County to have another attorney. County Attorney Richmond would be a good choice. He would use Mrs. Bleakley's firm's services as experts and he would litigate the issue. Mrs. Bleakley's firm would serve as an expert and be available to educate County Attorney Richmond on the fine points of special assessment laws at no cost to the County for the services. Mrs. Bleakley's firm recommends this second option as the best course of action to the Board.

Brief discussion followed as to County Attorney Richmond's fee in this cause with him advising that the maximum would be \$2,000 to \$3,000. Commissioner McGill asked if, in litigation, there was a way to amend the Ordinance. County Attorney Richmond responded that he did not anticipate that the County could do anything at this point to change the County's position. Mrs. Bleakley stated that she did not think the County could meet all of the points that have been raised in the litigation filed thus far.

The Board, on motion of Commissioner Peacock and second of Commissioner McGill, voted unanimously to accept the Mrs. Bleakley

recommendation that County Attorney Richmond litigate this matter with Mrs. Bleakley's firm serving as experts and being available to assist County Attorney Richmond.

MICHAEL SHERMAN - PLANNING AND ZONING RECOMMENDATIONS (ATTACHED)

Mr. Michael Sherman, Planning and Zoning Director, addressed the Board on the following items:

1. PECAN GROVE SUBDIVISION - PROJECT #92PZ-24-201-2-10

Pecan Grove Subdivision (four lots on 8.18 acres) received preliminary plat approval from the County Commission on October 20, 1992 and is now seeking final plat approval. The project is located approximately 0.35 miles north of CR 270 on the west side of CR 159, and 0.8 miles south of Merritt Lane. The developer is Mr. Wayne Gregory and the developer's agent is Mr. Richard White.

Staff recommends final plat approval subject to the listed special conditions in conjunction with approval of the County Engineer and the Plat Review Committee.

Chairman Powell recommended approval of the project. The Board, on motion of Commissioner Peacock and second of Commissioner McGill, voted unanimously to approve the final plat, subject to the listed special conditions.

2. POST PLANT ROAD SUBDIVISION

Post Plant Road Subdivision received preliminary plat approval from the County Commission on October 20, , 1992, for seven (7) lots on 7.03 acres and is now seeking final plat approval. The site is located 0.3 miles east of CR 161 on the north side of Post Plant Road. The developer is Mr. J. E. Gilbert and the developer's representative is Mr. Richard White.

Staff recommends final plat approval, subject to the listed special conditions in conjunction with approval of the County Engineer and the Plat Review Committee.

Chairman Powell recommends approval of the project. The Board, on motion of Commissioner Davis and second of Commissioner Dixon, voted unanimously to approve the final plat, subject to the listed special conditions.

RICK McCASKILL - ECONOMIC DEVELOPMENT ACTIVITIES UPDATE (ATTACHED)

Mr. Rick McCaskill provided the Board with a brief overview of the economic activities occurring within the County which included the following: **NRT CORPORATION; ROSCHE ENTERPRISE; HOLIDAY INN EXPRESS; FERNLEY NURSERY; QUINCY FARMS; FOOD LION; and FLORIDA POWER.** Commissioner McGill asked and Mr. McCaskill briefed the Board on a meeting between he and Commissioner McGill pertaining to the County's need for industrial parks.

WORKSHOP ON STATE HOUSING INITIATIVE PROGRAM (SHIP)

County Manager Parmer reminded everyone of the Board workshop meeting to be held (tomorrow) at 6:00 p.m. on November 16, 1992. He stated that Mr. Edward Butler had provided the Board with an outline which he suggests the Board follow.

FIRE DEPARTMENT CONTRACTS

County Manager Parmer advised that Shorty Joyner and Tommy Baker had provided the Board with copies of contracts between the County and the various fire departments within the County, for review and comments. The Board members can make whatever additions, corrections, and deletions they wish. These contracts have also been sent to each fire department for review and comments. All fire chiefs plan to meet Thursday night. County Manager Parmer would like to be apprised of any corrections, additions or deletions the Board wishes to make so that a final contract can be prepared. County Manager Parmer advised that he and Clerk Thomas would have to meet with the auditors to ascertain what is required pertaining to expenditure of the funds generated.

Mrs. Dorisene Colvin, an audience member, asked County Manager Parmer when he anticipated the time that individual citizens could make a recommendation to him or the Board as to who will participate in receiving the money in the low income housing plan.

County Manager Parmer responded that he was not sure, but there will be a lot of public hearings on the subject, to include public input. There will be public hearings and workshops at the courthouse with the possibility of workshops being held in Gretna, Havana, Chattahoochee, and so forth. The meeting tomorrow night will be a workshop. A lady from Tallahassee who wrote the Sadasky Act will be present to address the Board.

Commissioner McGill expressed his desire that a copy of the proposal be available to persons not attending the workshops so that they can affix their comments to them. The comments can be read into the records. Brief discussion followed.

CONSENT AGENDA

Commissioner Dixon made a motion, seconded by Commissioner McGill, to remove the Atwater Road Paving Project from the Consent Agenda for discussion purposes.

The Board, on motion of Commissioner Dixon and second of Commissioner McGill voted unanimously to remove the Atwater Road Paving Project from the Consent Agenda for discussion.

The Board, on motion of Commissioner McGill and second of Commissioner Peacock, voted unanimously to approve the remaining items (**attached**) on the Consent Agenda (**attached**), to wit: (1) Mosquito Control/Waste Tire Abatement Grant, (2) Intensive Prevention Grant Contract Amendment.

Discussion on the Atwater Road Paving Project then followed with Commissioner Dixon stating his concerns with the project -- the amount of money that has been spent on the road; and no justification for paving the road, considering the length (3 miles) of the road and the sparse number (8) of houses on the road. To date, \$212,000 has been spent on the road and to finish the project, another \$232,000 more dollars is projected to be spent. Commissioner Dixon does not see the benefit from this and needs justification for this. The County does not have the manpower to pave the road. Commissioner McGill asked and Commissioner Dixon confirmed that the paving project would cost at least \$444,000 according to the figures that he gathered from staff today. Commissioner McGill asked and County Manager Parmer responded as to what the costs for paving normally are if done by a contractor.

Commissioner Dixon informed Commissioner McGill that his problem was not with the cost of the project, but with the benefit as there are few houses on the road. This problem is compounded in that in Commissioner Dixon's district, there are roads in his district that have people every quarter acre. The roads are impassable. Commissioner Dixon is trying to see the justification for spending a half million dollars on a road on which eight houses are located which has no commercial or industrial value. The road is not a major traffic arterial.

In response to Commissioner Dixon's concerns, Commissioner Peacock stated that there were twenty-one houses located on Atwater Road. He continued, briefing Commissioner Dixon on the problem of attaining right-of-ways to pave Atwater Road; the Board's adoption of a five-year paving plan which included Atwater Road; the cost of upkeep on Atwater Road as after each rain, maintenance had to be performed on the road; and the Board's decision to pave the road under an emergency situation, explaining how this procedure worked, as it related to use of transportation funds #1 and #2. The road is now at the point where it either is paved or all work done on it be lost and thus have to be redone should it be decided that the road be paved at a later time. He advised that the road needed to be paved with loose gravel as DER said this could be done. Question has now arisen as to whether the road could be paved in-house because of the use of Transportation # 2 funds. Commissioner Peacock suggests that bids be obtained so as not to have to worry about the funds coming from one to two. Bids will be let in two ways-- one for asphalt and one for loose gravel. Loose gravel is cheaper. Brief discussion followed on the figures possessed by Commissioner Dixon and not the other Commissioners with Commissioner Dixon advising that he had requested the figures. Commissioner Dixon questioned the County's ability to perform the paving, in-house, considering that the County has only one licensed, certified heavy duty operator. Commissioner Peacock stated that to perform the paving in-house, the equipment needed to perform the work would have to be rented. Commissioner Dixon then stated and Chairman Powell confirmed that basically, the County could not do the paving in-house. Commissioner Peacock stated that it could not be done in-house unless the equipment was rented. He does not think it would be productive to do it in-house. Commissioner McGill stated that persons would still be needed to operate the equipment. Commissioner Dixon then stated and Commissioner Peacock concurred that certified operators would have to be hired to operate the equipment.

County Manager Parmer then commented on and discussion followed on the problems that the auditors have with the paving being done in-house as it relates to the use of Transportation #2 funds and bid requirements. County Manager Parmer then recommended that a two column bid be received, one with crushed granite or aggregate rock. He also suggested that if the paving was going to be bid, that it be done in a manner to be consistent with the amount of funds in the account. There are three roads that County Manager Parmer knows the Commission approved of -- Atwater, Tillman and Hanna Mill. He suggested that the Board may want to bid all three roads to get a better price.

Commissioner Dixon asked if the County had a method for formulizing in-house projections as to what a project is going to cost. He does not like having to be dependent on a contractor to provide this type information. County Manager Parmer advised that Bishop Engineers could provide this information as the County's

people do not have the expertise to provide this type information.

Commissioner Peacock asked what the cost would be for Bishop Engineers to provide this information and County Manager Parmer stated \$300 to \$400. Discussion followed as to the method by which Bishop Engineers is paid; how often the Board selects engineers; funds available for road paving; and paving a quota of roads each year. Sealy Brown, an audience member, asked questions and made comments about road paving to which County Manager Parmer responded.

Commissioner McGill asked and received answers pertaining to the amount of right-of-way needed for road paving. Discussion followed on right-of-way requirements. County Manager Parmer advised the Board that James Parramore had informed him that bids needed to be let for concreting ditches on Atwater road. He requested Board authority to receive bids on this and bring them to the Board for a decision. The cost for paving with asphalt and granite rock were then discussed. Mrs. Archie Mae Carter, an audience member, addressed the Board on the amount of right-of-way needed for paving. An unidentified gentleman in the audience stated that the ditches on Atwater Road did need the work as stated by County Manager Parmer. Patricia Chukes Hudgins addressed the Board stating that the County needed to institute paving assessments. Dorisene Colvin and Commissioners Powell and Dixon responded to her observation.

Commissioner Peacock made a motion to go out for bids on Atwater Road, Tillman Road and Hanna Mill Road. Commissioner Davis seconded the motion. County Manager Parmer asked and Commissioner Peacock confirmed that the bids were to be for asphalt and granite rock.

The Board, on motion of Commissioner Peacock and second of Commissioner Davis, voted unanimously to go out for bids on Atwater Road, Tillman Road and Hanna Mill Road.

County Manager Parmer then asked about authority to go out for bids for concreting the ditches on Atwater Road. It was Board consensus that the motion included authority to receive bids for concreting the ditches.

BANKING SERVICES

Clerk Thomas paraphrased a memorandum (**attached**) pertaining to the receipt of bids for banking services which reflected that The Quincy State Bank had been awarded the banking services bid.

He requested Board authority for the Chairman to sign the Wire Transfer Agreement, Signature Cards, and Resolution.

The Board, on motion of Commissioner Davis and second of Commissioner McGill, voted unanimously to authorize the Chairman to execute the documents.

NORTH FLORIDA EDUCATIONAL DEVELOPMENT CORPORATION (NFEDC) GRANT

Clerk Thomas paraphrased a memorandum (**attached**) reflecting NFEDC's request that the County act as its governmental conduit so that they can receive a \$155,000 grant. Board authorization for the Chairman to execute an Agreement so that NFEDC can receive the funds is requested.

The Board, on motion of Commissioner Dixon and second of Commissioner Davis, voted unanimously to authorize the Chairman to execute the Agreement.

Mrs. Dorisence Colvin asked and Clerk Thomas advised her as to the amount of funds that had been received from Dale Summerford, Tax Collector, for fire tax and property taxes.

Mrs. Patricia Chukes Hudgins asked what was the amount of funds collected from the 1% sales tax. Clerk Thomas advised that he would give a revenue report at the next meeting which would answer this question. Mrs. Hudgins then asked and Clerk Thomas advised her that the funds collected were to pay the bond issue on the jail and none to fire protection.

CONTINGENCY REQUEST

Clerk Thomas presented a Contingency Request (**attached**) in the amount of \$2,000, explaining what it was for. He requested approval of the request.

The Board, on motion of Commissioner McGill and second of Commissioner Peacock, voted unanimously to approve the Contingency Request.

CASH BALANCE REPORT

Clerk Thomas presented a Cash Balance Report (**attached**) reflecting \$1,518,800.23 in the General Operating Accounts.

BUDGET AMENDMENTS

Clerk Thomas presented the following Budget Amendments, requesting approval:

Library Fund (4); Transportation Fund #1; and
General Fund (2)

The Board, on motion of Commissioner Dixon and second of Commissioner Davis, voted unanimously to approve the Budget Amendments.

PAYMENT OF BILLS

The Board, on motion of Commissioner Peacock and second of Commissioner Dixon, voted unanimously to pay the bills.

CITIZENS REQUESTING TO BE HEARD

Mrs. Dorisence Colvin addressed the Board on the matter of the courthouse's basement being locked and thereby eliminating access to the courthouse to the handicapped. She advised that she had reported this to DCA.

Chairman Powell advised Mrs. Colvin that the door is no longer being kept locked. She then addressed the need for the County Manager's office to be in a different location because of the stairs which limit access to him. County Manager Parmer responded to her statement, advising that he meets persons unable to traverse stairs downstairs.

Mrs. Colvin then addressed the Board pertaining to veterans. She stated that the business of veterans is not supposed to be discussed outside of the Veterans' Office. She then stated that the County did not have a Certified Veteran's Service Officer. County Manager Parmer advised her that this was not true and informed her that Mr. Edward Buter was the County's Certified Officer, having completed the necessary schooling. She asked that veterans be made aware of this as it is not publicly known. She then commented on the need to have Mr. Butler full time at the Veteran's Office.

Mrs. Patricia Chukes Hudgins addressed the Board on the

inability of the public to speak on issues not contained on the agenda. Chairman Powell responded to her query.

COMMISSIONER'S REPORT - DISTRICT ONE

Commissioner McGill made reference to memoranda that the Board members were supposed to have received relating to the pending visit to the County by Al Lawson on December 28, 1992. Commissioner McGill has prepared an outline that he will bring to the Board at a later date. He stated that there are several items in the legislative initiative, stating two of them. The cities of Midway and Havana have been asked to provide input. He has asked School Superintendent Harold Henderson if the school board would like to have input.

Commissioner McGill then directed the Board's attention to an eleven item memorandum to be discussed at a later meeting with respect to hiring practices, how the County makes purchases, the five year plan; and the use of consultants. The issues are presented for consideration, so hopefully, at the next meeting or the subsequent meeting, the Board can vote on them. However, the legislative initiative matter needs to be acted on soon as the legislative delegation will be in Quincy on December 28, 1992.

He then briefed the Board on his meeting with Rick McCaskill wherein economic development was discussed and the need to address the legislature on this matter. He addressed the County's loss of industry to other states because the County is not equipped to handle industry.

Commissioner McGill requested an allocation figure that he can play with on how many dollars is going to allocated per district for road paving.

Chairman Powell stated that the figures indicating the amount of monies that could be spent per district for road paving would come from the Clerk and County Manager. Commissioner Dixon stated that this was also a political decision which he did not want to leave up to the Clerk. Clerk Thomas responded that he did not want to make this decision.

COMMISSIONER'S REPORT - DISTRICT TWO

Chairman Powell stated that in his district, there were several roads that have no road signs. He commented on the problems this caused when emergency vehicles respond to calls. He would like signs erected. Discussion followed in which Chairman Powell was informed that road signs are stolen when they are erected.

COMMISSIONER'S REPORT - DISTRICT THREE

Commissioner Peacock stated that things were running smoothly in his district.

COMMISSIONER'S REPORT - DISTRICT FOUR

Commissioner Davis advised the Board that there was a move on to close the ASCS office and other federal offices at the location. He thinks the Board should write a letter to the County's Senators and Congressman and other interested persons in opposition to closing the offices. The County would lose \$24,000 if the offices are closed as the County rents the building out to the offices

located in them. County Manager Parmer suggested that rather than sending a letter, a resolution be adopted.

The Board, on motion of Commissioner Davis and second of Commissioner Peacock, voted unanimously to prepare a resolution in support of not closing the ASCS office.

COMMISSIONER'S REPORT - DISTRICT FIVE

Commissioner Dixon directed the Board's attention to notes that he made from the Small County Coalition meeting, explaining that they were high priority items which needed to be addressed in the legislature. He then cited items of particular importance to Gadsden County. These items will be discussed further at the next Small County Coalition meeting scheduled for January. Commissioner Dixon requested that the Board provide ideas and comments at the first meeting in January for input at the next Small County Coalition meeting. These ideas can also be presented to the County's local delegation by the start of the session and also to the Small County Coalition and The Association of Counties. County Manager Parmer commented on the agency rules and economic impact. Archie Carter asked for and received clarification on the use of the NFEDC Grant. She then commented on the economic restraints on the citizens of the County and citizens needing assistance in repairing their homes, particularly a Mrs. Weatherspoon. Commissioner Dixon responded to her comments.

Commissioner Dixon, in reference to the Small County Coalition, made a motion for the Board to adopt a resolution sent to the County by the Coalition and to also pay the \$2,000 fee for membership in the Small County Coalition. Commissioner Davis seconded the motion.

The Board, on motion of Commissioner Dixon and second of Commissioner Davis, voted unanimously to approve the Resolution for the Small County Coalition and to pay the \$2,000 membership fee from Contingency Funds.

Commissioner Dixon advised that the Apalachee Regional Planning Council had met and have some fire protection funding sources that are important to this County. They also have some revolving loan grants that people of this County can apply for. If anyone is interested, he has the information.

Commissioner Dixon advised that he has been receiving a lot of feed-back pertaining to the Airport Authority. He does not agree with some of the things that they are doing and suggested that the monies budgeted for them not be dispensed to them until they straighten up.

Commissioner Dixon made a motion to rescind the monies budgeted for the Airport Authority. Discussion followed as to appointments to the Authority. Commissioner Dixon then made a motion that the Authority not be given the money budgeted for them by the County and for the County to remove its two members from the Authority's Board. Lengthly discussion followed. County Attorney Richmond advised that prior to the Board removing its members from the Authority, the members need to be informed as to what they are being charged with and what the Commission's concerns are. They need to be given the opportunity to respond. The Board can ask its two members to appear and advise them of the reasons they will be removed unless they show cause why not. It has to be for actions

related to their job and the performance of their job at the Airport Authority. County Manager Parmer asked and County Attorney Richmond advised him he was not sure of the procedure for dissolution of the Authority as the legislature created the entity. He then advised the Board of removal procedures. Before the Board takes any specific action as far as removal, the Board needs to at least draw up or get some kind of motion or do something to let the members appear and present it. Commissioner McGill asked and was advised that the Board appoints its two members in February. He suggested not re-appointing anyone to the Authority -- hold the money and not re-appoint anyone to the Authority.

The Board, on motion of Commissioner Dixon and second of Commissioner McGill, voted 4 to 1 to not dispense any money to the Airport Authority until this matter is resolved and appoint two other members to the Authority at appointment time. Commissioner Davis cast the dissenting vote.

County Attorney Richmond advised that only one of the Board's appointees comes up for reappointment to the Airport Authority in February.

Mr. Sweeney addressed the Board on the manner in which meetings are carried on. The meetings need to be carried on in a more orderly, agendaed manner. He asked and was told that any item on the agenda could be addressed by a citizen. Citizens speaking at random disrupts the meeting. He would like to see some type agreement as to when citizens can and cannot speak. Persons wanting to address the Board for a specific purpose should be on the agenda.

Commissioner McGill recommended that a section be included at the end of the agenda for citizen input.

ADJOURNMENT

The Board, on motion of Commissioner Dixon and second of Commissioner Peacock, voted unanimously to adjourn.

ANTHONY A. POWELL, CHAIRMAN

ATTEST:

NICHOLAS THOMAS, CLERK

GADSDEN COUNTY CONSTRUCTION INDUSTRY LICENSING BOARD

The meeting was called to order by Chairman Powell. County Manager Parmer presented the Master Electrician license application of William Thomas Webster, recommending approval.

The Board, on motion of Commissioner Peacock and second of Commissioner Dixon, voted unanimously to approve the license.

ADJOURNMENT

The Board, on motion of Commissioner Dixon and second of

Gadsden County Board of County Commissioners
December 15, 1992 Regular Meeting

Commissioner Peacock, voted unanimously to adjourn.

ANTHONY A. POWELL, CHAIRMAN

ATTEST:

NICHOLAS THOMAS, CLERK

AT A SPECIAL MEETING OF THE
BOARD OF COUNTY COMMISSIONERS,
HELD IN AND FOR GADSDEN COUNTY,
FLORIDA, ON DECEMBER 16, 1992,
THE FOLLOWING PROCEEDINGS WERE
HAD, VIZ.

PRESENT: ANTHONY A. POWELL, CHAIRMAN
JAMES PEACOCK, VICE-CHAIRMAN
FORREST DAVIS
EDWARD J. DIXON
BILL MCGILL
HAL RICHMOND, COUNTY ATTORNEY
BUD PARMER, COUNTY MANAGER
NICHOLAS THOMAS, CLERK

CALL TO ORDER AND PRESENTATION

The meeting was called to order by Chairman Powell who then turned the workshop meeting over to Mr. Edward Butler.

Mr. Butler directed the Board's attention to the drafted ordinance (**attached**), advising of an omission in the title. He then continued, covering Section I, Definitions, of the ordinance. He advised the Board that the definition of "Community-based organization" had been basically taken from one that was sent in from the 1000 Friends of Florida. If there is a problem with this definition, it can be corrected at a later time.

Pertaining to Section 1, Subsection 2, Commissioner McGill stated and Mr. Butler concurred that on line two, the word should be resources rather than sources. Mr. Butler then continued, chronologically, with review and discussion of the drafted ordinance.

Section II deals with the creation of the local housing assistance trust fund. Mr. Butler stated that he had provided the Board with an outline by which to follow his presentation. He then synopsised and explained Section II and introduced special guests, Ms. Jaimie Ross of the 1000 Friends of Florida and Mr. Mark Hendrickson from the Board of Finance.

Section III is the creation of the Local Housing Partnership. Mr. Butler emphasized that the members of the Local Housing Partnership were to be appointed by resolution of the Board of County Commissioners. He stressed the importance of the resolution reflecting the names and affiliations of the persons who are appointed to the Partnership. Commissioner Davis asked and Mr. Butler advised that the appointments would be made as part of the plan. Mr. Butler suggested that as no specific number of

appointees to the Local Housing Partnership was indicated, that a minimum of one person be appointed from the groups notated. Evelyn Rollins, Mayor and Commissioner of the City of Gretna, asked Mr. Butler if, pertaining to appointments on the Local Housing Partnership, it included municipalities and local governments. Mr. Butler responded that the law did not address this, but he did not see why it would not. Commissioner McGill also responded to Ms. Rollins' query. Mr. Butler asked and Ms. Rollins responded that she would not have a problem serving on the Partnership, if asked.

Section IV deals with the intent and purpose of the Local Housing Assistance Program. Commissioner McGill asked how the County would attract the private funds to fuse them with local funds. Mr. Mark Hendrickson responded to the question. Mr. Hendrickson also answered questions from County Manager Parmer relative to using SHIP funds to pay front-end and closing costs to assist persons to own homes. Chairman Powell asked if he understood Mr. Butler say that they were going to do a loan from the bank and a loan from the SHIP Program also, or would the SHIP money be a grant. Mr. Butler responded that it could be worked either way, but it is preferable that it be a loan. The money is flexible, so basically it is what the County Commission decides it wants to do, within compliance of the law.

Commissioner McGill asked if the Board could look at persons who are defined as very, very low income to low income, etc, who had been denied loans in the past because of credit problems, as the primary type of population and try to move them into a house that they can afford. Mr. Butler responded affirmatively. Mr. Clarence Lewis, the Chairman of the Board of the North Florida Educational Development Corporation (NFEDC), suggested that the Board use the expertise of the 1000 Friends of Florida. Chairman Powell asked if the SHIP funds could be used to pay off liens on property. Mr. Butler responded that they could, but that if he was incorrect, he would be corrected later.

Mr. Butler advised the Board that he had spoken with a few modular home builders. Modular homes is an option that can be used to get low and very low income persons into homes in a very short time. Commissioner McGill asked Mr. Butler if zoning regulations would prohibit mixed-income housing as reflected in Section IV(A)(4) of the draft ordinance. Commissioner McGill used Lake Tallavana and Forest Heights subdivisions as examples for ascertaining whether zoning regulations would accommodate modular housing. Discussion followed in which Mr. Butler, Mr. Sherman, Planning and Zoning Director, and Mr. Lamar Kent, Building Inspection Supervisor, responded to the question. Commissioner Peacock asked if, in line with what Commissioner McGill is talking about, does the County have to have a zoning ordinance in effect

before the County can go into this. He was told no, with Lamar Kent expounding as to what problems could arise. Commissioner Peacock asked and was informed that modular homes would fit in with the Comprehensive Plan. An unidentified gentleman in the audience questioned the impact modular homes would have on ad valorem taxes. County Manager Parmer informed him that modular home owners pay ad valorem taxes. Lengthy discussion on homes' values to generate taxes; owners' ability to pay ad valorem taxes; and owners' maintaining their property, making mortgage payments and insurance payments. Mr. Butler advised the gentleman that this was one of the responsibilities of the Partnership. Mrs. Carolyn Ford, Executive Director of NFEDC, stressed the need to train persons for home ownership.

Section V deals with establishment of the Local Housing Assistance Program. Mr. Butler advised that he had left the percentages blank on the short sheet given to the Board members as they may want to insert their own percentages. Mr. Butler informed the Board that pertaining to participation with the Farmers' Home Administration in assistance with home ownership, one problem that Farmers' home has is coming up with the financing cost for the property on which to build a house and closing costs. Farmers' Home suggested that if the County could help with this, the County would be money ahead and could move a little faster in putting people in houses. Mr. Butler stated that some people have had problems with the slowness of Farmers' Home Administration. This would be a good way to use the funds. If an ordinance could be instituted the first year and operation started, there would be the opportunity to ascertain how it works and determine what changes need to be made for following years. Mr. Butler explained the method by which the Veteran's Administration made loans and advised Commissioner McGill, when he asked, that the Federal Housing Administration does provide loans for Gadsden County.

Mr. Butler advised the Board that when financial institutions or Farmers' Home Administration finance a home on which small local contractors are awarded the contract, the contractors, in most instances, do not have enough monies, up-front, to purchase materials and pay their labor by cash. They have to get credit from one of the local lumber yards or lumber stores. This method dispensed with any possible discount that could have been received had the purchases been made for cash. Reserving fifteen percent of the distribution to provide construction loans to the eligible contractors would facilitate and enhance their ability to provide affordable housing for eligible persons. The contractors could be charged a small percentage on the interest. Commissioner Peacock asked and Mr. Butler confirmed that the contractors would be licensed. Mike Sherman, Planning and Zoning Director, asked if the County would have to qualify the contractors like it does in the

CDBG program. Mr. Butler responded that he would prefer it that way and further advised that Farmers' Home Administration qualifies their contractors.

Mr. Butler advised that in the Plan, the County would have to establish, by resolution, a cost per unit and a maximum cost per unit for each structure. Chairman Powell suggested that to keep costs down, the County could kick in cost permits and things like this. If the County goes with this program, the County could do away with the electrical fees and hook-up fees to keep the costs down. Mr. Butler responded that this would be something for the County Commission to decide. Brief discussion followed pertaining to this and the splitting of the closing costs and lot costs between the County and Farmers' Home. Commissioner Peacock asked and was advised by Mr. Butler that the County's share of the cost would come from the SHIP funds. Lamar Kent addressed the problem of procuring lots because of the amount Farmers' Home would pay for them and the location requirements.

Ms. Chris Canty, Midway City Manager, addressed Section V. She stated that the ideas and concepts are good, but she questions if the section has to be written so specifically. She would discourage that the ordinance reflect that 50% of the monies be tied up specifically to work with Farmers' Home and nobody else. She would prefer that the ordinance be less specific in terms of identifying who you are working with. She has no objection to the percent being tied toward home ownership, home improvement and care programs, but directly to Farmers' Home is a little too specific. Mrs. Carolyn Ford made a suggestion pertaining to the Local Housing Partnership with reference to the percentages, stating that one of the things she had not seen in here is they have had town meetings in this County and have listened to people with various problems. One of the main problems that they have heard is the existing housing start. People have numerous problems with their septic tanks and water systems. People are concerned with bringing their houses up to form. Mr. Butler advised of conversation between he and Don Lanham concerning money to fund a rehabilitation person. Mr. Butler feels that the most important part of the rehabilitation program is to have an excellent rehabilitation person as without that person, there is nothing.

Don informed him that if the County got the Program, he would talk with the City of Quincy about trying to help sponsor, by contract, a rehabilitation specialist and at the same time try to get the other cities interested in rehabilitation to kick in money to help pay the costs for a rehabilitation specialist. Mr. Butler stressed the importance of a rehabilitation specialist, elaborating on the role of the specialist. Mrs. Ford stated that she understood this, but for a change, when she thinks about

partnerships, she is thinking about an equal relationship between the community, city government, non-profits, etc. On that basis, and for a change, maybe the community could be heard and have a voice in determining where a start is made. Maybe starting from the community's point of view will enable the County to have a very successful Program. The community will then have a sense that they are having a say in what is done, rather than that they just have to accept what others have decided is best. If the people are listened to, more of their support can be received and more resources can be found that have not been received before. Lengthy discussion followed between Mr. Butler, Mrs. Ford, Mr. Clarence Lewis, NFEDC Board Chairman, and Chris Canty. Mr. Lewis questioned the soundness of using funds to create a rehabilitation specialist position. Mrs. Ford further expressed her concern pertaining to the 25% to 50% and the need to first involve the citizens to ascertain what they feel their needs are. She suggested that appropriations should be made based on the needs of Gadsden County citizens. Mr. Butler advised that a percentage had to be reflected in the Ordinance, stating that the Ordinance establishes the Partnership. The Partnership is not yet established and the percentages are just a part of the Ordinance. Ms. Ross of the 1000 Friends of Florida advised that the model ordinance under discussion, which had been prepared by 1000 Friends of Florida and distributed by the State does state that the County can appoint, per resolution, members to the Partnership. However, this is not necessary; it does not have to be done via this method. There are several governments that are not going to be appointing actual people. The Partnership is the most broad thing that the County can have, which includes everybody. It should be the entity designing the program -- coming up with how the money is to be spent, within the guidelines of "SHIP". She suggested that the Commission may want to follow the formal appointment route, making it the first order of business. The Board's priority now is to get the Partnership put together so that the Partnership can work on the draft ordinance and come back to the Board at another meeting with their recommendations. The Partnership needs to include local government.

Commissioner McGill stated that he would like the Board to receive input from persons most likely to benefit from the program. Commissioner Dixon stated this was the reason for which the Commission was to set up the boards. County Manager Parmer asked Mr. Mark Hendrickson to advise the Board of the benefits of some of the statewide thinking he had heard with regard to how the County could take the \$250,000 and leverage it through a variety of sources and turn it into \$750,000 or more.

In response, Mr. Hendrickson commented on the vagueness of the Partnership and the concreteness of the ordinance. He stated that

it was clearly the intent of the legislature that the Partnership include the local government, but that it be the Partnership that gets together right off the bat to come up with the recommendations on what programs were to be operated in the community, be it the down payment of the Farmers' Home or the construction loan. That input would be brought back to the Commission who, looking at the input, could make the decision. This could be done in a resolution. The Ordinance can lay out the percentages to be spent on various things -- new construction, rehabilitation, emergency repair. The Partnership could then, by resolution, state that under the ordinance, certain things are going to be done. He advised that the Program, legislatively, had a very strong home ownership emphasis and jobs component. County Manager Parmer stated that a problem that he had with rehabilitating houses was that with the money spent rehabilitating, new homes could have been built. Mr. Clarence Lewis stated that it was vital that the cost factors be controlled by having a competent rehabilitation specialist.

Mr. Butler stated that pertaining to the Resolution, there was five percent (5%) in the law for administration. You can get up to ten percent (10%). To get the ten percent, the County Commission has to pass a resolution. The County Commission does not have to run this program. The Commission can give the Program to a non-profit corporation and let it run it. Chairman Powell asked and Mr. Butler confirmed that the Commission would still be ultimately responsible for the Program. Commissioner Peacock stated that it should be noted that should the Commission give the Program to a non-profit organization and the money is spent without the goals being accomplished, the County Commission would be responsible for repaying the money.

Mr. Butler then welcomed input from persons attending the meeting. In response Chris Canty emphasized the necessity and importance of the municipalities having a role in the Partnership. Chairman Powell asked Mr. Butler what kind of time table the Board had to work with. He advised that the Housing Finance Agency must have approved the Program by June 1. If the process is sped up and everything got going -- incorporate all things that need to be incorporated -- hopefully, the County can have the program together and to the Housing Finance Agency by April 1. They will have thirty days to approve or disapprove. The County has two opportunities to submit the program for approval which must be done by June 1. If not approved, Mark Hendrickson will take the money and put it up for competitive bids to the rest of the state. Mr. Hendrickson advised that if the Plan is not approved when first sent in, his agency must advise the County as to how to fix it. Commissioner Dixon asked if the County's portion of the money would go into escrow until the plan is approved and was advised by Mr.

Butler that the County does not receive any money until the Plan is approved. The County will receive the monies in monthly increments. Mr. Hendrickson advised that when the County's Plan is approved, it's first check will be retroactive to September 1, 1992 -- the County will not lose any money. Chris Canty asked questions pertaining to what constitutes approval to the point that funds are received. Ms. Ross responded to her questions. She also advised that this County was ahead of many others, especially in its understanding of the draft ordinance and the difference between the Advisory Committee and the Partnership.

Commissioner Dixon asked Mr. Hendrickson if they had any programs for higher level housing -- upper-low, middle, and moderate. Mr. Hendrickson advised that the County could do, at its option, moderate housing within the Program under discussion. He then advised that his agency has one program for home ownership that can go up to moderate income, but almost everything that is getting state money that comes through the agency is for very low and low income recipients.

Mr. Butler advised that various municipalities had asked him about interlocal agreements. He has no problem with them, but this is left up to the Commission. There is no entitlement city within Gadsden County, so no interlocal agreements are required. He advised as to what problems could occur if interlocal agreements were entered into. Ms. Ross advised that if a non-entitlement community wanted to have an interlocal agreement with the County, they would have to do all the same things that the County is doing -- ordinance, advisory committee, etc.

County Manager Parmer stated he would rather see everyone concern themselves with accomplishing projects rather than having jurisdictions. Ms. Canty stated that her purpose was to see that the programs that are developed under this Program be vital and feasible across the County. Commissioner Peacock asked if there would be monies in the Program for training persons for home ownership who had not owned homes before or who had not had the experience of moving into a home. He was advised that funds could be used for this type training. County Manager Parmer advised that there is already a state financed program that will do this training without having to use these funds, if the County can take advantage of it. Evelyn Rollins addressed the need that the training not be just a one time thing. It needed to be a continuous process. Discussion on this followed.

Commissioner McGill requested that persons who want to make comments on the program, for the record, who may not be able to come back to other hearings, write a letter to the Commission so that the comments can be entered into the records. Ms. Rollins

advised that she would like to be a part of the Partnership. Clarence Lewis advised the Commission that his organization would be glad to share the input of citizens with the Commission.

Chairman Powell thanked everyone for attending the meeting and advised that the next work shop would be held on Wednesday, January 6, 1993, at 6:00 p.m. in the Courthouse.

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned.

ANTHONY A. POWELL, CHAIRMAN

ATTEST:

NICHOLAS THOMAS, CLERK